

City of Petersburg Virginia

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City Council

W. Howard Myers, Mayor – Ward 5
Samuel Parham, Vice-Mayor – Ward 3
Treska Wilson-Smith, Councilor – Ward 1
Darrin Hill, Councilor – Ward 2
Brian A. Moore, Councilor – Ward 4
David Ray Coleman, Councilor – Ward 6
John A. Hart, Sr., Councilor – Ward 7

Chief Operating Officer

Dironna M. Belton, Interim COO

Agenda

March 15, 2016

Union Train Station
103 River Street

-
1. Regularly-Scheduled Meeting — 6:30 p.m.
 2. Roll Call
 3. Moment of Silence
 4. Pledge of Allegiance
 5. Presentations / Proclamations / Recognitions: (Each presentation will be limited to 10 minutes.):
 - a. Proclamation for Girl Scout Week
 - b. EMS Services in the City of Petersburg
 - c. Fire Department EMS Proposal Presentation
 - d. Six month Financial Update for Fiscal Year 2016
 6. Consent Agenda:
 - a. Minutes January 11, 2016; January 19, 2016; February 2, 2016; February 18, 2016; February 22, 2016; February 24, 2016; March 3, 2016
 - b. Schedule a public hearing to approve the application to Vacate Right-of-Way of Property Adjacent to E. Washington Street.
 - c. Schedule public hearing on the proposed disposition of 326 East Washington Street 011-330010; 380 East Washington Street 012-200001; 400 East Washington Street 012-290002.
 - d. Schedule a public hearing to amend City Code Section 50-131 to remove term from “cash escrow.”
 - e. Schedule a Public Hearing for consideration of proposed uses of CDBG funds for 2016-2017.

7. **Public Hearing: (In accordance with the Rules of Council, public comment will be heard before discussion by Council. Once discussion has started, no further input from the public will be accepted. Each speaker will be limited to three (3) minutes.)**
 - a. Hold a public hearing for the proposed disposition of publicly-owned property located at 808 Halifax Street.
 - b. Hold a public hearing for the proposed disposition of publicly-owned property located at 811 Halifax Street.
8. **Public Information Period – The Public Information Period is established by the Rules of Council to hear input from City residents or owners of businesses in the City. It will last for a maximum of 30 minutes. Speakers will be called in the order that they have signed up to speak. If there are ten (10) or fewer speakers, each shall speak for a maximum of 3 minutes. If there are more than ten (10) people desiring to speak, the time allotted to each person may be adjusted or the number of speakers limited to meet the time limitation. A speaker may speak on items except those that are listed on tonight's Council agenda. Any matter brought before the attention of the City Council during this public information period will not be acted upon by the City Council at this meeting.**
9. **Business or reports for / from the Mayor or other Members of City Council:**
 - a. Consideration to amend the special fund budget for the proposed disposition of 16 parcels of publicly-owned property in the Halifax Triangle.
 - b. Consideration to authorize the City Treasurer to publish Delinquent Taxpayers List.
 - c. Consideration to approve the purchase of 125 W. Washington Street
 - d. Consideration of reappointment to the Virginia Gateway Region Board
 - e. Consideration of an appointment to the Central Virginia Waste Management
 - f. Consideration of an appropriation for the 2015 State Homeland Security Program (SHSP) for Tri-City Communications Enhancement.
 - g. Consideration of an appropriation Victims of Crime Act Assistance Grant Program
 - h. Resolution to Execute Standard Independent Commission Agreement with Greyhound Lines/Greyhound Lines Canada
 - i. Consideration of appropriation for Capital Grant Funds to Petersburg Area Transit (PAT)
 - j. Consideration for the adoption of the Petersburg Area Transit Title VI Program
 - k. Consideration of appropriation for Alternative Fuel Grant Funds to Petersburg Area Transit (PAT).
 - l. Consideration of Budget Amendment Petersburg City Public Schools
 - m. Consideration of an appointment to the Appomattox River Water Authority

10. City Manager's Agenda

- a. City Manager's Report.

11. Clerk of City Council's Agenda

12. City Attorney's Agenda

13. Closed Session (if necessary)

14. Adjournment



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson III, City Manager

FROM: Nykesha D. Jackson, Clerk of City Council

RE: Proclamation for Girl Scout Week

PURPOSE: To proclaim the week of March 6-12, 2016, as Girl Scout Week

REASON: To bring awareness to all Petersburg citizens about the leadership development program of girls defining leadership by making the world a better place and taking action in their communities.

RECOMMENDATION: Recommend Mayor Myers read the attached Proclamation.

BACKGROUND: More than 3.8 million Girl Scout Members nationwide will be celebrating 103 years of this American tradition, with nearly 50 million women who grew up participating in Girl Scouting and exemplify the impact of this amazing movement.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: A Proclamation

STAFF: N/A

Office of The Mayor



PETERSBURG

VIRGINIA

Proclamation

WHEREAS, Saturday, March 12, 2016, marks the 104th Anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

WHEREAS, throughout its distinguished history, Girl Scouting has helped build millions of girls and women of courage, confidence and character; and

WHEREAS, through the dedication, time, and talent of volunteers of different backgrounds, abilities, and areas of expertise, the Girl Scout organization thrives for girls in so many settings; and

WHEREAS, through Girl Scouting's unique leadership development program, girls define leadership by making the world a better place by discovering connecting, and taking action in their communities; and

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of the opportunities available to them today in math, science, sports, technology, health and fields that can expand their horizons; and

WHEREAS, more than 2.7 million Girl Scout members nationwide will be celebrating 104 years of this American tradition, with nearly 60 million women who grew up participating in Girl Scouting and exemplify the impact of this amazing movement; and

NOW, THEREFORE, I, W. Howard Myers, by virtue of the authority vested in me as Mayor of the City of Petersburg, do hereby proclaim

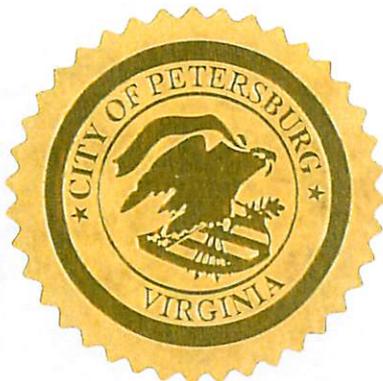
March 6-12, 2016

as

"GIRL SCOUT WEEK"

in the City of Petersburg.

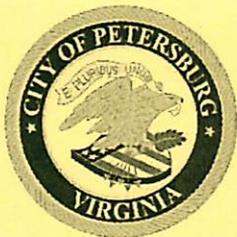
Dated: March 15, 2016



Mayor

ATTEST:

Clerk of Council



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 8, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna Belton, Interim Chief Operating Officer

FROM: Southside Virginia Emergency Crew (SVEC)

RE: EMS Services in the City of Petersburg

PURPOSE: Presentation on proposal of EMS Services in the City of Petersburg.

REASON: Southside Virginia Emergency Crew has presented proposals to City Leadership to answer all EMS calls for Fire Stations 2, 4 & 5 (Market Street, Sycamore Street and Johnson Road respectively). City of Petersburg Fire Department would remain the respondent for Fire Station 3 (Farmer Street). This presentation is to gain approval by council for this proposal.

RECOMMENDATION: No action required

BACKGROUND: Southside Virginia Emergency Crew has been answering EMS calls for the City of Petersburg since 1945. Until July 2014, SVEC was responsible for all EMS calls in the City of Petersburg from our location at Graham Road. Petersburg Fire Department took over Stations 3 & 4 at that time and has been running EMS to present day with assistance from SVEC. SVEC currently has equipment and staff to run all 3 stations under current funding from the City of Petersburg.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Fire Department

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Proposal

STAFF: N/A

Emergency Medical Services (EMS) Proposal
For
City of Petersburg

Currently, the City of Petersburg's Fire and EMS (PF&EMS) and Southside Virginia Emergency Crew (SVEC) are fourteen months into a shared coverage relationship for emergency medical services for the citizens of Petersburg.

For fiscal year 2014/15 the City of Petersburg funded SVEC \$183,000 for the cost of covering EMS in fire districts covered by stations 2 and 5. This same funding has been approved for fiscal year 2015/16. In the past years cycle, this funding was used to help fund the 5,227 emergency calls SVEC responded to in the city. SVEC not only covered the districts of stations 2 and 5 but also covered a number calls for the City in station 4's district. SVEC has four ambulances available and fully equipped. Career personnel staff two advance life support (ALS) units 24/7 to ensure an ALS provider responds to 911 emergencies. SVEC has the capability to staff additional units at either basic or advanced life support levels.

SVEC has the following proposal to further improve our partnership with PF&EMS. Currently, SVEC passes station 4's district to respond to calls in the station 5's district. Over the past 14 months, SVEC has responded to the station 5 district calls but also many of the calls in station 4's district. SVEC proposes to cover station 2, 4, and 5's districts going forward. With this arrangement the City would realize substantial savings by not having to staff and equip station 4's district on a full time basis. The City would only have to focus on station 3's district in the west end of the city where it has done an extremely effective job of covering the calls. Response time has improved throughout the city mainly because of fire station 3's presence in the west end of the city.

SVEC further proposes that they cover all calls in districts 2, 4, and 5 if they have the available personnel and equipment. PF&EMS would handle all calls in district 3. If multiple calls occur in districts covered by SVEC, then PF&EMS would be the primary back up unit. Similarly, if multiple calls occur in district 3, SVEC would be the primary back up unit.

SVEC is prepared to initiate these proposals immediately with the approval of the City of Petersburg. SVEC looks forward to the continued shared relationship with the City of Petersburg providing the citizens of Petersburg with the best service possible when the need arises to dial 911.

Southside Virginia Emergency Crew and
Board of Trustees



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 9, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna Belton, Interim Chief Operating Officer

FROM: Brian Sturdivant, Deputy Fire Chief

RE: Fire Department EMS Proposal Presentation

PURPOSE: To present and discuss the Fire Department's proposed expansion and collaboration of EMS services with SVEC within the City of Petersburg.

REASON: The fire department currently has four (4) strategically located fire facilities, data reflects that deployment of EMS resources from these facilities will significantly improve response times and lead to positive patient outcomes.

RECOMMENDATION: Review and discuss Fire EMS proposal.

BACKGROUND: In July 2014, the Fire Department deployed an advanced life support medic unit from Farmer St. fire station to address Southside VA Emergency Crew's delayed response times to the western corridor of the City. This was also done to augment SVEC's down staffing of a medic unit due to budget reductions. The staffing and deployment of Fire Medic 3 (Farmer St.) along with Fire Medic 4 (Sycamore St.) recognized an increase in the return of spontaneous circulation (ROSC) of patient's transported, which leads to increases in patient survivability. The Fire Department is proposing a deployment of fire medic units from all four City fire stations which will provide even greater positive patient outcomes. This proposal is recommended as a collaborative effort with SVEC with the caveat that the Fire Department become the lead EMS agency for the City of Petersburg.

COST TO CITY: None

BUDGETED ITEM: None

REVENUE TO CITY: None

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Fire Department, Southside VA Emergency Crew

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

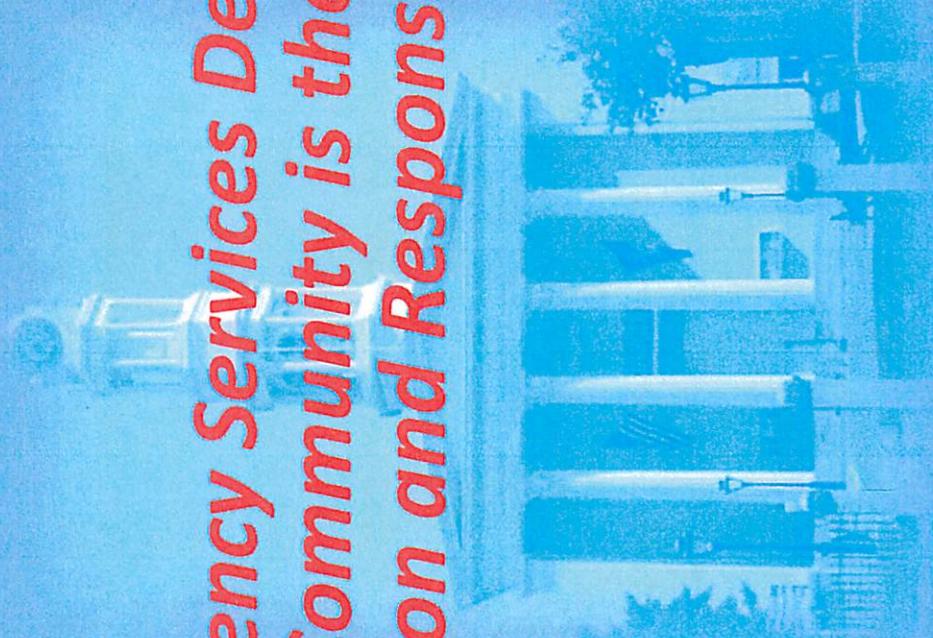
ATTACHMENTS: 2016 Fire EMS Proposal, memo to Mayor, Vice-Mayor dated Jan 19, 2016

STAFF: Fire Department

City of Petersburg Emergency Medical Services



***“Emergency Services Delivery for
Our Community is the City’s
Mission and Responsibility”***





System Status Management

July, 2014 –

- **Deployment of 2 fully staffed ALS Fire Medics from Farmer St. and Sycamore St. Fire Stations.**
- **Response times – Decreased from 10.4 minutes (SVEC) to 4.3 minutes (citywide).**
- **Fire Department recommendation is to deploy 2 additional ALS Fire Medics from Market St. and Johnson Rd. Fire Stations.**



Response times / Pt. Outcomes

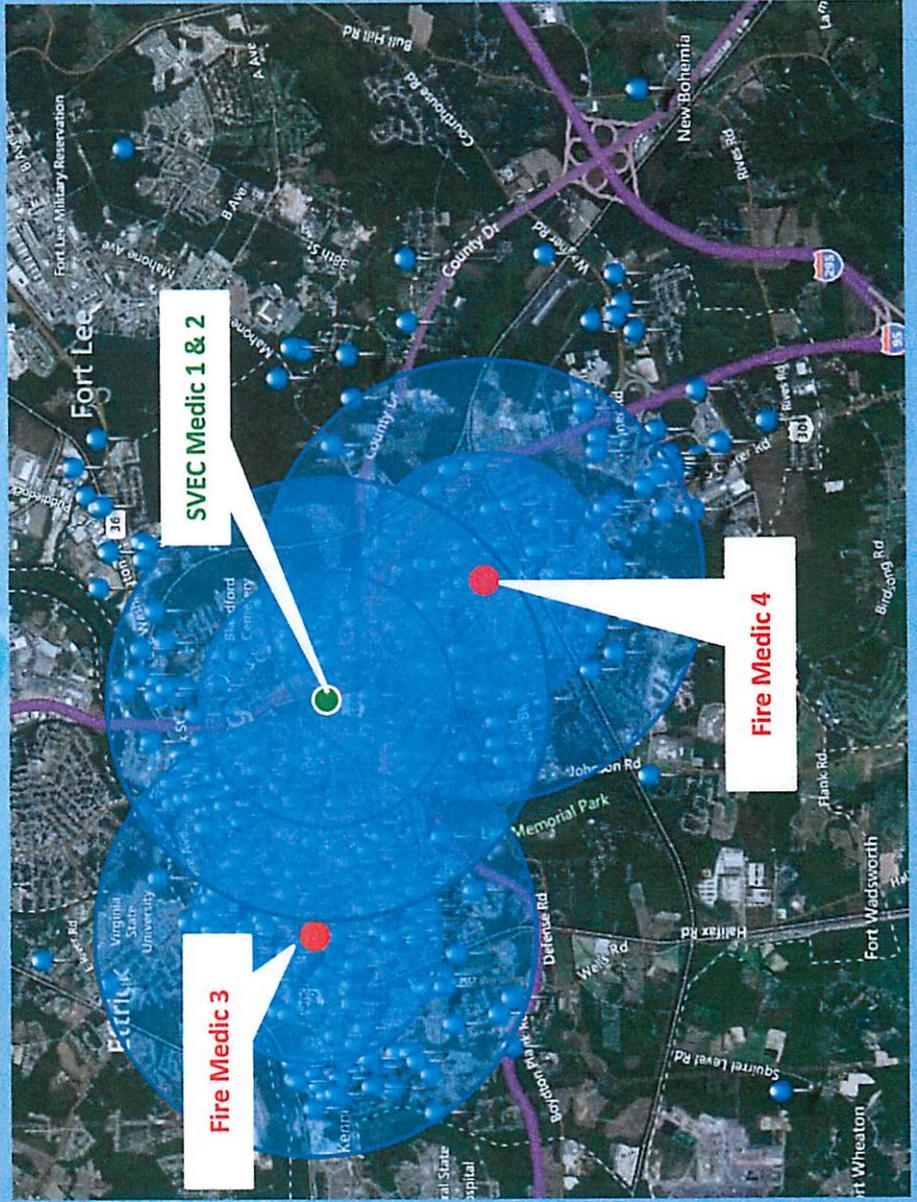
Return of Spontaneous Circulation (Pulse) –

- Increased from 3.6% to 18.3% on arrival at hospital.**
- These percentages are directly related to increases in patient survivability.**
- Fire Medic Units deployed from strategically located Fire Stations significantly contribute to these increased percentages.**



Current Response Coverage

4 Ambulances covering all high call areas





Petersburg Fire Proposal

4 ALS Fire Medic Units



Current Cost Analysis



2015 Cost -

SVEC - \$183,000

In Kind Services - \$750K to \$1mil

Fire - \$295,710.00 (Budgeted)

Billed \$700,966

Collected \$409,969

Pending \$290,997

Combining Systems



Phase I: 2 ALS Medic Units / 2 ALS Engine Companies (July, 2016)

Phase II: 2 Leased Medic Units at Market St. and Johnson Rd. Fire Stations (December, 2016)

Phase III: 4 ALS Medic Units at City Fire Stations with SVEC Integration (July, 2017)

Economy of Scale



- Continuity of patient care.**
- Continuity of Fire/EMS Administration.**
- Continuity of Single Medical Director.**
- Continuity of Fire/EMS medical training.**
- Continuity of Medical Equipment.**
- Improved System Management.**

Cost Savings: Projected \$850,000 annually by year 3.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Irvin Carter, Deputy City Manager/Director of Finance

RE: Presentation of Six month Financial Update – FY2016

PURPOSE: Give a Six Month update of the City of Petersburg Finances.

REASON: This is an opportunity for Administration to give an update of the financial position through the first six months of the Fiscal Year.

RECOMMENDATION: Informational purposes only

BACKGROUND: This presentation will give a snapshot of the financial position of the various funds of the city to include General Fund, Special Funds, Utility Fund and other enterprise funds.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: All City Agencies

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Presentation

STAFF: Irvin Carter, Deputy City Manager/Director of Finance

City of
PETERSBURG
Virginia

2016 Mid Year Review

Presented by

Irvin M. Carter, Jr. DCM/Finance Director

Curtis S. Finney, Jr. Assistant Finance Director



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Income Statement for Period Ending December 2015

GENERAL FUND REVENUES

General Property Taxes	\$ 12,280,208.23
Other Local Taxes	4,451,815.64
Licenses, Permits and Privilege Fees	200,297.17
Fines and Forfeitures	198,014.93
Revenue from Use of Money	-
Revenue from Use of Property	91,222.59
Revenue from Federal	2,009,941.92
Revenue from Commonwealth	7,631,575.23
Charges for Current Services	1,405,838.73
Recovered Cost	212,059.57
Miscellaneous Revenues	4,541,834.65
<u>Total General Fund Revenue</u>	<u>\$ 33,022,808.66</u>



Income Statement Continued

GENERAL FUND EXPENDITURES

General Government			
Legislative	\$	135,670.25	
Executive		339,053.01	
Legal Counsel		175,429.43	
Financial Administration		2,788,234.13	
Human Resources		169,611.77	
Board of Elections		177,626.03	
Planning and Economic Development		<u>308,392.56</u>	\$ 4,094,017.18
Judicial			1,067,644.04
Public Safety			9,864,736.10
Health and Human Services			6,638,954.40
Public Works			3,062,004.24
Parks and Leisure Services			479,143.26
Libraries			435,435.95
Museums and Visitor Services			377,810.42
Non-Departmental			3,426,151.31
Debt Service			1,669,957.79
Education			4,058,670.30
<u>Total General Fund Expenditures</u>			<u>\$ 35,174,524.99</u>
Change in Fund Balance	Favorable/(Unfavorable)		<u>(2,151,716.33)</u>



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VIRGINIA

General Department Revenue

Budget to Actuals as of December 31, 2015

	Budget 2015-2016	YTD ACTUAL 2015-2016	Remaining Budget
General Property Taxes	36,963,995	12,280,208	24,683,787
Other Local Taxes	14,276,706	4,451,816	9,824,890
Licenses, Permits and Privilege Fees	837,627	200,297	637,330
Fines and Forfeitures	973,589	198,015	775,574
Revenue from Use of Money	-	-	-
Revenue from Use of Property	330,094	91,223	238,871
Revenue from Federal	4,770,356	2,009,942	2,760,414
Revenue from Commonwealth	12,316,327	7,631,575	4,684,752
Charges for Current Services	4,128,519	1,405,839	2,722,680
Recovered Cost	557,015	212,060	344,955
Miscellaneous Revenues	73,100	4,541,835	(4,468,735)
Total General Fund Revenue	75,227,328	33,022,809	42,204,519



General Department Revenue Budget to Actuals as of December 31, 2015

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Property Taxes	11010	Delinquent Taxes RE	2,491,686	\$ 813,775	1,677,911
Property Taxes	11010	Current Taxes RE	23,489,349	10,021,436	13,467,913
Property Taxes	11020	Current Taxes PSC	1,700,000	824,731	875,269
Property Taxes	11031	Delinquent Taxes PP	1,282,020	75,800	1,206,220
Property Taxes	11031	Current Taxes PP	3,675,437	144,857	3,530,580
Property Taxes	11032	Mobile Home Taxes	18,079	(11,177)	29,256
Property Taxes	11040	Machinery & Tools Taxes	3,585,220	11,647	3,573,573
Property Taxes	11060	Pen Int & Adv on Taxes	722,204	202,566	519,638
Property Taxes	11060	Interest-All Property Tax	-	196,570	(196,570)
Total Property Taxes			\$ 36,963,995	\$ 12,280,205	\$ 24,683,790



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Decription	Budget 2015-16	YTD 2015-16	Remaining Budget
Other Local Taxes	12010	Sales and use Taxes	3,747,000	\$ 1,354,304	2,392,696
Other Local Taxes	12010	Communications Tax	-	-	-
Other Local Taxes	12020	Taxes on Util Chgs	3,555,908	855,812	2,700,096
Other Local Taxes	12025	E-911 Tax	-	-	-
Other Local Taxes	12030	Bus & Occup Licenses	2,845,099	380,233	2,464,866
Other Local Taxes	12040	Bank Stock Taxes	191,274	890	190,384
Other Local Taxes	12050	Motor Vehicle Licenses	505,000	40,941	464,059
Other Local Taxes	12070	Recordation Taxes	187,064	64,018	123,046
Other Local Taxes	12070	Tax on Willans and Adm	-	-	-
Other Local Taxes	12080	Cigarette Taxes	225,000	96,131	128,869
Other Local Taxes	12080	Cigarette Taxes	-	-	-
Other Local Taxes	12090	Adm & Amuse Taxes	7,200	4,369	2,831
Other Local Taxes	12100	Lodging Taxes	278,889	142,797	136,092
Other Local Taxes	12110	Meal Taxes	2,734,272	1,359,216	1,375,056
Total Local Fees			\$ 14,276,706	\$ 4,298,711	\$ 9,977,995



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General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget	YTD	Remaining
			2015-16	2015-16	Budget
Permits, Fees Licenses	13010	2012 Animal Licenses	6,285	1,690	4,595
Permits, Fees Licenses	13020	K-9 Donations-Police Dept	-	-	-
Permits, Fees Licenses		Land Use App Fee	-	-	-
Permits, Fees Licenses	13030	Zoning Fees	-	-	-
Permits, Fees Licenses	13030	Zoning and Subdvn Permits	-	-	-
Permits, Fees Licenses	13030	Building Permits	120,000	39,427	80,573
Permits, Fees Licenses	13030	Electrical Permits	26,000	16,956	9,044
Permits, Fees Licenses	13030	Electrical Inspec Fees	150	-	150
Permits, Fees Licenses	13030	Plumbing Permits	16,045	9,095	6,950
Permits, Fees Licenses	13030	Mechanical Permits	20,000	11,009	8,991
Permits, Fees Licenses	13030	Fire Permits	5,000	985	4,015
Permits, Fees Licenses	13030	Special Use Permits	6,000	1,500	4,500
Permits, Fees Licenses	13030	Sign Inspection Fees	500	-	500
Permits, Fees Licenses	13030	Pub Veh Oper Lic Fees	2,375	470	1,905
Permits, Fees Licenses	13030	Occupancy Permits	-	-	-
Permits, Fees Licenses	13030	Erosion and Sediment Contr	4,231	1,600	2,631
Permits, Fees Licenses	13030	Burial Permits and Fees	12,843	7,850	4,993
Permits, Fees Licenses	13030	Solicitation Permits	1,900	587	1,313
Permits, Fees Licenses	13030	Demolition Fees	12,000	1,761	10,239
Permits, Fees Licenses	13030	Grass Cutting Fees	50,000	18,908	31,092
Permits, Fees Licenses	13030	Parking Lot Rental	30,928	12,220	18,708
Permits, Fees Licenses	13030	Securing Building	-	384	(384)
Permits, Fees Licenses	13030	Services Rendered	-	-	-

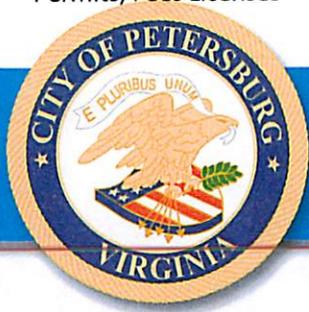


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General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Permits, Fees Licenses	13030	Fuel	219,495	25,117	194,378
Permits, Fees Licenses	13030	Right of Way Permit Fees	250,000	27,335	222,665
Permits, Fees Licenses	13030	Home Occupation Fees	4,000	2,400	1,600
Permits, Fees Licenses	13030	Business License Zoning Permit Fee	10,700	4,500	6,200
Permits, Fees Licenses	13030	Rezoning Fees	12,000	1,500	10,500
Permits, Fees Licenses	13030	Site Plan Fees	4,800	-	4,800
Permits, Fees Licenses	13030	Special Use Exceptions	2,000	500	1,500
Permits, Fees Licenses	13030	Sign Permits	3,150	3,150	-
Permits, Fees Licenses	13030	3rd Summittal Review Fees	5,000	3,149	1,851
Permits, Fees Licenses	13030	Special Exception Fees	-	-	-
Permits, Fees Licenses	13030	Appeal of Zoning Administrator	-	-	-
Permits, Fees Licenses	13030	Zoning Confirmation Letter Fee	1,300	1,100	200
Permits, Fees Licenses	13030	Ordinance Amendment Fee	75	25	50
Permits, Fees Licenses	13030	Approved Plan Amendment Fee	50	50	-
Permits, Fees Licenses	13030	Boundary Line Adjustment Fee	-	-	-
Permits, Fees Licenses	13030	Subdivision Preliminary	-	-	-
Permits, Fees Licenses	13030	Subdivision Final	-	-	-
Permits, Fees Licenses	13030	Historic Guidelines Fees	-	25	(25)
Permits, Fees Licenses	13030	Property Easement	4,800	-	4,800
Permits, Fees Licenses	13030	Vacant Property Registry	6,000	7,000	(1,000)
Total Permits, Fees, Licenses			\$ 837,627	\$ 200,293	\$ 637,334



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Fines and Forfeitures	14010	Fines and Forfeitures	589,393	\$ 109,970	479,423
Fines and Forfeitures	14010	Fines/Redflex	250,000	36,816	213,184
Fines and Forfeitures	14010	Parking Fines	16,115	5,007	11,108
Fines and Forfeitures	14010	Interest on Fines & Forfeitures	20,228	8,185	12,043
Fines and Forfeitures	14010	Decal Violations Fines	54,033	17,484	36,549
Fines and Forfeitures	14010	Admin Fees Treasurer Office	15,000	3,009	11,991
	14010	Legal Fees Delin RE	-	-	-
Fines and Forfeitures	14010	DMV Stop Fees	28,820	17,543	11,277
Total Fines & Forfeitures			\$ 973,589	\$ 198,014	\$ 775,575
Rev From Use of Money	15010	Interest on Bank Deposits	-		
Rev From Use of Money	15020	Rental of General Property	315,594	71,226	244,368
Charge for Services	15020	Concession Rentals and Commissions	2,000	524	1,476
Charge for Services	15020	Special Event Fees	500	13,010	(12,510)
Charge for Services	15020	Special Event Fees- Tourism	1,000	950	50
Charge for Services	15020	Special Event Fee- Public Works		5,160	(5,160)
Charge for Services	15020	Rental of Library meeting Room	1,000	-	1,000
Rev From Use of Money	15020	Filming Fees	10,000	353	9,647
Total Property Rental			\$ 330,094	\$ 91,223	\$ 238,871



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Charge for Services	16000	EMS-Transportation	335,000	187,542	147,458
Charge for Services	16010	Fees of Court Officers	9,573	5,345	4,228
Charge for Services	16010	Law Library Fees	-	-	-
Charge for Services	16010	Court Appointed Attorney	17,241	5,378	11,863
Charge for Services	16010	Courthouse Maint Fees	40,856	16,740	24,116
Charge for Services	16010	Courthouse Security Fees	102,100	42,863	59,237
Charge for Services	16010	Real Estate Transfer Fees	600	423	177
Charge for Services	16010	Proposal Review Fee	-	-	-
Charge for Services	16010	Electronic Monitoring Survelience	-	-	-
Charge for Services	16010	Credit Card Processing Fees (Treas)	20,000	16,267	3,733
Charge for Services	16020	Commonwealth Atty Fees	5,071	2,877	2,194
Charge for Services	16030	Accident Report Fees	4,353	2,428	1,925
Charge for Services	16030	City Sheriff Fees	4,473	4,473	-
Charge for Services	16030	Weapon Permits	6,417	3,724	2,693
Charge for Services	16040	Fire & Rescue Services	1,280	195	1,085
Charge for Services	16050	Non-Consecutive Jail Time	-	-	-
Charge for Services	16060	Dog Pound Fees	2,455	1,130	1,325
Charge for Services	16080	Curbside Pick-Up	1,985,000	545,019	1,439,981
Charge for Services	16080	Landfill Host Fee/Monthly	600,000	359,858	240,142
Charge for Services	16080	Landfill Host Fee/Comm Projects	50,000	45,000	5,000
Charge for Services	16080	Landfill Liaison Reimbursement	50,000	75,000	(25,000)



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Charge for Services	16080	Recycling Fees	75,000	-	75,000
Charge for Services	16090	Cemetary Admin Fees	7,000	7,800	(800)
Charge for Services	16110	Armory Reimbursement	-	-	-
Charge for Services	16120	Sports Complex Fees	-	-	-
Charge for Services	16130	Recreational Fees	21,600	3,304	18,296
Charge for Services	16140	Tourism Admission Fees	-	-	-
Charge for Services	16140	Admission Fees	32,000	16,305	15,695
Charge for Services	16140	Sales-Gift Shop	30,000	8,096	21,904
Charge for Services	16140	Sales- Central Store Room	-	37,366	(37,366)
Charge for Services	16140	Sales Gasoline	690,000	-	690,000
Charge for Services	16140	Sales Branding Revenue	-	1,042	(1,042)
Charge for Services	16150	Library Fines and Fees	25,000	19,977	5,023
Charge for Services	16150	Gift Shop Receipts-Library	3,000	234	2,766
Charge for Services	16150	Library Café Rent	6,000	500	5,500
Charge for Services	16150	Library Café Commission	1,000	79	921
Charge for Services	16160	Sale of Publications	1,000	-	1,000
Charge for Services	16190	Bulk Waste Payment	2,500	4,183	(1,683)
Charge for Services	16190	Taxes	-	(7,311)	7,311
Charge for Services	16190	Sale of Service-Pavement Repair	-	-	-
Total Charge for Services			\$ 4,128,519	\$ 1,405,837	\$ 2,722,682



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Miscellaneous Revenue	18030	Rebates and Refunds	7,000	12,636	(5,636)
Miscellaneous Revenue	18030	Copying Fee		58	(58)
Miscellaneous Revenue	18030	Local CSA/VPA Refunds	-	44	(44)
Miscellaneous Revenue	18030	Purchasing Bid Services		6,223	(6,223)
Miscellaneous Revenue	18030	Vending machine	-	-	-
Miscellaneous Revenue	18030	Expenditure Refunds-Other	-	15,012	(15,012)
Miscellaneous Revenue	18990	Primary Fees	-	-	-
Miscellaneous Revenue	18990	Payment In Lieu of Taxes	30,000	222	29,778
Miscellaneous Revenue	18990	Gifts and Donations	4,500	1,650	2,850
Miscellaneous Revenue	18990	Commissions - Inmate Phones	-	-	-
Miscellaneous Revenue	18990	Sale of Services and Supplies	-	-	-
Miscellaneous Revenue	18990	Sale of Salvage and Scrap	10,000	27,067	(17,067)
Miscellaneous Revenue	18990	Sale of Real Estate		1,235	(1,235)
Miscellaneous Revenue	18990	Sale of Cemetery Lots	18,600	4,900	13,700
Miscellaneous Revenue	18990	Loan Proceeds	-	4,471,876	(4,471,876)
Miscellaneous Revenue	18990	Sale of Properties-Clerk	-	-	-
Miscellaneous Revenue	18990	Cash Over & Short	-	(225)	225
Miscellaneous Revenue	18990	Bad Check Fee Charges	3,000	1,155	1,845
Miscellaneous Revenue	18990	Miscellaneous Other	-	-	-
Total Misc Revenue \$			73,100 \$	4,541,853 \$	(4,468,753)



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Recovered Cost	19000	Recoveries and Rebates	-	150	(150)
Recovered Cost	19010	Recoveries & Rebates	160,000	133,535	26,465
Recovered Cost	19020	Recovered Costs	-	-	-
Recovered Cost	19020	Charges for Health	-	-	-
Recovered Cost	19020	Recoveries of Jail Costs	-	-	-
Recovered Cost	19020	Home Incarceration Program	-	1,923	(1,923)
Recovered Cost	19020	Recovery of DNA Sample Cost	-	392	(392)
Recovered Cost	19020	Jail-Weekenders	-	-	-
Recovered Cost	19020	Dollar Per Day	-	-	-
Recovered Cost	19020	Damaged Property	3,000	-	3,000
Recovered Cost	19020	Medical Co Pay	-	-	-
Recovered Cost	19020	PPL Library	264,015	-	264,015
Recovered Cost	19020	E-rate Reimbursement (Library)	-	-	-
Recovered Cost	19020	Professional Services	5,000	25,128	(20,128)
Recovered Cost	19020	Payment in Lieu of Taxes-Util	125,000	-	125,000
Recovered Cost	19020	Work Release	-	-	-
Recovered Cost	19020	Insurance Recoveries	-	50,931	(50,931)
Total Recovered Cost			\$ 557,015	\$ 212,059	\$ 344,956



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Revenue from Commonwealth	22010	Sales Taxes Mob Homes Title	-	795	(795)
Revenue from Commonwealth	22010	Grantor Taxes	60,000	38,873	21,127
Revenue from Commonwealth	22010	Rolling Stock Taxes	90,154	83,723	6,431
Revenue from Commonwealth	22010	Auto Rental Tax	121,869	50,796	71,073
Revenue from Commonwealth	22011	PPTRA	2,726,040	2,726,040	-
Revenue from Commonwealth	23010	State Share-Comm Atty	694,390	301,686	392,704
Revenue from Commonwealth	23020	State's Share-Sheriff	553,000	285,116	267,884
Revenue from Commonwealth	23030	State's Share-Comm of Revenue	152,646	58,629	94,017
Revenue from Commonwealth	23040	State's Share-Treasurer	110,238	45,970	64,268
Revenue from Commonwealth	23050	Med Examiner	-	-	-
Revenue from Commonwealth	23060	Registrar/Electoral Boards	41,168	-	41,168
Revenue from Commonwealth	23060	Fine & Fee Registrar\Elec Boards	1,500	3,500	(2,000)
Revenue from Commonwealth	23070	Clerk of the Circuit Court	342,559	134,548	208,011
Revenue from Commonwealth	24010	Public Assistance Grants	2,963,237	1,253,697	1,709,540
Revenue from Commonwealth	24010	Comprehensive Services	1,881,425	1,393,567	487,858
Revenue from Commonwealth	24010	State & Local Foster Care	-	-	-
Revenue from Commonwealth	24010	State Share-Law Enforcement	2,022,236	1,011,118	1,011,118



General Department Revenue

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-16	YTD 2015-16	Remaining Budget
Revenue from Commonwealth	24040	Petty Jurors Fee	14,760	930	13,830
Revenue from Commonwealth	24040	Street Const & Maint	-	-	-
Revenue from Commonwealth	24040	Cert Grant	-	-	-
Revenue from Commonwealth	24040	Library Funds-State	145,774	72,193	73,581
Revenue from Commonwealth	24040	Four-For-Life	-	-	-
Revenue from Commonwealth	24040	State Fire Program Funds	-	-	-
Revenue from Commonwealth	24040	VITA E911	395,331	153,101	242,230
Revenue from Commonwealth	24040	Adult Confinement-State	-	43,204	(43,204)
Revenue from Commonwealth	24040	Irene Hurricane Recoveries	-	127,187	(127,187)
Revenue from Federal	33010	Federal Emergency Management System	-	183,368	(183,368)
Revenue from Federal	33050	Social Services Federal	4,385,317	1,824,086	2,561,231
Revenue from Federal	33050	CSA Federal	274,019	-	274,019
Revenue from Federal	33060	Library Federal Assistance - E Rate	23,453	2,487	20,966
Transfer	41050	Transfer From CDBG	87,567	-	87,567
			-	-	-
Total Revenue from Other Agencies			\$ 17,086,683	\$ 9,794,614	\$ 7,292,069
Total			\$ 75,227,327	\$ 33,022,809	\$ 42,204,519



General Department Expenditure Budget to Actuals as of December 31, 2015

Classification	Account	Description	Budget 2015-2016	YTD ACTUAL 2015-2016	Remaining Budget
Legislative	11010	City Council	231,555	135,670	95,885
Executive	12110	City Manager	659,179	283,818	375,361
Executive	12130	Hispanic Liaison	107,697	55,235	52,462
Legal Counsel	12210	City Attorney	341,355	175,429	165,926
Human Resources	12220	Human Resources	318,384	169,612	148,772
Financial Administration	12310	Commissioner of Revenue	351,928	167,609	184,319
Financial Administration	12320	Assessor	490,115	214,414	275,701
Financial Administration	12410	Treasurer	484,421	230,437	253,984
Financial Administration	12420	Finance	686,936	322,965	363,971
Financial Administration	12470	Purchasing	299,041	171,031	128,010
Financial Administration	12510	Information Systems	1,107,281	521,166	586,115
Public Works	12520	Motor Vehicle Repair	1,802,003	765,757	1,036,246
Board of Elections	13700	Registrar	320,951	177,626	143,325
Judicial	21100	Judge Circuit Court	75,008	44,918	30,090
Judicial	21200	General District Court	52,800	13,435	39,365
Judicial	21300	Magistrate	39,400	23,824	15,577
Judicial	21400	Juvenile Justice	89,288	46,443	42,845
Judicial	21500	J & D Relations Court	12,765	2,902	9,863
Judicial	21600	Clerk Circuit Court	704,366	331,618	372,748
Judicial	21700	Juvenile Court Services	189,040	54,747	134,293
Judicial	22100	Commonwealth Attorney	1,083,048	549,758	533,290



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General Department Expenditure

Budget to Actuals as of December 31, 2015 Continued

Classification	Account	Description	Budget 2015-2016	YTD ACTUAL 2015-2016	Remaining Budget
Public Safety	31100	Police	9,072,178	4,608,436	4,463,742
Public Safety	31200	Emergency Communicaitons	1,784,761	886,330	898,431
Public Safety	32100	Fire	6,382,229	3,117,847	3,264,382
Public Safety	32200	Code Compliance	844,698	335,469	509,229
Public Safety	33100	City Jail	1,439,430	757,528	681,902
Public Safety	35100	Animal Warden	310,725	159,127	151,598
Public Works	41100	Engineering	142,141	79,007	63,134
Public Works	42300	Refuse Collection	1,580,000	641,008	938,992
Public Works	43100	Grounds	771,471	455,290	316,181
Public Works	43200	Facility Management	2,353,090	1,034,489	1,318,601
Health & Human Services	51200	Health	603,258	301,628	301,630
Health & Human Services	53501	Social Services	8,488,906	3,907,051	4,581,855
Health & Human Services	53801	Comprehensive Services Act	3,093,826	2,430,275	663,551
Parks and Leisure Services	71300	Parks and Leisure Services	957,595	479,143	478,452
Public Works	71400	Cemeteries	157,789	86,453	71,336
Libraries	73100	Public Library	1,005,989	435,436	570,553
Planning and Economic Development	81100	Planning	404,637	148,789	255,848
Planning and Economic Development	81500	Economic Development	519,978	159,604	360,374
Museums and Vistor Services	81600	Tourist Promotion Programs (Museums)	680,125	254,978	425,147
Museums and Vistor Services	81700	Cultural Affairs	384,667	122,833	261,834
Financial Administration	91400	Risk Management	1,415,433	1,160,613	254,820
Non-Departmental	92101	Civic & Community Organization	7,147,001	3,426,151	3,720,850
Debt Service	95101	Debt Services	4,580,327	1,669,958	2,910,369
Education	999250	Transfer to Schools	11,662,512	4,058,670	7,603,842
Summary Total			75,229,327.00	35,174,525	40,054,802



Income Statement for Period Ending December 2015



NON GENERAL FUND PROGRAMS

Special Funds Revenue Fund 212		2,235,914.73
Special Funds Expenditures		3,185,692.24
Change in Fund Balance	Favorable/(Unfavorable)	<u>(949,777.51)</u>
CDBG Revenues Fund 213		135,975.33
CDBG Projects Expenditures		100,166.78
Change in Fund Balance	Favorable/(Unfavorable)	<u>35,808.55</u>
CIP Revenues Fund 380		1,420,145.75
CIP Expenditures		1,321,928.25
Change in Fund Balance	Favorable/(Unfavorable)	<u>98,217.50</u>
Public Utilities Revenues Fund 501		4,297,969.56
Public Utilities Expenditures		4,430,641.31
Change in Fund Balance	Favorable/(Unfavorable)	<u>(132,671.75)</u>
Stormwater Revenues Fund 502		119,350.58
Stormwater Expenditures		248,183.05
Change in Fund Balance	Favorable/(Unfavorable)	<u>(128,832.47)</u>



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Income Statement for Period Ending December 2015



NON GENERAL FUND PROGRAMS CONTINUED

Municipal Golf Course Revenues Fund 550		462,060.67
Municipal Golf Course Expenditures		537,526.43
Change in Fund Balance	Favoriable/ (Unfavorable)	<u><u>(75,465.76)</u></u>
Petersburg Generals Revenues Fund 555		60,494.50
Petersburg Generals Expenditures		82,341.86
Change in Fund Balance	Favoriable/ (Unfavorable)	<u><u>(21,847.36)</u></u>
Mass Transit Revenues Fund 575		1,706,318.71
Mass Transit Expenditures		2,359,191.63
Change in Fund Balance	Favoriable/ (Unfavorable)	<u><u>(652,872.92)</u></u>
Total City of Petersburg Revenues		10,438,229.83
Total City of Petersburg Expenditures		12,265,671.55
Change in Fund Balance	Favoriable/ (Unfavorable)	<u><u>(1,827,441.72)</u></u>



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Outstanding Payment Aging Summary

As of Checks Written December 31, 2015

Outstanding from invoice date	# of Days
1,126,060.76	30 to 59
1,160,218.80	60 to 89
1,053,150.64	90 +

3,339,430.20



CITY COUNCIL QUESTIONS



Outstanding Payment Aging Summary As of Checks Written February 5, 2016

Outstanding from invoice date	# of Days
2,425,105.21	30 to 59
1,369,911.65	60 to 89
2,849,686.02	90 +
<hr/>	
6,644,702.88	
<hr/>	



The Organizational meeting of the Petersburg City Council was held on Monday, January 11, 2016, at City Hall in Council Chambers on the third floor. Mayor Myers called the meeting to order at 2:00 p.m.

1. **CALL TO ORDER:**

Mayor W. Howard Myers called the meeting to order.

2. **ROLL CALL:**

Present: Council Member David R. Coleman
Council Member John Hart, Sr.
Council Member Darrin Hill
Council Member Brian A. Moore
Council Member Treska Wilson-Smith
Vice Mayor Samuel Parham
Mayor W. Howard Myers

Absent: None

Present from City Administration:
City Manager William Johnson, III
City Attorney Brian K. Telfair
Clerk of Council Nykesha D. Jackson, CMC

3. **BUSINESS OR REPORTS FOR/FROM THE MAYOR AND OTHER MEMBERS OF CITY COUNCIL:**

a. Review and Adoption of City Council's Rules of Council

There was discussion among City Council Members and staff.

Council Member Wilson-Smith made a motion to revise the Rules of Council to state, "In January of every year, City Council will hold an organizational meeting prior to first regular city council meeting. The motion was seconded by Council Member Coleman. There was no discussion on the motion, which was approved on roll call vote. On roll call voting yes: Coleman, Hart, Hill, and Wilson-Smith; Voting No: Moore, Parham and Myers

Council Member Hill made a motion to maintain Section 4 as it is written. The motion was seconded by Council Member Moore. There was no discussion on the motion, which was approved on roll call vote. On roll call voting yes: Coleman, Hart, Hill, Moore, Parham and Myers; Voting No: Wilson-Smith

Council Member Hill made a motion to adopt the Rules of Council with the one change regarding the organizational meeting. The motion was seconded by Council Member Moore. There was no discussion on the motion, which was approved on roll call vote. On roll call voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, Parham and Myers

16-R-01 **A RESOLUTION ADOPTING THE RULES OF COUNCIL, AS AMENDED.**

4. **ADJOURNMENT:**

City Council adjourned at 2:29 p.m.

Clerk of City Council

APPROVED:

Mayor

The regular meeting of the Petersburg City Council was held on Tuesday, January 19, 2016, at the Union Train Station. Mayor Myers called the closed session meeting to order at 5:15p.m.

1. **CLOSED SESSION MEETING – 5:15 P.M.**

2. **ROLL CALL:**

Present:

- Council Member David R. Coleman
- Council Member Darrin L. Hill
- Council Member Treska Wilson-Smith
- Vice Mayor Samuel Parham
- Mayor W. Howard Myers

Absent: Council Member John A. Hart, Sr. (arrived at 5:30pm)
Council Member Brian A. Moore (arrived at 6:15pm)

Present from City Administration:

- City Manager William E. Johnson, III
- City Attorney Brian K. Telfair
- Clerk of Council Nykesha D. Jackson, CMC

3. **CLOSED SESSION:**

City Attorney Brian Telfair, stated that it was City Council's desire to enter into a closed session under Section 2.2-3711.A (1) of the Code of Virginia under Subsection 3 to discuss the acquisitions of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City; and under Subsection 7 to consult with legal counsel and be briefed by legal staff pertaining to actual or probably litigation, where such briefing and consultation in an open meeting would adversely affect the litigating posture of the City.

Council Member Wilson-Smith moved that the City Council go into closed session for the purposes noted by the City Attorney. The motion was seconded by Council Member Hill. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hill, Wilson-Smith, Parham and Myers; Absent: Hart, Moore

City Council entered closed session at 5:15 p.m.

CERTIFICATION:

Council Member Coleman made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Parham and Myers; Abstain: Moore

16-R-2

A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

1. **REGULARLY-SCHEDULED MEETING – 6:30 P.M.**

2. **ROLL CALL:**

Present:

Council Member David R. Coleman
Council Member John Hart, Sr.
Council Member Darrin L. Hill
Council Member Brian A. Moore
Council Member Samuel Parham
Council Member Treska Wilson-Smith
Mayor W. Howard Myers

Absent:

Present from City Administration:

City Manager William E. Johnson, III
City Attorney Brian K. Telfair
Clerk of Council Nykesha D. Jackson, CMC

3. **MOMENT OF SILENCE:**

- a. Clerk of Council, Nykesha D. Jackson, led council and the audience in a moment of silence.

4. **PLEDGE OF ALLEGIANCE:**

- a. Clerk of Council, Nykesha D. Jackson, led council and the audience in the Pledge of Allegiance.

5. **PRESENTATION/PROCLAMATIONS/RECOGNITIONS: (Each presentation will be limited to 10 minutes.)**

- a. Presentation by the Job Corps – Free Vocational Education Offerings

BACKGROUND: Job Corps will present “Job Corps – Success Last a Lifetime” to encourage young people to take advantage of free vocational training offered by Job Corps.

RECOMMENDATION: Information only.

Phoenecia Hill, Admissions Counselor at Jobs Corps, gave a brief overview of Job Corps.

6. **CONSENT AGENDA:**

- a. Minutes December 15, 2015 and January 5, 2016
- b. Request to schedule a public hearing for the consideration of establishing a Tourism Zone.
- c. Request to schedule a public hearing for the disposition of 16 parcels of property in the Halifax Triangle.

Council Member Coleman made a motion to accept the Consent Agenda that schedules two public hearings for February 2, 2016. The motion was seconded by Vice Mayor Parham. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, and Myers

7. **OFFICIAL PUBLIC HEARINGS: (In accordance with the Rules of Council, public comment will be heard before discussion by Council. Once discussion has started, no further input from the public will be accepted. Each speaker will be limited to three (3) minutes.)**

- a. A public hearing on the proposed disposition of publicly-owned property addressed as 503 West Washington Street.

BACKGROUND: The City is considering the disposition of publicly-owned property addressed as 503 West Washington Street. The developer plans to build single family town homes on the property.

RECOMMENDATION: Recommend that City Council permit the disposition of publicly-owned property addressed as 503 West Washington Street.

Gerry and Steve Brown, petitioners, gave a brief summary on purchasing the property located at 503 West Washington Street.

Ms. Jackson opened the floor for public comment.

Seeing no hands, Ms. Jackson closed the public hearing.

Vice Mayor Parham made a motion to permit the disposition of publicly-owned property addressed as 503 West Washington Street. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-ORD-3 **AN ORDINANCE TO PERMIT THE DISPOSITION OF PUBLICLY-OWNED PROPERTY ADDRESSED AS 503 WEST WASHINGTON STREET.**

- b. A public hearing to permit the purchase of 125 West Washington Street.

BACKGROUND: This property is needed to build the New City Hall. The City is exercising is option to purchase the property.

RECOMMENDATION: Recommend that City Council permit the disposition of publicly-owned property addressed as 503 West Washington Street.

Mr. Johnson gave a briefing on the purchase of 125 West Washington Street.

Ms. Jackson opened the floor for public comment.

Ken Pritchett, 1113 Overbrook Road, asked that with the financial stress on the City where the money will come from to purchase this property.

Mr. Johnson stated that the funds will come from the Economic Development Funds.

Mr. Pritchett asked whether a report was given from the property that had been purchased that have been put in the Economic Development Fund from the ins and outs of funds that had been used. He stated that he thinks that they had the BB&T building and that he does not know whether this is paid for or not. He stated that the rent basically pays for this. He asked whether the \$600,000 has been deposited in the Economic Development Fund.

Mr. Johnson stated that the City has the first portion of the funding. He stated that at the closing of the developer's loan the City will get the second portion. He stated that this was the way to deal with structure. He stated that by June of this year the City will receive the second funding for the BB&T building.

Willie Noise, 1508 Circle Drive, stated that he just wanted to speak. He stated that somewhere they are

talking about the City Hall. He stated that he is thinking what happened to the recreation portion for the youth in the City of Petersburg. He stated that the City did a lot of development and that now the City is putting the New City Hall in front of the Recreation Center.

Mr. Johnson stated that the Virginia Avenue School Project is moving forward. The development group is now in the process of not only securing the funding but also securing tenants for the Virginia Avenue School Project. He stated that this project is still moving forward. He stated that there is a time table for the developer to secure the funding as part of the development agreement as well.

Seeing no further hands, Ms. Jackson closed the public hearing.

There was discussion among City Council and staff.

Council Member Wilson-Smith made a motion to table action until the next City Council meeting when City Council can go into a closed session and talk about the disposition of this property.

There was discussion among staff and City Council.

Council Member Wilson-Smith withdrew her motion.

Council Member Moore made a motion to authorize the City Manager to negotiate terms for the purchase of property at 125 West Washington Street and report back to City Council with a final price. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore and Myers; Voting No: Wilson-Smith, Parham

16-ORD-4 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE TERMS FOR PURCHASE OF PROPERTY AT 125 WEST WASHINGTON STREET AND REPORT BACK TO CITY COUNCIL WITH A FINAL PRICE.

8. **PUBLIC INFORMATION PERIOD:** The Public Information Period is established by the Rules of Council to hear input from City residents or owners of businesses in the City. It will last for a maximum of 30 minutes. Speakers will be called in the order that they have signed up to speak. If there are ten or fewer speakers, each shall speak for a maximum of 3 minutes. If there are more than six (6) people desiring to speak, the time allotted to each person may be adjusted or the number of speakers limited to meet the time limitation. A speaker may speak on items **except those that are listed on tonight's Council agenda.** Any matter brought before the attention of the City Council during the public information period will not be acted upon by the City Council at this meeting.

Willie Noise, 1508 Circle Drive, stated that he is requesting that the public information period time be moved up to 3.5 minutes. He stated that it is from his understanding that the Rules of Council are done January of each year. He stated that he has not heard anything about it and that he was told that it is every other year. He stated that he would like to know the status on this. He stated he would like City Council to insert between "Closed Session" and "Adjournment" a closing statement by the Mayor. He stated that to the City Attorney that on the last minute he knows how far they can go and that if needed take them there sometimes. He stated that he would like the process explained of the distribution of vehicles that are over on the island. He asked how was the young man, Mr. Chambliss, who spoke about the kids of skate factory qualifications to speak for the youth of Petersburg. He asked what the topics of the closed session last year were and what the totals were. He asked what the similarities are and whether all of them common called. He stated to watch what you say and how you represent Petersburg. He stated that they should have a vote on a public hearing for the driveway that leads to the skating factory paved. He stated that the City is so far behind that everything that the City do they have to fix two or three things. He stated that all he wants to do is get along with the master people. He stated that the way of the master people is the way of the majority. He stated that if they do not have the courage to throw the punch at least have the strength to back the one that does. He stated that commercial traffic on Washington Street is too fast. He stated that someone needs to go to the rock place and talk to the manager and see if they can get the trucks slowed down. He asked whether

they have the right to segregate in order to isolate from others to preserve for one's own race. He stated that you have to touch the heart in order to ease the mind. He stated that they need a coordinator in Petersburg.

Rasheedah Farid, 18 Jarratt Court, stated to everyone to remember former Vice Mayor Carl Michael Ross this week. She stated that she would like to start off giving out thank you's and gratitude's. She stated that she would like to thank the Governor for sending out his team of experts to assist the City's and schools in partnership to improve the school system. She stated that she would like to go back to August to thank Council Member David Coleman, Council Member Hill and the City Manager for their assistance in welcoming the students to A. P. Hill Elementary School in August. She thanked the Mayor for responding to all of her emails and phone calls. She thanked Council Member Hart for providing the employees of Petersburg Social Services on last Thursday, January 14th, with breakfast. She stated that this has never happened before and that she was so delighted. She thanked the Council Members for all the hard work they have done for the City of Petersburg. She stated that in the words of Steve Harvey, "I have one more thing." She stated that she would like to request, because the City is ranked so low on wellness and health in Petersburg, that City Council adds an agenda item to the council meeting. She stated that she was told that it cannot be done. She stated that she thinks that it can be done some type of way or created. She stated that she believes that the more that the City puts out health and wellness in the City from the leaders that people will listen. She stated that she is tired of hearing about young people having strokes, high blood pressure and diabetes. She stated that she is sick of seeing people younger than her in wheelchairs. She stated that when she visited her aunt in the nursing home there were young people in the nursing as well as residents. She stated that she will be back at the next City Council meeting to make the same request.

Brandon Martin, 1546 Berkeley Avenue, stated that with the minutes of the Council Meeting he would suggest that during the public information session that instead of saying "he stated", quotes should be used at the beginning and the end and that it should be verbatim. He stated that he request that City Council and administration report to the citizens fully on outside legal expenses and fees that have been spent in the last several years. He stated that he would suggest going back to the investigation of the generals and come forward to date. He asked is the City getting their monies worth. He asked that City Council request a full report on the current physical condition on the Jarratt House on Pocahontas and the progress of the restoration with a timeline. He asked where the City elevator inspection certificates are. He stated at the last City Council meeting City Council approved piers and the land under them from CSX by Fleet Street. He stated that after reading the information he thought that CSX should be paying the City because these things are nothing but white elephants and that they are going to be expensive and hazards. He stated that they would have to be removed eventually. He stated that they have had no maintenance and that they are not going to do well. He stated that Channel 15 and the public television station screen was frozen this past Sunday with January 8th as the date. He stated that he does not know who is minding it and asked whether the City is getting their money out of this. He stated that his last water bill was in September. He stated that he does not think that anyone else has received their water bill. He stated that this is about four months of lost income or revenue for the City. He stated that the City use to have an internal auditor and that this position disappeared in the 1980s. He stated that the gentleman that held it went on disability and then died. He stated that he suggest that the City does need an internal auditor. He stated that the problems that they City have with utilities, the police department and whatever else could be brought to light and dealt with.

Linwood Christian, 410 Mistletoe Street, stated that he do want to apologize with handing out the information to everyone. He stated that he wanted it specifically for the Mayor because it is in his ward. He stated that over the summer the City and the gas company got bombarded by calls from him. He stated that the gas company did some work in their area where they closed off the streets and dug up the streets. He stated that people could not get back and forth to work. He stated that brought the pictures for Mayor Myers and to let him know that even when the City did some work around there that the City Manager was diligent enough to let them know what and when it was going on. He stated that one of the reasons this happened was because one of the water pipes burst and that there was water everywhere. He stated that everyone in his area water pressure went down. He stated that at first the gas company told them that it was the City who did this. He stated that Mr. Johnson stated that he does not think that the City is doing any work in that area. He stated that come to find out it was the gas company. He stated that he wanted City Council to see information that he had given them. He stated that it is two sets of pictures. He stated that in the first set it is Mistletoe

and Gressett Street. He stated that there is a hole right there at Gressett Street. He stated that it is closer to Porterville Street. He stated that this area was not patched up properly. He stated that before it rains it was little holes. He stated that after it rains they become crockpot holes. He stated that when you try to avoid them you are heading into another one. He stated that this is going to damage a person car. He stated that in the pictures he has different views on different streets. He stated that he has sent these same pictures to the gas people. He stated that he is hoping that someone can advocate on their behalf. He stated that they have a lot of older people in that area and that their cars are getting messed up. He stated that he brought the pictures so that Mayor Myers can see what was going on in that area. He stated that as Mr. Noise brought up that City Council needs to remember that they are citizens of Petersburg and that just like them they have family that live here. He stated that they must not forget that the young people are Petersburg too. He stated that if they want a lot of the shooting and robbing to stop that they have to pay attention to the young people and the senior citizens.

Ken Pritchett, 1113 Overbrook Road, stated that he would like to bring something up that he brought up again in April. He stated that this was the property that the City sold at 530-532 Fleet Street which is now University Boulevard. He stated that in the minutes of October 20, 2015, it was said that this property was addressed directly with Mr. Ken Pritchett. He stated that no one has addressed anything with him. He stated that he is not going to go over all the facts again. He stated that everyone pretty much knows what is going on. He stated that his question is how and why parcel 010-03-0006 got included with the sale of parcel 010-03-0005. He stated that he passed out a picture of a sketch lot that was in the ordinance that they voted on and that he voted on also. He stated that it was a great plan and that unfortunately the plan could not be carried out by the purchaser. He stated that the purchaser paid \$5,000. He stated that he would like to know who the purchaser is. He stated that he has a copy of one of the checks that David Montoya wrote and then he has one that said Montoya D. Papps addressed at 431 West Washington Street. He stated that he wanted to know who bought and sold that piece of property. He stated that he would like to see that this is corrected at some point of time. He stated that the City gave away some property back last year in 2014 to a group that was going to build a gymnasium or sports complex at the sports complex. He stated that the City gave this property to them and then they came back and asked for more and that the City gave this to them as well. He stated that this was supposed to be started immediately. He stated that as of yesterday it has not been started. He stated that if the City is going to give away property he has one that he would like to have. He stated that he would like to have parcel 053-04-0002. He stated that he would be willing to pay \$50 for it. He stated that the address is 1600 Shirley Avenue. He stated that he would like to have it because it is pretty. He stated that he had an incident that he thinks that the City needs to look into on High Street. He stated that there is a person that he knows that had a problem with the sewer that caved in. He stated that it was determined later that the gas company drilled through a vertical or horizontal line that had taken of one third of the City's tap line. He stated that the City's tap line on that street may need to be looked into. He stated that Larry Brown in the Department of Utilities did a great job. He stated that he had showed him everything and that he even went down and took pictures of it. He stated that Colombia Gas is taking care of it. He stated that had the gas company not taken care of this the citizen would have to pay \$1854 to have their sewer line replaced. He stated that this is the only jurisdiction around that would have citizens to pay for the City's utility tap. He stated that he would like the City to consider this.

9. BUSINESS OR REPORTS FOR/FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

- a. Consideration to amend the Weeks of Wonder History Camp special fund.

BACKGROUND: Donations were sought and received for the history camp. These funds are to be used to provide for the needs of participants. These funds support the implementation of the WOW (Week of Wonder Camp) that provides valuable opportunities for youth in learning about the diverse history, culture, architecture and environmental assets in the Petersburg region.

RECOMMENDATION: Recommend Council enact the attached appropriation ordinance in the amount of \$1,823 to be carried forward to 2015-2016.

Vice Mayor Parham made a motion to enact the appropriation ordinance in the amount of \$1,823 to be

carried forward to 2015-2016. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-ORD-5 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016, IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$1,823 FOR HISTORY CAMP.

- b. Resolution in Support of Virginia's Retreat to Apply for Nonprofit Status.

BACKGROUND: In 1993 the counties of Amelia, Appomattox, Buckingham, Cumberland, Dinwiddie, Nottoway, Prince Edward and the City of Petersburg came together to better promote the region's tourism assets. Representatives from each county joined forces with the Virginia Tourism Corporation, the Virginia Division of State Parks and the National Park Service to design a regional approach and, out of this collaboration came Virginia's Retreat and the development of the Lee's Retreat trail and the Civil Rights in Education Heritage Trail®.

The Virginia's Retreat board of directors, recently completed a two year strategic planning process one of the recommendations of the strategic plan was that the Board of Virginia's Retreat should apply for nonprofit designation in order to fund raise, receive corporate donations, apply for more grant opportunities to increase to a higher level the return on investment so that Virginia's Retreat can increase the marketing activity for the region.

RECOMMENDATION: Staff recommends approval. The majority of the counties involved in Virginia's Retreat have already passed the resolution of support at their recent Board meetings.

Council Member Moore made a motion to approve the resolution in support of Virginia's Retreat to Apply for Nonprofit Status. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, and Myers

16-R-3 A RESOLUTION IN SUPPORT OF VIRGINIA'S RETREAT REQUEST TO APPLY FOR NON PROFIT DESIGNATION.

Council Member Wilson-Smith asked Mr. Johnson was there a financial audit in 2015 and if so can they get a copy.

Mr. Johnson stated that the audit will be presented to City Council at the next City Council meeting, February 16, 2016. He stated that the external audit is something that is required every year to City Council and that this is in the state code.

Council Member Hart asked Mr. Johnson for the current status of the bills that go out to vendors or businesses. He asked is the City current with them. He stated that this information can be emailed to him. He asked where the City is with the water billing issue. He stated that he is asking that they look at the corner of Defense Road and Boydton Plank Road. He stated that on one side of the street there is a do not enter sign. He stated that when people are entering to the left he does not think that people see the "Do Not Enter" sign. He stated that it is only about 50 feet. He stated that when you go in that direction where you wing to your right a lot of people are still going there. He stated that he wants to know if they can get a bigger sign or have one on the right side. He stated that for the month of January the outstanding citizen would be Marvin Ricks. He stated that he is in the Western Hills area. He stated that Mr. Ricks has done a lot in that neighborhood and that he calls and lets him know of things that are going on in the area.

Council Member Coleman asked for the current status of the old Trailways Bus Station.

Mr. Johnson stated that they have written correspondence to the owner of the building confirming that the clause will kick in June 2016 and that the owner has promised to give a status update on where he is with

moving the project forward. He stated that this information is due at the end of this month.

Council Member Hill stated that on March 21st beginning at 6:30pm he will be having a meet and greet with his citizens in his ward at Traditions. He stated that he would like to also thank his citizens for staying in contact with him throughout the month. He stated that he knows that they have some snow coming up and that he would like for everyone to be safe and if they are on the roads to be cautious. He stated that last time he was real pleased with the department cleaning the snow last time.

Vice Mayor Parham asked the City Manager to check into excessive noise coming from the railroad tracks on Northampton Road. He stated that Ward 3 will be having a meeting on February 29th. He stated that one of the speakers will be Dr. Shifflett, new interim school superintendent. He stated that this meeting will be help with School Board Chairman Kenneth Pritchett. He stated that it will be a joint meeting.

Mayor Myers stated that he normally does not respond to things that are brought up at the public hearing but that in respect to Gressett, Mistletoe, Bolling and Porterville Street this is the first time he has heard of a complaint. He stated that this is in respect to any potholes. He stated that he is sick and tired of his reputation and his ethics being impugned by one individual at each council meeting. He stated that he would like to set it for the record that his phone number is 804-733-2323 and that his personal cell is 804-590-7988. He stated that he do answer and return every phone call that he receives.

10. CITY MANAGER'S AGENDA:

a. City Manager's Report

1. Can Council clarify thousands of dollars spent to VML?
 - a. The VML provided members of council an educational opportunity to learn about global trends that impact economic development, available resources, fiscal responsibility and leadership. In the past it has been customary to pay for education opportunities.
2. Can a report be provided to the public about the recent conference trips taken?
 - a. Yes, one may submit this request through the Virginia FOIA process.
3. Please follow up on the issue at the Skate Factory.
 - a. All questions regarding the Skate Factory should be directed to the City Attorney's Office.
4. How can residents receive responses to their questions during the Public Information Period?
 - a. Answers to the public information questions are posted online in the "Council Communicates" after each council meeting. The City Manager also responses to questions at the following council meeting.
5. Will Council hold a separate town hall meeting for entire community?
 - a. Each member of City Council will hold his or her traditional ward meeting.
6. Please address the drainage issue at 652 Old Wagner Road.
 - a. Public Works is actively working on a solution to address the area wide drainage to include standing water.
7. Please address the light at Rives Road and Crater Road.
 - a. The City's consultant synchronizes (retimed) the traffic signal on S. Crater Road last fall to optimize traffic flow. Staff reviewed the traffic light and the traffic engineer consultant was asked to monitor the intersection and adjust the traffic signal timing based on field observation.

Mr. Johnson stated that he will be providing City Council Members with no later than Friday, January 22, 2016, an update on the water billing issue. He stated that he hates to say that this has been a long

process. He stated that the City had some issues in-house but also with the contractors who helped install the meters. He stated that by this Friday City Council will be receiving a written update.

11. **CLERK OF CITY COUNCIL'S AGENDA:**

No items for this portion of the agenda.

12. **CITY ATTORNEY'S AGENDA:**

No items for this portion of the agenda.

13. **CLOSED SESSION (IF NECESSARY):**

No closed is necessary.

14. **ADJOURNMENT:**

City Council adjourned at 7:23 p.m.

Clerk of City Council

APPROVED:

Mayor

The regular meeting of the Petersburg City Council was held on Tuesday, February 2, 2016, at the Union Train Station. Mayor Myers called the closed session meeting to order at 5:00p.m.

1. **CLOSED SESSION MEETING – 5:00 P.M.**

2. **ROLL CALL:**

Present:

Council Member David R. Coleman
Council Member John A. Hart, Sr.
Council Member Treska Wilson-Smith
Vice Mayor Samuel Parham
Mayor W. Howard Myers

Absent: Council Member Darrin L. Hill (arrived at 5:10pm)
Council Member Brian A. Moore (arrived at 6:25pm)

Present from City Administration:

City Manager William E. Johnson, III
City Attorney Brian K. Telfair
Clerk of Council Nykesha D. Jackson, CMC

3. **CLOSED SESSION:**

City Attorney Brian Telfair, stated that it was City Council's desire to enter into a closed session under Section 2.2-3711.A (1) of the Code of Virginia under Subsection 1 to discuss or consider issues relating to public officers or appointees of the City; un Subsection 3 to discuss the acquisitions of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City; and under Subsection 7 to consult with legal counsel and be briefed by legal staff pertaining to actual or probably litigation, where such briefing and consultation in an open meeting would adversely affect the litigating posture of the City.

Vice Mayor Parham moved that the City Council go into closed session for the purposes noted by the City Attorney. The motion was seconded by Council Member Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Wilson-Smith, Parham and Myers; Absent: Hill, Moore

City Council entered closed session at 5:05 p.m.

CERTIFICATION:

Council Member Hart made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Coleman. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Parham and Myers; Abstain: Moore

16-R-4

A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

1. **REGULARLY-SCHEDULED MEETING – 6:50 P.M.**

2. **ROLL CALL:**

Present:

Council Member David R. Coleman
Council Member John Hart, Sr.
Council Member Darrin L. Hill
Council Member Brian A. Moore
Council Member Samuel Parham
Council Member Treska Wilson-Smith
Mayor W. Howard Myers

Absent:

Present from City Administration:

City Manager William E. Johnson, III
City Attorney Brian K. Telfair
Clerk of Council Nykesha D. Jackson, CMC

3. **MOMENT OF SILENCE:**

- a. Clerk of Council, Nykesha D. Jackson, led council and the audience in a moment of silence.

4. **PLEDGE OF ALLEGIANCE:**

- a. Clerk of Council, Nykesha D. Jackson, led council and the audience in the Pledge of Allegiance.

5. **PRESENTATION/PROCLAMATIONS/RECOGNITIONS: (Each presentation will be limited to 10 minutes.)**

- a. Comprehensive Annual Financial Report (CAFR) Fiscal Year 2015.

BACKGROUND: The Auditing Firm of Robinson, Farmer and Cox performs the annual audit of the City of Petersburg and is required to present it to City per State Code. Mr. David Hughes of Robinson, Farmer & Cox Associates, will fulfill this obligation.

RECOMMENDATION: Recommend Council receive the report. No action is required.

David Hughes, Robinson, Farmer & Cox Associates, gave a brief overview of the Com Comprehensive Annual Financial Report.

- b. Proclamation recognizing Harold A. Deane, Sr.

BACKGROUND: Harold A. Deane, Sr. has worked many years of service as a faculty member and as a former basketball coach, who led VSU to their last conference championship.

RECOMMENDATION: Recommend Mayor Myers read proclamation.

Mr. Deane thanked the Mayor and City Council for the proclamation.

- c. Proclamation recognizing Black History Month

BACKGROUND: The month of February is designated as Black History Month. In this month we honor the history and accomplishments of African Americans throughout the Month and observe this commemoration by attending various programs, ceremonies, and activities across the City as we commemorate this year's theme, "Hallowed Grounds: Sites of African American Memories" as selected by The Association for the Study of African American Life & History which brings attention to the centennial celebration of the National Park Service.

RECOMMENDATION: Recommend Mayor Myers read proclamation.

Brian Little and Lewis Rogers accepted the proclamation and thanked City Council Members.

Chief John Dixon introduced the new Deputy Police Chief Clay Hamilton.

Deputy Police Chief Clay Hamilton gave a brief summary of his background and thanked City Council the pleasure of working with the City.

6. **CONSENT AGENDA:**

- a. Minutes of January 11, 2016 & January 19, 2016
- b. Schedule a public hearing for the disposition of publicly-owned property located at 808 Halifax Street.
- c. Schedule a public hearing for the disposition of publicly-owned property located at 811 Halifax Street.

Council Member Coleman made a motion to accept the Consent Agenda that schedules two public hearings for February 16, 2016. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, and Myers

7. **OFFICIAL PUBLIC HEARINGS: (In accordance with the Rules of Council, public comment will be heard before discussion by Council. Once discussion has started, no further input from the public will be accepted. Each speaker will be limited to three (3) minutes.)**

- a. A public hearing on the proposed disposition of 16 parcels of publicly-owned property in the Halifax Triangle.

BACKGROUND: Petersburg City Council previously approved a letter of intent from the Woda Group to purchase properties in the Halifax Triangle. The Woda Group responded to a request for proposals from the City of Petersburg for redevelopment of the Halifax Triangle.

RECOMMENDATION: Staff recommends City Council permit the disposition of 16 parcels of property addressed as 106,119,121,123,127,140,147,151,153,155 and 116-122 Halifax Street; 110,112,114 and 116 South Avenue and 137 South Market Street known as the Halifax Triangle.

Dr. Landis Faulcon, Director of Economic Development, introduced the petitioner Bruce Watts from the WODA Group.

Bruce Watts, representative from WODA Group, gave a brief presentation on the proposal for the Halifax Triangle.

Ms. Jackson opened the floor for public comment.

Willie Noise, 1508 Circle Drive, stated that he disagree with the entire project. He stated that he is not

in favor at all.

Vernel Gannaway, 652 Old Wagner Road, stated that he believes that this is a very beautiful presentation. He asked Mr. Watts whether the funeral home would stay in that area with the proposed development.

Mr. Watts stated that they are proposing to buy City owned property. He stated that it does not show it on the mapping on the projector but that he believes that the funeral home is located to the south east. He stated that they would not be acquiring any land there. He stated that there is a parcel of land that the Rialto Theater was on and that they are looking to purchase that as well. He stated that they have not gone into discussion of this but they would be interested in purchasing that as well. He stated that they have put on the table to purchase the land of an assessment of \$335,000.

Mr. Gannaway stated that the property needs looking at. He stated that this was an area of one of his paper routes back in the day. He stated that he is looking at the revitalization of the City. He stated that the City is bringing in this type of structure. He stated that they are all moving towards historic. He stated that it is killing anything historic for the black community. He stated that the project is a modern building and that it is a beautiful building. He stated that they need something else to implement the Rialto. He stated that the Rialto was a very exclusive place back in the day. He stated that giving it a name is one thing but it's not giving it what Rialto was all about. He stated that the City's need businesses as well. He stated that all he sees is another loft coming in and another rejection. He stated that he thinks that it is time for them to switch horses. He stated that he knows that it will bring revenue but that it would be a penny compared to millions.

Fenton Bland, 1840 South Westchester Drive, stated that he knows Mr. Watts very well. He stated that no one has made any efforts to talk to any of the property owners in the area, former Delegate Joe Preston, The Wilkerson Family, The Bland Family or Tony Givens. He stated that preparation is everything. He stated that they have not had any dialogue with Mr. Watts and his staff pertaining to this. He stated that he hopes that they all reject this proposal.

Charlie Cuthbert, 132 South Adams Street, stated that he is opposed to this project. He stated that he wants to pick on Mr. Bland's comments. He stated that preparation is everything. He stated that he first wants to talk about procedure and then the substance of what is being proposed. He stated that the public was not given any meaningful notice on what is being proposed. He stated that there was a notice in the Progress-Index on January 20, 2016, that stated that a public was being held tonight on the proposed dispositions of 16 parcels. He stated that it stated that information can be obtained from the office of the Clerk of city Council. He stated that he phoned Ms. Jackson and asked if he can have the information in regards to the public hearing. He stated that Ms. Jackson stated that there was not any information and that the information would be in the packet. He stated that he looked online and saw three pages of information in which none of it contained the important information that has been shared with the public for the first time tonight. He stated that this project is for a low-income housing of 36 apartments. He stated that this is for people that make \$43,000 or less. He stated to not be bamboozled by the \$43,000. He stated asked where they are going to sell the 1,500 square feet. He stated that it is 100x150 feet. He asked whether they are going to see anything there but beer and lottery tickets. He stated that this is an invitation for new slum in Petersburg. He stated that this is all that it is. He stated that sometimes the cure is worse than the disease. He stated that the disease is that the City does not have enough tax revenue. He stated that the cure is that it is being proposed to create a new slum. He stated that this is the price that we cannot pay as a community. He stated that he ask City Council to vote against this.

Janelle Sinclair, 1644 South Sycamore Street, stated she thinks that the presentation was well put together. She stated that she thinks that in an ideal world it may work. She stated that because of Petersburg's demographics and population and all of the other deals that we have in the community. She stated that the City is known as a bedroom community. She stated that the City has so many LIHTC units that it out numbers the housing and home owners. She stated they increase this in an area that used to be known for high crime and that it can be vulnerable to do this again. She stated that the City may be putting them vulnerable to bring this behavior to come back. She stated that they may be at a different time in which they

can put economic development in the area like coffee houses or businesses. She stated that this may not be in the City's best interest. She stated that this is something that they may want to put on the shelves until a later date. She stated that today may not be the right time.

Seeing no further hands, Ms. Jackson closed the public hearing.

There was discussion among City Council and the petitioner.

Council Member Wilson-Smith made a motion to table action on the public hearing until the surrounding areas have had the opportunity to know what is going there and tabled until the next regular City Council Meeting. The motion was seconded by Council Member Coleman. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith and Parham; Voting No: Moore, Myers

b. A public hearing to establish a Tourism Zone

BACKGROUND: Virginia Code authorizes Virginia localities to establish, by ordinance, one or more tourism zones for the purpose of granting tax incentives and providing regulatory flexibility to qualified businesses. A Downtown Petersburg tourism zone creates new opportunities for attracting capital investment and jobs, enhancing tourism, and producing other economic benefits.

RECOMMENDATION: Staff recommends City Council approve a Tourism Zone.

Dr. Landis Faulcon, Director of Economic, gave a brief overview of public hearing regarding the Tourism Zone.

Ms. Jackson opened the floor for public comment.

Brandon Martin, 1516 Berkeley Avenue, stated that there are some other sites downtown that have potentially a tourism factor. He stated that one is Fort Coggin which is the northern of Coggin Road. He stated that there used to be a sign there. He stated that a sign used to be there years ago and that he has not seen the sign come back. He stated that he suggest that the City needs to enlarge this. He stated that these are things that need to be taken into consideration. He advised the City to be careful.

Seeing no further hands, Ms. Jackson closed the public hearing.

Council Member Moore made a motion accept the Tourism Zone as presented by staff. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-ORD-6 AN ORDINANCE TO ADD SECTION 38-110 TO CHAPTER 38 OF THE 2000 CODE OF THE CITY OF PETERSBURG, VIRGINIA AS AMENDED BY ESTABLISHING A TOURISM ZONE PURSUANT TO VIRGINIA CODE §58.1-3851.

8. PUBLIC INFORMATION PERIOD: The Public Information Period is established by the Rules of Council to hear input from City residents or owners of businesses in the City. It will last for a maximum of 30 minutes. Speakers will be called in the order that they have signed up to speak. If there are ten or fewer speakers, each shall speak for a maximum of 3 minutes. If there are more than six (6) people desiring to speak, the time allotted to each person may be adjusted or the number of speakers limited to meet the time limitation. A speaker may speak on items except those that are listed on tonight's Council agenda. Any matter brought before the attention of the City Council during the public information period will not be acted upon by the City Council at this meeting.

Reverend James Quickly, 1044 South Park Drive, stated that he has some issues about the water bills. He stated that they have not been circulating or there has not been any type of correspondence in the City of Petersburg to the residence. He stated that it is a matter that seems to be a perplexing matter. He stated that

no one is really notified and that he feels that it is causing a lot of confusion. He stated that it should be publicized or they should be receiving some type of correspondence. He stated that with any type of bills you are usually notified by your bill collector with some type of correspondence. He stated that if a person does not have the internet they are lost in the sauce. He stated that they do not have any means about knowing the water bills. He stated that this is an issue that needs to be addressed and one that needs to be looked at closely.

Willie Noise, 1508 Circle Drive, stated that he would like City Council to give him a public apology from the Mayor and Linwood Christian for their conduct and attitude at the last City Council meeting. He stated that he would like the City Attorney to referee it. He stated that if Linwood Christian does not come back or whatever he will accept an apology from a family member. He stated no weapons at the City Council meeting. He stated that a lot is said some is questions and some are instructions. He stated that the questions are answered but there is little action on instructions. He stated that they have to treat this from worse down to good and not from good to worse. He stated that at the last agenda meeting they talked about purchasing some property. He stated that the purchasers did not have any idea of what they were doing with the property. He asked how this fit in with the City's vision and where they are going in the City. He stated that if they have a vision and know where they are going then they have to stop people from sticking things anywhere. He stated that he would like to know the snow removal and procedures schedule. He asked that he would like to know what priority is Youngs Road. He stated that he would like it to be put on the priority list. He stated that after the public information period and before the next meeting he would like them to get together and discuss some of the issues of that meeting.

Mitchell Pradia, 517 High Street, stated that he would like to briefly speak to City Council regarding the City ordinance Chapter 18, Section 18-7, which speaks on keeping the architectural animals near residence. He stated that he received a letter from the Mayor last year on December 30, 2015. He stated that the letter states that the City will not pursue the removal of farm animals adjacent to his residence and place of business. He stated that the letter suggest that he consider suing his neighbor in order to enforce the City's ordinance. He stated that he believes that the letter he received is based on the last circuit court ruling which determines that his neighbor's property can be used as agriculture. He stated that he feels that this ruling would not have been made if the City had legal counsel present during these preceding's. He stated that he would like City Council to ask the City Attorney do the City have legal counsel present and why the ruling cannot be appealed. He stated that his neighborhood is zoned residential. He stated that according to the City Code the zoning is the City's responsibility. He stated that under Ordinance 18-7 and under the Freedom of Information Act the City was able to remove a rooster and other small animals for a citizen but cannot remove a large donkey and four sheep in his residential neighborhood. He stated that this is one of the biggest violators of the ordinance. He stated that the judge's ruling should be argued in a court appeal. He stated that there are 300 citizens in support of the ordinance. He stated that many have signed a petition. He stated that they are in shock that their elected officials are not in support with them. He stated that they do not feel that "I AM PETERSBURG." He stated that City Council should fully enforce this ordinance. He stated that he thinks that the judge ruled because there was no legal counsel present from the City. He stated that City Council has failed these people.

Perita Pradia, 517 High Street, stated that she agrees to everything that her husband has stated. She stated that she would like to use her few brief moments to share some photos. She stated that it has been stated that a picture is more than 10,000 words. She stated that she has chosen pictures to illustrate her argument. She stated that pictures are a prime example of why she thinks that agriculture properties should not be allowed in residential settings. She stated that this issue has been up before on numerous occasions. She stated that as they can see from the photo in front of them there is animal manure that lies out front in the open. She stated that this is still happening. She stated that the picture has snow in it and that this is a recent photo. She stated that it is directly behind her business and her home. She stated that this happens on a regular basis. She stated that on a cold day you can smell the odor before you reach the parking lot. She stated that this is her parking lot that she is talking about. She stated that she will ask City Council how this can be healthy for a City and a resident in a community that they said they would like to clean up. She stated that she does not know if they can imagine how this makes her feel as a business owner. She stated that she has visitors from around the world to come to her business establishment. She stated that she has a bed and

breakfast. She stated that she cannot put them in the garden in the spring because the stench is so bad. She stated that she strongly feel that the decision that was made by the circuit court judge was not a good decision. She stated that it was an arbitral decision. She stated that it was also without regard with over 300 of the City's constituents who collectively feel that farm animals are not what they want in their communities. She stated that like her husband she is appalled that during the meeting when the circuit court judge determined that her neighborhood can be used to board animals such as this. She stated that there was no representation from the City Attorney and none from City Council to her knowledge. She stated that she believes that this was a crucial factor in their being able to enforce the City's own ordinance that they have changed numerous times to try and clean up Petersburg. She stated that since it was very important and the meeting was dismissed and since there was no argument made against the judge's decision to allow agriculture animals in her background they are asking the City to seek an appeal. She stated that she fully understands that the legal process can be protractive; however, the City has been charged with the responsibility to represent the best interest of the people of Petersburg. She stated that she ask that they consider an appeal for this judgment.

Talibah Majeed, 1847 Brandon Avenue, stated that it has been her attention to have a very positive outlook for 2016. She stated that it is becoming more challenging to be positive about Petersburg future. She stated that the serious issues keep multiplying but the solution seems to be absent. She stated that the water meter issue which has been mentioned is still lingering. She stated that it took media exposure to get focused on it. She stated that it still is not solved as far as she is concerned. She stated that she got a bill that reflected a \$20 increase for each month. She stated that she knows that her water habits have not changed. She stated that she is still concerned about this. She stated that she said that early on when the big discussion on the meters came up she stated that she did not trust the meters. She stated that this was based on different information that she received from across the country from different people. She stated that now the City has a budget gap of over \$3 million dollars. She stated that someone has to do something about this. She stated the agencies in the City have to have a budget cut because of the \$3 million dollars including the school system. She stated that the school system is already hurting. She stated that they all want to know how did this happen. She stated that she read in an article which the City Manager stated that the blame is on the Petersburg residents for not paying their taxes. She stated that at a previous council meeting the City Manager stated that City residence were discouraging potential investors by making negative comments about the City. She stated that her opinion is that if investors are that easily discouraged then they probably were not serious in the first place. She stated that a \$3 million dollar gap because the residence didn't pay their taxes. She stated that taxes are paid to a City agency. She stated that someone is in charge of that agency. She stated that rather than blaming City residents how about managers employed by the City accountable. She stated that if the economic development efforts were more effective than and as effective as Colonial Heights and Hopewell then perhaps Petersburg residents would have enough money to pay their taxes. She stated that the City would receive more revenue from businesses. She stated that if the City of Petersburg were a private sector company then some pink slips would have been handed out a while ago. She stated that its management accountable that it is lacking. She stated that she is disturbed by City administration getting paid six figure salaries when the City is in such bad shape. She asked how they earn a six figure salary when the City is in such bad shape. She stated that she is asking them to put the accountability where it belongs and not on the citizens.

Rasheedah Farid, 18 Jarratt Court, stated that this is part two from the last meeting. She stated that today on the steps today of City Hall Mayor W. Howard Myers and members of Petersburg City Council officially launched its "I AM HEALTHY PETERSBURG" campaign. She stated that City Council together with the other key community members has joined forces to raise awareness and turn Petersburg into a healthier place. She stated that she is calling out a S.O.S., 9-1-1 and a Code Blue. She stated that the last time she was presented the problems and her observations. She stated that all she asks is that City Council promotes health, fitness, wellness and community engagement in the City of Petersburg. She stated that the method would be to invite community health partners to provide health, wellness, and fitness information to the citizens at City Council meetings and ward meetings. She stated that it will not cost anything perhaps maybe just a phone call. She stated that the vision is everyone healthy in Petersburg. She stated that the mission and goal is everybody everywhere is healthy, fit and well in Petersburg. She stated that this is from the womb to the tomb and in duration. She stated that they have to understand that everything is connected in Petersburg. She stated that if they want people to go to work they have to be healthy. She stated that if they are not healthy

then they are getting sick and calling in and then they lose their jobs. She stated that when they lose jobs then they cannot pay bills and they are losing everything. She stated that health is so important. She stated that she is talking about physical, social, and emotional health. She stated that they have to lay a blanket over the City. She stated that she is on her soap box for a healthy Petersburg. She stated that when they talk about financial health it's on the way. She stated that a financial opportunity center will be coming to Petersburg in March 2016.

Brandon Martin, 1516 Berkeley Avenue, stated that wouldn't it be nice if this time next year for Black History to recognize the opening of the restored and stabilized Jarratt House. She stated that he would like to talk about snow and leadership. He stated that one of the principles of leadership is setting the example. He stated that if you own and rent property you have a job to clear the snow of the sidewalk. He stated that the city code states it so it should be done. He stated that this applies both to residence and the City. He stated that he specifically site Corling's Corner. He stated that last Monday, Tuesday and Wednesday a person took their life in their hands to walk across the sidewalk and ended up walking in the street. He stated that it is not right and that it discourages the business activity period. He stated that there was an update inquiring about the sign ordinance in the City. He asked where the City in regards to this is. He stated that he took a ride in the Crater Road area and around the shopping centers. He stated that there are Popsicle signs in the area. He stated that it is an epidemic. He stated that last week with the traffic flow it appears to be some change of direction. He stated that he has been here 40 years and that he has seen street changes umpteen times. He stated that they should be left the way they are. He stated that a person would probably sit at the light for about 10 minutes with no traffic. He stated that it can be done and that it is called a smart cycle. He stated that when the light box near the post office got blown out by the motorist they had stop signs. He stated that when the new light box got put in things worked on a nice sequence. He stated that now the lights are back the way it used to be and that it is not right.

Vernel Gannaway, 652 Old Wagner Road, stated that last week he sent a "Notify Me" to the City about two road trucks that were just sitting in front of his home. He stated that he thought that they were doing some work but that they were just in the vehicle having a conversation. He stated that he has been reading that the City has a lack of money. He stated that it seems like there is a lot of money in diesel and gas that is wasted from sitting there. He stated that when he comes out there is no sand and that he did his own driveway. He stated that in another area it was cleared out. He stated that he thinks that it should not be the citizen's fault to be blamed about the expenditure or shortage when there are vehicles that are just riding and work not being done. He stated that he gets a response that they will get to them as soon as they can. He stated that he heard the gentleman talking about the traffic light. He stated that the same light is having problems on Crater Road. He stated that he is still doing U-turns. He stated that this is on Crater and Wagner Road. He stated that there are two words that a lot of people get confused. He stated that this is service and job. He stated that the people that hold positions as leaders should act accordingly. He stated that there is a professional way of doing things. He stated that he thinks that this City is known for being kind to a lot of people. He stated that sometimes it calls you to be unkind. He stated that he has tried to be fair with many people as possible. He stated that he likes to give people the benefit of the doubt. He stated that he is not going to tolerate it. He asked why they are not putting things in the paper that the children are doing. He asked why they are not speaking on good things. He stated that they have to do things together to get things done. He stated that before building anything that City needs to fix the infrastructure of the City.

9. BUSINESS OR REPORTS FOR/FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

- a. Consideration to permit the agreement between the City of Petersburg and the Cameron Foundation to construct and maintain a community gateway located at East Washington Street.

BACKGROUND: The Cameron Foundation plans to make a grant to the City equal to 50% of the fixed cost amount of the Gateway to include contract administration and 50% of all change orders approved by the City and Foundation to construct and maintain a community gateway located at East Washington Street and Crossing Interstate 95.

RECOMMENDATION: Staff recommends City Council permit the agreement between the City of

Petersburg and the Cameron Foundation.

Council Member Hart made a motion to permit the agreement between the City of Petersburg and the Cameron Foundation to construct and maintain a community gateway located at East Washington Street. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-ORD-7 AN ORDINANCE PERMITTING THE AGREEMENT BETWEEN THE CITY OF PETERSBURG AND THE CAMERON FOUNDATION TO CONSTRUCT AND MAINTAIN A COMMUNITY GATEWAY LOCATED AT EAST WASHINGTON STREET.

- b. Consideration to amend the special fund budget for the proposed disposition of 16 parcels of publicly-owned property in the Halifax Triangle.

***Item removed because Item 7A was tabled.**

Council Member Hill stated that he would like to thank everyone for coming out today. He stated that he was out during the snow. He stated that he would like City administration to address the downtown area as far as the car being parked during snow time. He stated that he noticed that some of the problems were that the plows could not come straight down because so many cars were everywhere. He stated that if they can clear the streets for a parade or anything then they can clear it for a snow storm that they know will happen. He stated that a notice can be posted just like they do for parades. He stated that he had a few calls in regards to the neighborhoods. He stated that he called the City Manager and he called the departments and that they got over to those neighborhoods. He stated that he would commend them on the main roads like Sycamore Street, Wythe Street and Crater Road and Washington Street. He stated that on the second day they were trying to get to the secondary roads. He stated that a couple of his citizens called and he had to go out and help them with some things. He stated that if they looked at the news the entire nation was talking about some of the things that they were talking about. He stated that it did not just happen in Petersburg. He stated that people were speaking on secondary roads in other areas too. He stated that he would like the City administration to address these areas in the future.

Council Member Moore stated that on Thursday, February 25, 2016, at the Union Train Station, he will be having a Town Hall and Public Safety Meeting. He stated that guest speakers will be Police Chief John Dixon and Mr. Marlon Dance of Dance Sporting Goods. He stated that they will be speaking on community policing, second amendment and the current VA legislation and its effect on the community.

Council Member Moore made a motion to change resolution "12-R-42" from "Russell L. Bland Pavilion" to "Russell L. Bland Clubhouse." The motion was seconded by Vice Mayor Parham. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

Vice Mayor Parham stated that he will be having a Ward 3 Meeting on February 29, 2016, beginning at 6:00pm at Dogwood Trace Clubhouse. He stated that the speakers for that evening will be the Interim Superintendent Dr. Shifflett. He stated that from the City's side it will be Lieutenant Moore speaking about the new crime tracking system.

10. CITY MANAGER'S AGENDA:

- a. City Manager's Report
1. Please increase the time of public information period to 3.5 minutes?
 - a. The three minute time limit is a policy and procedure that has to be voted on and decided by City Council.
 2. During the closing session of the council meeting, the adjournment should be done by the Mayor?

- a. This is a policy and procedure that has to be voted on and decided by City Council.
3. What is the City's process of distribution of vehicles on Pocahontas Island?
 - a. The City's vehicles are being outfitted for other departments to use and are being maintained by the City's fleet.
4. What are the topics of closed sessions held over the last year? How many have there been and are there any common themes between them?
 - a. Closed sessions are not public information.
5. The driveway that leads to skate factory needs to be paved.
 - a. The driveway that leads to the skate factory is private property and needs to be maintained by the owner.
6. Please report to City of legal expenses and the investigation of the Generals.
 - a. These requests must be submitted through the FOIA process.
7. Please provide a report of the Jarratt House with a timeline.
 - a. The City had a structural engineer report and a stabilization plan completed. Funding has been secured for the stabilization and a historic structures report. The historic structures report will be a crucial piece to help guide the rehabilitation of the property. Stabilization and the historic structures report should be completed within the year.
8. Please notify the public on the City elevator certificates of approval.
 - a. City elevators are inspected annually. Certificates are kept in the elevators.
9. Channel 15 has not been in operation since January 8.
 - a. We have a temporary fix in place now, but a work order has been submitted to the vendor to have equipment replaced.
10. Please give an update on the City water bill.
 - a. City of Petersburg utility customers will start to receive bills the week of February 1, 2016. For the bills being received on February 1, the due date will be February 25. This bill reflects water usage from October 23, 2015 through December 31, 2015. Some residents will receive bills that reflect a 3-month usage, dating back to September 17 because no payment was received during that timeframe. Moving forward, ALL due dates will fall on the 25th of each month.

Water usage for January 1 through February 29, bills will be mailed out by the beginning of March and will be due March 25. Beginning with March 1 water usage, the billing will start back on a 30 day cycle and the bills will be due April 25 (March 1 – March 31 usage).

Residents are able to view and pay their bills online at www.petersburg-va.com. Bills can also be paid in person at City Hall, any SunTrust bank location and the drop box located in front of City Hall. For issues with utility billing, please call (804) 733-2349 or email utilitybilling@petersburg-va.org.

11. Porterville has not been patched up since water main work, please advise on getting this area and Bolling and Shore Streets repaved as well.
 - b. Public Works crews have been directed to evaluate this area for repaving.
12. What is the status of Reggie Williams project?
 - a. This project is slated to break ground in the second quarter of 2016.

Mr. Johnson stated that at the last council meeting they held a public hearing on the acquisition of 125 West Washington Street. He stated that at that time the appraiser or the negotiation with the property owners had been completed. He stated that tonight he is asking City Council for the authority to acquire this piece of property for the price of \$100,000. He stated that the City had the property assessed at \$98,000 and they it appraised for \$94,000 and the owners were requesting \$150,000. He stated that throughout the negotiation they both agree on price of \$100,000.

Mr. Johnson stated that he would like to remove the request noted.

11. CLERK OF CITY COUNCIL'S AGENDA:

No items for this portion of the agenda.

12. CITY ATTORNEY'S AGENDA:

No items for this portion of the agenda.

13. CLOSED SESSION (IF NECESSARY):

No closed is necessary.

14. ADJOURNMENT:

City Council adjourned at 8:30 p.m.

Clerk of City Council

APPROVED:

Mayor

The Special Meeting of the Petersburg City Council was held on Thursday, February 18, 2016, at the Union Train Station. Mayor Myers called the special meeting to order at 6:30p.m.

1. **ROLL CALL:**

Present:

Council Member David R. Coleman
Council Member John A. Hart, Sr.
Council Member Darrin Hill
Council Member Brian A. Moore
Council Member Treska Wilson-Smith
Vice Mayor Samuel Parham
Mayor W. Howard Myers

Absent: None

Present from City Administration:

City Manager William E. Johnson, III
Clerk of Council Nykesha Jackson, CMC

2. **CLOSED SESSION:**

a. Consideration and/or discussion of performance of council appointee(s).

Vice Mayor Parham read a letter from Commonwealth Attorney, Cassandra Conover. He stated that the letter stated, "Pursuant to my conversation with you on today, February 18th, 2016, I am asking that you, Martha Mavredes, Auditor of Public Accounts, and you, Col. Steven Flaherty, Superintendent of the Virginia State Police, investigate the City of Petersburg in areas of concern dealing with finance. I am making this request pursuant to Virginia Code Section 30.138.

Vice Mayor Parham made a motion that City Council of the City of Petersburg retain the law firm of Williams Mullens as their attorney's to advise council on personnel matters relating to certain City employees appointed by City Council and that either the Mayor or Vice Mayor is authorized to execute engagement letters with that firm. The motion was seconded by Council Member Wilson-Smith.

There was discussion among City Council Members.

Vice Mayor Parham made motion that in a point of order he would like to challenge Council Member Moore's question by roll call vote to disregard his motion. The motion was seconded by Council Member Wilson-Smith.

There was discussion among City Council Members.

Council Member Coleman made a motion to go into closed session. The motion was seconded by Council Member Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, Myers

City Council entered closed session at 6:38 p.m.

CERTIFICATION:

Vice Mayor Parham made a motion to return City Council into open session and certify the purposes of

the closed session. The motion was seconded by Council Member Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Hart, Hill, Parham and Myers; Absent: Coleman; Abstain: Moore, Wilson-Smith

16-R-5 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

Council Member Hill made a motion to remove all motions on the floor. The motion was seconded by Council Member Coleman. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Moore, Parham and Myers

Council Member Wilson-Smith made a motion to order a forensic audit. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Moore, Parham and Myers

Vice Mayor Parham made a motion that City Council of the City of Petersburg retain the law firm of Williams Mullens as their attorney's to advise council on personnel matters relating to certain City employees appointed by City Council and that either the Mayor or Vice Mayor is authorized to execute engagement letters with that firm. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Moore, Parham and Myers

Council Member Wilson-Smith made a motion to go into closed session to discuss personnel issues. She stated that according to the Freedom of Information Act, City Council cannot discuss personnel issues in the open. The motion was seconded by Vice Mayor Parham. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, Myers

City Council entered closed session at 7:08 p.m.

CERTIFICATION:

Council Member Coleman made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Hart, Hill, Parham and Myers; Absent: Coleman; Abstain: Moore, Wilson-Smith

16-R-6 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

Vice Mayor Parham made motion that Williams Mullen would be authorized to negotiate a separation agreement with Brian K. Telfair, City Attorney, on terms authorized by City Council with the understanding that the final terms of the separation agreement be approved by City Council prior to execution. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Moore, Parham and Myers

Vice Mayor Parham made motion that Williams Mullen would be authorized to negotiate a separation agreement with City Manager, William Johnson, III, on terms authorized by City Council with the understanding that the final terms of the separation agreement be approved by City Council prior to his execution. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

Council Member Hart made motion that with the current status of the water bills and the dates that they are due that they extend this to March 15. He stated that this is for the water bill and the personal property taxes. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

4. **ADJOURNMENT:**

City Council adjourned at 8:14 p.m.

Clerk of City Council

APPROVED:

Mayor

The Special Meeting of the Petersburg City Council was held on Thursday, February 22, 2016, at City Hall in Council Chambers. Mayor Myers called the special meeting to order at 10:00a.m.

1. **ROLL CALL:**

Present:

Council Member David R. Coleman
Council Member John A. Hart, Sr.
Council Member Darrin Hill
Council Member Brian A. Moore
Council Member Treska Wilson-Smith
Vice Mayor Samuel Parham
Mayor W. Howard Myers

Absent: None

Present from City Administration:

City Manager William E. Johnson, III
City Attorney Brian K. Telfair
Clerk of Council Nykesha Jackson, CMC

2. **CLOSED SESSION:**

a. Consideration and/or discussion of performance of council appointee(s).

City Attorney Brian Telfair, stated that it was City Council's desire to enter into a closed session under Section 2.2-3711.A (1) of the Code of Virginia under Subsection 1 to discuss or consider personnel matters involving certain council appointees; and under Subsection 4 the protection of the privacy of individuals in personal matters not related to public business, and under Subsection 7 to discuss of probable litigation where disclosure in open session would adversely affect the negotiating strategy of the City.

Council Member Coleman moved that the City Council go into closed session for the purposes noted by the City Attorney. The motion was seconded by Council Member Hill. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hill, Wilson-Smith, Parham and Myers; Absent: Hart, Moore

City Council entered closed session at 10:03 a.m.

CERTIFICATION:

Council Member Hill made a motion to return City Council from closed session and stay in recess. The motion was seconded by Council Member Moore. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-R-7

A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

There was discussion among City Council Members and staff.

Council Member Moore made a motion to accept the presentation of the WODA Group and sell the properties and have them to come back and present a project after they have talked to the adjacent landlords. He stated that this is for the water bill and the personal property taxes. The motion was seconded by Council Member Coleman. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Moore, Wilson-Smith and Myers; Voting No: Hill, Parham

16-ORD-8 AN ORDINANCE TO PERMIT THE DISPOSITION OF 16 PARCELS OF PROPERTY ADDRESSED AS 106,119,121,123,127,140,147,151,153,155 AND 116-122 HALIFAX STREET; 110,112,114 AND 116 SOUTH AVENUE AND 137 SOUTH MARKET STREET KNOWN AS THE HALIFAX TRIANGLE .

4. RECESS:

City Council recessed at 12:35 p.m.

Clerk of City Council

APPROVED:

Mayor

The Special Meeting of the Petersburg City Council was held on Thursday, February 24, 2016, at City Hall in Council Chambers. Mayor Myers called the special meeting to order at 6:00p.m.

1. **ROLL CALL:**

Present:

- Council Member David R. Coleman
- Council Member John A. Hart, Sr.
- Council Member Darrin Hill
- Council Member Brian A. Moore
- Council Member Treska Wilson-Smith
- Vice Mayor Samuel Parham
- Mayor W. Howard Myers

Absent: None

Present from City Administration:

- City Attorney Brian K. Telfair
- Clerk of Council Nykesha Jackson, CMC

2. **CLOSED SESSION:**

- a. Consideration and/or discussion of performance of council appointee(s).

Clerk of City Council Nykesha Jackson, stated that City Council will reconvene closed session from February 22, 2016, Special City Council Meeting.

City Council reconvened into closed session at 6:03 p.m.

3. **RECESS:**

Mr. Telfair made a motion to go back into recess.

City Council recessed at 7:35 p.m.

Clerk of City Council

APPROVED:

Mayor

The Special Meeting of the Petersburg City Council was held on Thursday, March 3, 2016, at City Hall in Council Chambers. Mayor Myers called the special meeting to order at 6:00p.m.

1. **ROLL CALL:**

Present:

Council Member John A. Hart, Sr.
Council Member Darrin Hill
Council Member Brian A. Moore
Council Member Treska Wilson-Smith
Vice Mayor Samuel Parham
Mayor W. Howard Myers

Absent: Council Member David R. Coleman

Present from City Administration:

City Attorney Brian K. Telfair
Clerk of Council Nykesha Jackson, CMC

2. **RECONVENE OF CLOSED SESSION FROM FEBRUARY 24, 2016, MEETING:**

a. Discussion of processes

City Attorney Brian Telfair made a motion to return to closed session for the reason stated in the notice.

City Council entered closed session at 6:03 p.m.

CERTIFICATION:

Council Member Hart made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Hill. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Hart, Hill, Moore, Wilson-Smith, Parham and Myers; Absent: Coleman

16-R-8

A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

Vice Mayor Parham stated that the City of Petersburg City Council announces that the City Attorney, Brian K. Telfair, has resigned his position effective March 4, 2016. He stated that Mr. Telfair's departure is for health reasons and is the result of a mutual agreement between him and the Petersburg City Council. He stated that Mr. Telfair's departure is not related to the City's financial difficulty including issues related to the City's water bill, the nonpayment of monies to the Virginia Retirement System and anything else that is related to the City's finance. He stated that the City thanks Mr. Telfair for his three years of service as the City Attorney and wishes him well in his future endeavors.

Vice Mayor Parham made a motion that the resignation of Brian K. Telfair, City Attorney of the City of Petersburg, be effective March 4, 2016, and that the severance agreement negotiated by legal counsel for the

City and Mr. Telfair be approved and executed by the Mayor. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Hart, Hill, Moore, Wilson-Smith and Parham; Absent: Coleman; Abstain: Myers

Vice Mayor Parham made a motion that the employment of William E. Johnson, III, City Manager of the City of Petersburg, be terminated effective immediately, pursuant to Section 13(C) of his employment agreement dated January 22, 2015. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Hart, Hill, Moore, Wilson-Smith and Parham; Absent: Coleman; Abstain: Myers

Council Member Moore made a motion that in accordance to Subsection 15.2-1423 titled, "Powers of Chairman or Mayor", that Mayor Myers, Vice Mayor Parham and Council Member Hart be appointed to the chief administrative officer committee that is set forth in Section 15.2-1541 for 60 days. He also motioned that Dironna Belton be appointed as Interim Chief Operating Officer until a permanent City Manager is appointed by Mayor and Council. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Hart, Hill, Moore, Parham and Myers; Absent: Coleman; Voting No: Wilson-Smith

16-R-9 A RESOLUTION APPOINTING MAYOR W. HOWARD MYERS, VICE MAYOR SAMUEL PARHAM AND COUNCIL MEMBER JOHN HART TO THE CHIEF ADMINISTRATIVE OFFICER COMMITTEE FOR 60 DAYS.

16-R-10 A RESOLUTION APPOINTING DIRONNA BELTON AS INTERIM CHIEF OPERATING OFFICER UNTIL A PERMANENT CITY MANAGER IS APPOINTED BY CITY COUNCIL.

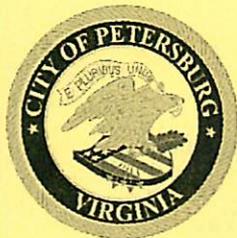
3. ADJOURNMENT:

City Council recessed at 7:39 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna Belton, Chief Operating Officer

FROM: Daniel L. Harrison, Interim Director of Public Works

RE: **Schedule a Public Hearing to approve the application to Vacate Right-of-Way of Property Adjacent to E. Washington Street.**

PURPOSE: Travis Hill, property owner at 1024 E. Washington St., has applied for a right-of-way vacation so he can add a 30'x30' two story addition to his existing building, Jazz Barber & Hair Styling Academy.

REASON: To be accredited for student financial aid, the Academy is required to have additional space. This building addition will allow the Academy to continue to provide educational opportunities to the residents of the City and attract students to Petersburg from the surrounding areas, including soldiers from Fort Lee looking to change careers.

RECOMMENDATION: Schedule Public Hearing for Tuesday, April 5, 2016 to approve the request from Travis Hill, on behalf of Jazz Barber & Hairstyling Academy, that the following described property be vacated, and abandoned by the City Council of the City of Petersburg:

Property adjacent to 1024 E. Washington Street, an unimproved public right-of-way
Tax Parcel 013-01-0801, respectively.

BACKGROUND: The subject right-of-way application meets the requirements of the applicable City policy, and has been reviewed and approved by the appropriate City departments.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Application has been reviewed by the following City departments/divisions:

- Planning & Community Development
 - Zoning
- Fire, Rescue, & Emergency Services
 - Code Compliance
- Economic Development
- Public Works
 - Engineering
 - Stormwater Management
 - Public Utilities
 - Public Right-of-Way

AFFECTED AGENCIES: Planning & Community Development, Public Works

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Draft Ordinance, and Street, Parcel and Survey views of Jazz Academy

STAFF: Daniel L. Harrison, Interim Director of Public Works

**AN ORDINANCE TO VACATE AND ABANDON PROPERTY
ADJACENT TO 1024 E. WASHINGTON STREET, TAX
PARCEL 013-01-0801, AN UNIMPROVED PUBLIC RIGHT-
OF-WAY.**

WHEREAS, Travis Hill, on behalf of Jazz Barber & Hairstyling Academy, submitted an application seeking to have the City Council abandon property adjacent to 1024 E. Washington Street, tax parcel 013-01-0801, an unimproved public right-of-way, as shown on the attached Exhibits and made a part of this Ordinance; and

WHEREAS, following notice to the public pursuant to Section 15.2-2006 of the Code of Virginia (1950), as amended, a public hearing by the City Council was held March 1, 2016, and comments from the City Staff and the public were made and heard; and

WHEREAS, after consideration of the application, the recommendation set forth in the Ordinance, Resolution and Agenda Request dated March 1, 2016 Council finds and determines that the application should be granted;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Petersburg, Virginia, by application from Travis Hill on behalf of Jazz Barber & Hairstyling Academy, that the following described property be vacated, and abandoned by the City:

Property adjacent to 1024 E. Washington Street, an unimproved public right-of-way Tax Parcel 013-01-0801.

BE IT FURTHER ORDAINED, by the City Council of the City of Petersburg, Virginia that the City hereby closes, vacates and discontinues use of property adjacent to 1024 E. Washington Street, tax parcel 013-01-0801, an unimproved public right-of-way, provided:

§1. That the City reserve all rights for any easements for City-maintained infrastructure and access for fire and emergency vehicles; and

§2. Travis Hill provides easement plats for any existing public utilities that are required to remain active; and

§3. Travis Hill shall be responsible for all research, platting and recordation fees associated with the aforesaid easements.

§4. Upon recordation of this Ordinance, fee simple title to the abandoned public right-of-way shall vest in the Applicant.

§5. This ordinance shall take effect upon adoption.

DRAFT

Approximate outline of proposed 30'x30' building expansion of Jazz Barber and Hairstyling Academy beyond their property line and into right of way

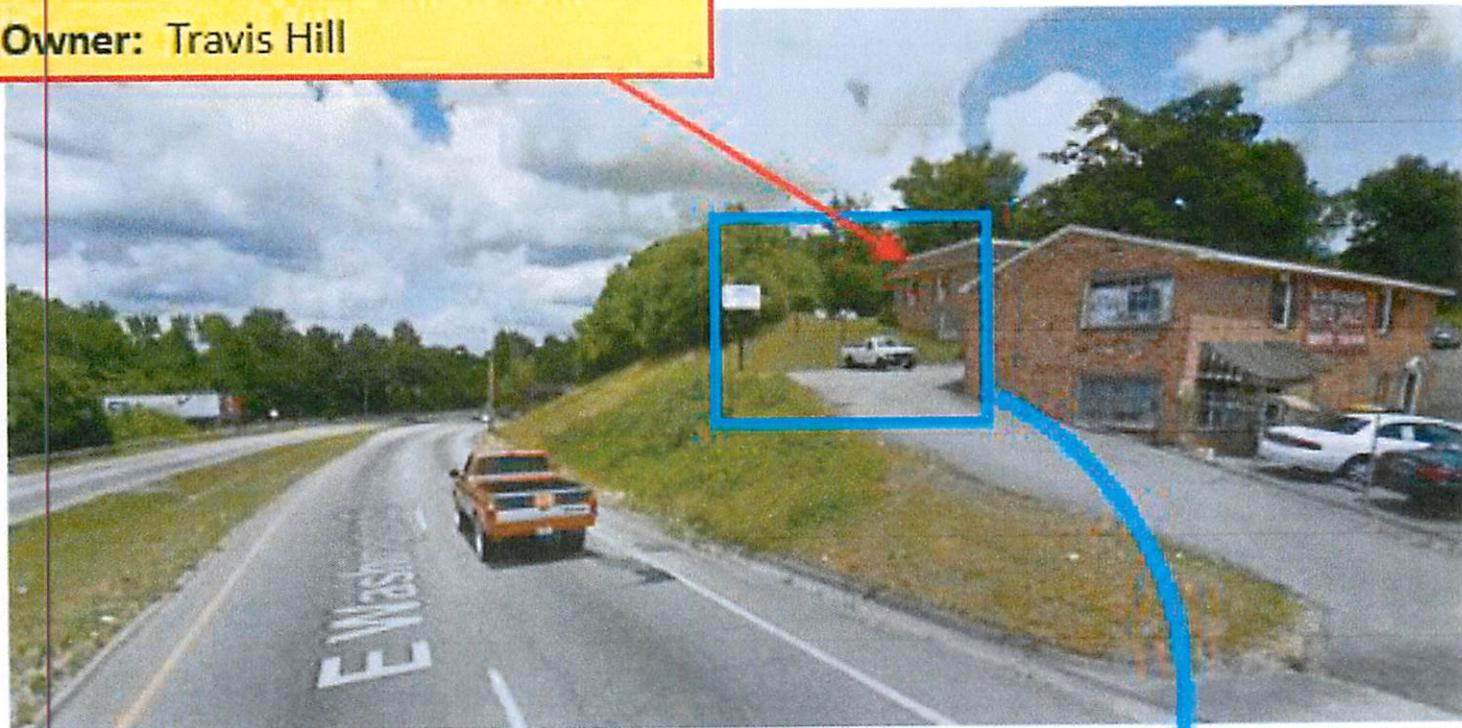


Request to Vacate Right-Of-Way:

Applicant: Jazz Barber and
Hairstyling Academy

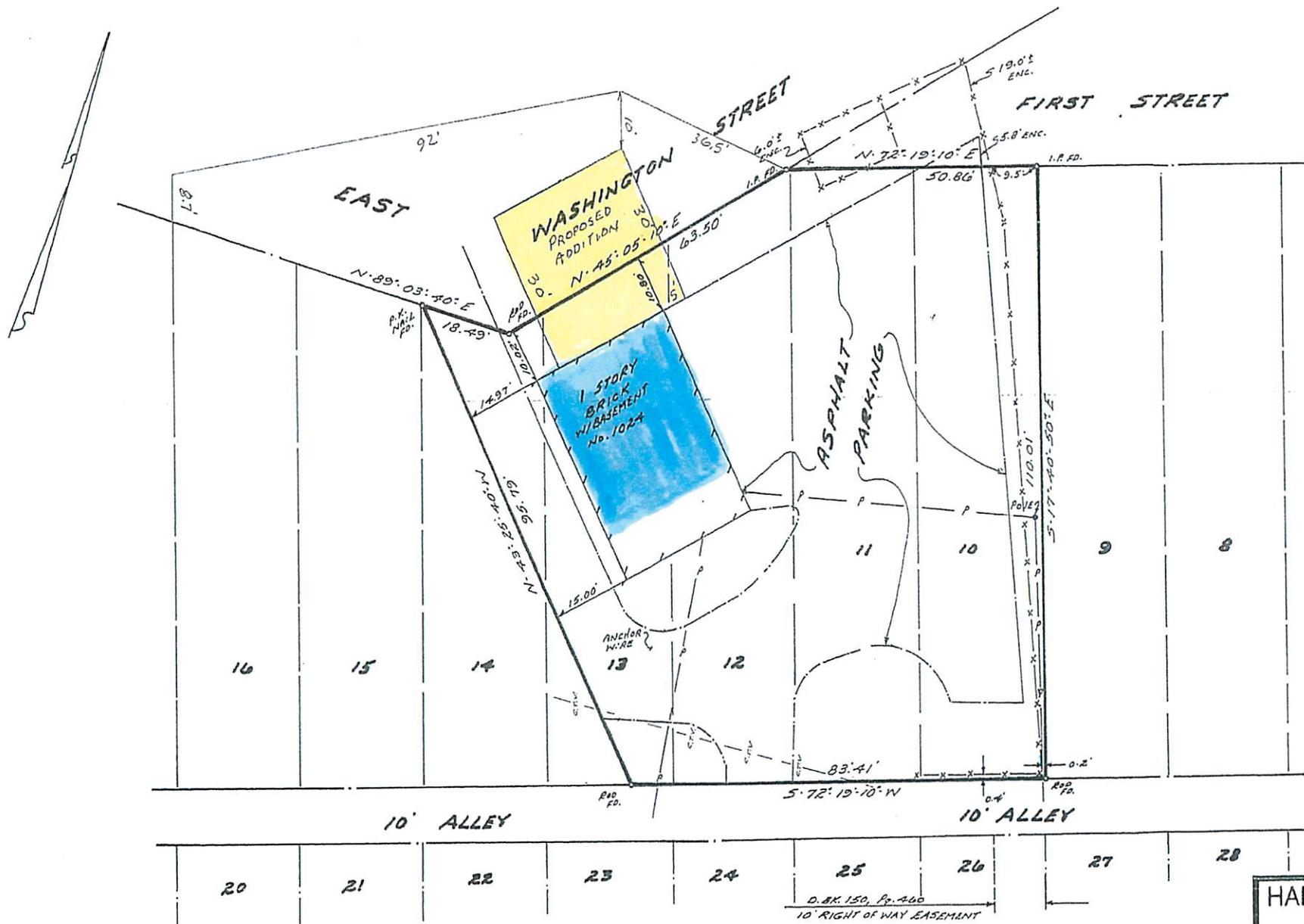
Address: 1024 East Washington St.

Owner: Travis Hill



Approximate outline of proposed
30'x30' building expansion of Jazz
Academy into right of way





"This is to certify that on 8-16-2000
 I made an accurate survey of the
 premises shown hereon and that there
 are no easements or encroachments
 visible on the ground other than
 those shown hereon."
 Michael E. Bristow 1050

I, Michael E. Bristow, do certify
 this property is NOT in
 a H.U.D. defined flood hazard area.
 Michael E. Bristow, C.L.S.
 (ZONE - "C")

The Survey is subject to any
 easement of record and other
 pertinent facts which a title
 search might disclose.

PLAT OF LOTS 10 & 11 AND PART OF LOTS 12, 13, 14
 AND 15, BLOCK-17, EAST PETERSBURG AND A
 RIGHT-OF-WAY OVER THE EASTERN 10' OF LOT-26
 BLOCK-17, EAST PETERSBURG TO AMELIA STREET
 CITY OF PETERSBURG, VIRGINIA

PUR: MARK WILLIAMS



HARVEY L. PARKS, INC.
 LAND SURVEYORS
 4508 W. HUNDRED RD.
 CHESTER, VA.
 748-8641 748-0515

DATE: 8-16-2000 SCALE: 1" = 20'
 DRAWN BY: M.E.C.
 CHECKED BY: M.B.
 F.BK. 148 PG. 42



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Landis Faulcon, Director of Economic Development

RE: Schedule a public hearing on the proposed disposition of publicly-owned properties 326 East Washington Street 011-330010; 380 East Washington Street 012-200001; 400 East Washington Street 012-290002

PURPOSE: The City of Petersburg requests a public hearing for the disposition of publicly owned property located at 326 East Washington Street 011-330010; 380 East Washington Street 012-200001; 400 East Washington Street 012-290002

REASON: A public hearing must take place prior to the disposition of property.

RECOMMENDATION: Staff recommends City Council schedule a public hearing on April 5, 2016

BACKGROUND: The former Fort Lee Regency Hotel located at 380 East Washington Street, has been vacant since 2010. The City of Petersburg acquired the property in 2014 and 400 East Washington Street is the current office for Economic Development. A letter of intent for purchase of the properties was approved in August of 2015. In December, Developer C. A. Harrison Companies, LLC along with Commonwealth Architects announced the design of a new hotel and mixed-use development at 380 East Washington Street.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: \$750,000

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

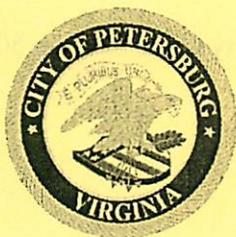
AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: N/A

STAFF: Landis Faulcon, Director of Economic Development



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Honorable Kevin A. Brown, City Treasurer

RE: Schedule a public hearing to amend City Code Section 50-131 to remove term from “cash escrow.”

PURPOSE: To assist the City of Petersburg in receiving secured funds for performance bond projects.

REASON: Contractors provide checks for the City to hold for performance bond projects and the checks are not secured funds. Therefore, the City is not guaranteed the money in the future.

RECOMMENDATION: Recommend City Council schedule a hearing on April 5, 2016 to permit the deletion of the term “cash escrow” from our City Code and therefore, all contractors will be obligated to provide the City with a performance bond or an irrevocable letter of credit . Both of these financial instruments will give the City of Petersburg the level of financial security it needs concerning these types of projects.

BACKGROUND: We have received checks and the City is not able to cash the check because the contractor does not have the funds available or the check has become stale dated and the City cannot submit the check for payment.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Department of Public Works

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City Code Section 50-111,116,131

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Draft Ordinance

STAFF: The Honorable Kevin Brown, City Treasurer

AN ORDINANCE TO AMEND CHAPTER 50, ENVIRONMENT, ARTICLE V, SECTIONS 50-111, 50-116 AND 50-131, REMOVING THE TERM CASH ESCROW FROM EACH SECTION; OF THE 2000 CODE OF THE CITY OF PETERSBURG, AS AMENDED.

BE IT ORDAINED, by the City Council of the City of Petersburg as follows:

That Section 50-111, 50-116, and 50-131, of Article V, Chapter 50, of the Code of the City of Petersburg (2000) (as amended) is hereby amended and re-ordained, as follows:

Sec. 50-111. - Monitoring and inspections.

- a) The administrator or any duly authorized agent of the administrator (engineering technician/project inspector) shall inspect the land-disturbing activity during construction for:
 - (1) Compliance with the approved erosion and sediment control plan;
 - (2) Compliance with the approved stormwater management plan;
 - (3) Development, updating, and implementation of a pollution prevention plan; and
 - (4) Development and implementation of any additional control measures necessary to address a TMDL.
- b) The administrator or any duly authorized agent of the administrator (engineering technician/project inspector) may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this article.
- c) In accordance with a performance bond with surety, ~~cash escrow~~, letter of credit, any combination thereof, or such other legal arrangement or instrument, the administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- d) Pursuant to § 62.1-44.15:40 of the Code of Virginia, the administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this article, to furnish when requested such application

materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this article.

- (e) Post-construction inspections of stormwater management facilities required by the provisions of this article shall be conducted by the administrator or any duly authorized agent of the administrator (engineering technician/project inspector) pursuant to the locality's adopted and state board approved inspection program, and shall occur, at minimum, at least once every five years except as may otherwise be provided for in section 50-110.

(Ord. No. 14-67, 7-1-2014)

Similar Provision, State Law Reference 62.1-44.15:60, 62.1-44.15:57

Sec. 50-116. - Performance bond. (9VAC25-870-104.D and Code § 62.1-44.15:34(A))

Prior to issuance of any permit, the applicant shall be required to submit a reasonable performance bond with surety, ~~cash-escrow~~, letter of credit, any combination thereof, or such other legal arrangement acceptable to the city attorney, to ensure that measures could be taken by the City of Petersburg at the applicant's expense should he fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his land disturbing activity. If the City of Petersburg takes such action upon such failure by the applicant, the city may collect from the applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, ~~cash-escrow~~, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the applicant or terminated.

(Ord. No. 14-67, 7-1-2014)

Sec. 50-131. - Bond.

- (a) Bond required. All applicants for permits pursuant to section 50-130 of this article shall, at the time of permit application, provide to the city a performance bond, ~~cash-escrow~~, or an irrevocable letter of credit in a form acceptable to the city attorney, to support the cost of measures necessarily undertaken by the city as a result of the applicant's failure to initiate or maintain appropriate conservation measures required of him as a result of his land-disturbing activity. No land-disturbing permit shall be valid until an approved bond has been provided in accordance with this section.
- (b) Bond amount. The amount of the bond or other security for performance shall not exceed the total of (i) the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality, and (ii) a reasonable allowance for estimated administrative costs and inflation, which shall not exceed 25 percent of the cost of the conservation action. Should it be necessary for the city to take such conservation action, the city may collect from the applicant any costs in excess of the amount of the surety held.

- (c) Refund or termination of bond. Within 60 days of adequate stabilization in any project or section of a project, as determined by the administrator, such bond, ~~cash escrow~~ or letter of credit, or the unexpended or unobligated portion thereof shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. The owner or permittee shall provide written notice to the administrator of completion of any project.

(Ord. No. 08-103, § 1, 11-18-2008)

Similar Provision, State Law Reference 62.1-44.15:57



City of Petersburg

6.e

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Michelle B. Peters, Director of Planning & Community Development

RE: To Request a Public Hearing for consideration of proposed uses of CDBG funds for 2016-2017

PURPOSE: To request a public hearing be scheduled to receive citizen comment on the proposed uses of Community Development Block Grant (CDBG) funds in 201-2017.

REASON: The U.S. Department of Housing and Urban Development (HUD) requires that a public hearing be held before Council takes legislative action on the proposed uses of CDBG funds.

RECOMMENDATION: Staff recommends City Council to schedule a public hearing on this matter for the April 5, 2016 meeting.

BACKGROUND: Petersburg, Virginia is an entitlement jurisdiction for the annual receipt of CDBG funds from HUD. This requires the submission of the Consolidated and Annual Plan for the proposed uses of the funds to be received in 2016-2017.

The proposed uses of allocated funds for 2016-2017 are as follows:

	Advisory Board Recommended	Staff Recommended
YMCA -provides swimming lessons, teen programs, and services for 980 in total.	20,000	15,000
CARES - operating expenses for shelter serves 111 women and children a year.	20,000	15,000
HOPE Center – operating expenses for services to low income families.	0	15,000
Serenity - services for clients for HIV/AIDS.	5,000	5,000
Mobile Market – to provide fresh vegetables to low income neighborhoods.	20,000	15,000
Main Street Program – to provide technical assistance to businesses.	20,000	20,000
CARES Inc. – to replace the roof at the CARES shelter, 244 Halifax Street.	20,000	0
HOPE Center – to provide a drop ceiling and air conditioning.	16,000	0
Freedom Support Center – to provide wall partitioning in veteran’s center.	50,000	30,000
Black History Museum - to provide a feasibility study for creation of museum.	0	30,000
Rebuilding Together – for improvements to homes of low income persons.	25,000	25,000
Project Homes - provides for repairs to homes owned by low income families.	124,000	199,000
Petersburg Redevelopment & Housing - rebuilding Pin Oaks.	76,000	121,000
Habitat for Humanity – to build 9 homes for low income families.	94,000	0
CDBG Administration - provides for the administration of the CDBG Program.	<u>122,000</u>	<u>122,000</u>
Total	\$612,000	\$612,000

COST TO CITY: None

BUDGETED ITEM: Yes

REVENUE TO CITY: \$612,000

CITY COUNCIL HEARING DATE: April 5, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: NA

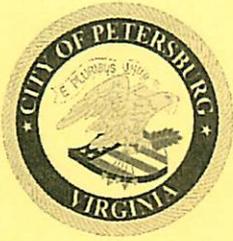
AFFECTED AGENCIES: Finance

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: NA

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: NONE

STAFF: Planning & Community Development



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: January 21, 2016

TO: The Honorable Mayor and Members of City Council

FROM: Dironna Belton, Chief Operating Officer

RE: **Hold a public hearing on the proposed disposition of publicly-owned property addressed as 808 Halifax Street.**

PURPOSE: To hold public hearing for the permit to dispose of a publicly-owned property.

REASON: In accordance with the Code of Virginia, as amended, a public hearing must be held prior to the disposition of publicly-owned property.

RECOMMENDATION: Recommend that City Council permit the disposition of publicly-owned property addressed as 808 Halifax Street.

BACKGROUND: The City is considering the disposition of publicly-owned property addressed as 808 Halifax Street. The developer plans to turn it into rental properties, either single family or multifamily depending upon what is authorized by City code.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Tax Map; Property Report

STAFF: Dironna Belton, Chief Operating Officer

Parcel ID: 030-250011
 808 HALIFAX ST

Owner Information
 CITY OF PETERSBURG
 135 N. Union St
 Petersburg VA 23803

General Information

Land Use	700	Neighborhood	17
Zoning	R-2	Historic Zone	
Census Tract	8107	Utilities	,,
Ward	5 - Myers		

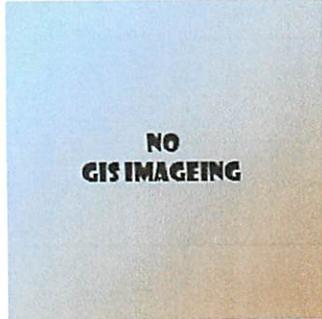
Legal
 THE HEIGHTS 71.5-40.3X154.2

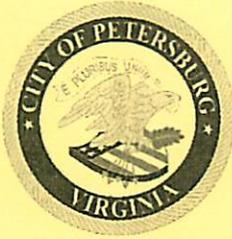
<u>Assessment</u>		<u>Sales</u>	
Land	\$ 10,400.00	Sale Date	04/22/2003
Building	\$ 0.00	Sale Price:	\$ 5,000.00
Total	\$ 10,400.00		
Abatement	.		
Rehab	\$ 0.00	Deed Book - Page	2003-1708
Land Use	\$ 0.00		

<u>Land</u>		<u>Building</u>	
Frontage:	71.00	Year Built:	
Depth:	54.00	Gross Building Area:	0.00
Square Footage:	8,608.00	Construction Type	0
Acres:	0.1976	Exterior Wall	
		Roof	
		Rooms:	0
		Bed Rooms:	0
		Bath Rooms / Half Baths:	0/0
		Heat Type	0
		% Air Conditioned	0



[Image/Property/Sketch<empty>](#)





City of Petersburg

Ordinance, Resolution, and Agenda Request

7.b

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

FROM: Dironna Belton, Chief Operating Officer

RE: **Hold a public hearing on the proposed disposition of publicly-owned property addressed as 811 Halifax Street.**

PURPOSE: To hold public hearing for the permit to dispose of a publicly-owned property.

REASON: In accordance with the Code of Virginia, as amended, a public hearing must be held prior to the disposition of publicly-owned property.

RECOMMENDATION: Recommend that City Council permit the disposition of this publicly-owned property addressed as 811 Halifax Street.

BACKGROUND: The City is considering the disposition of publicly-owned property addressed as 811 Halifax Street. The developer plans to turn it into rental properties, either single family or multifamily depending upon what is authorized by City code.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

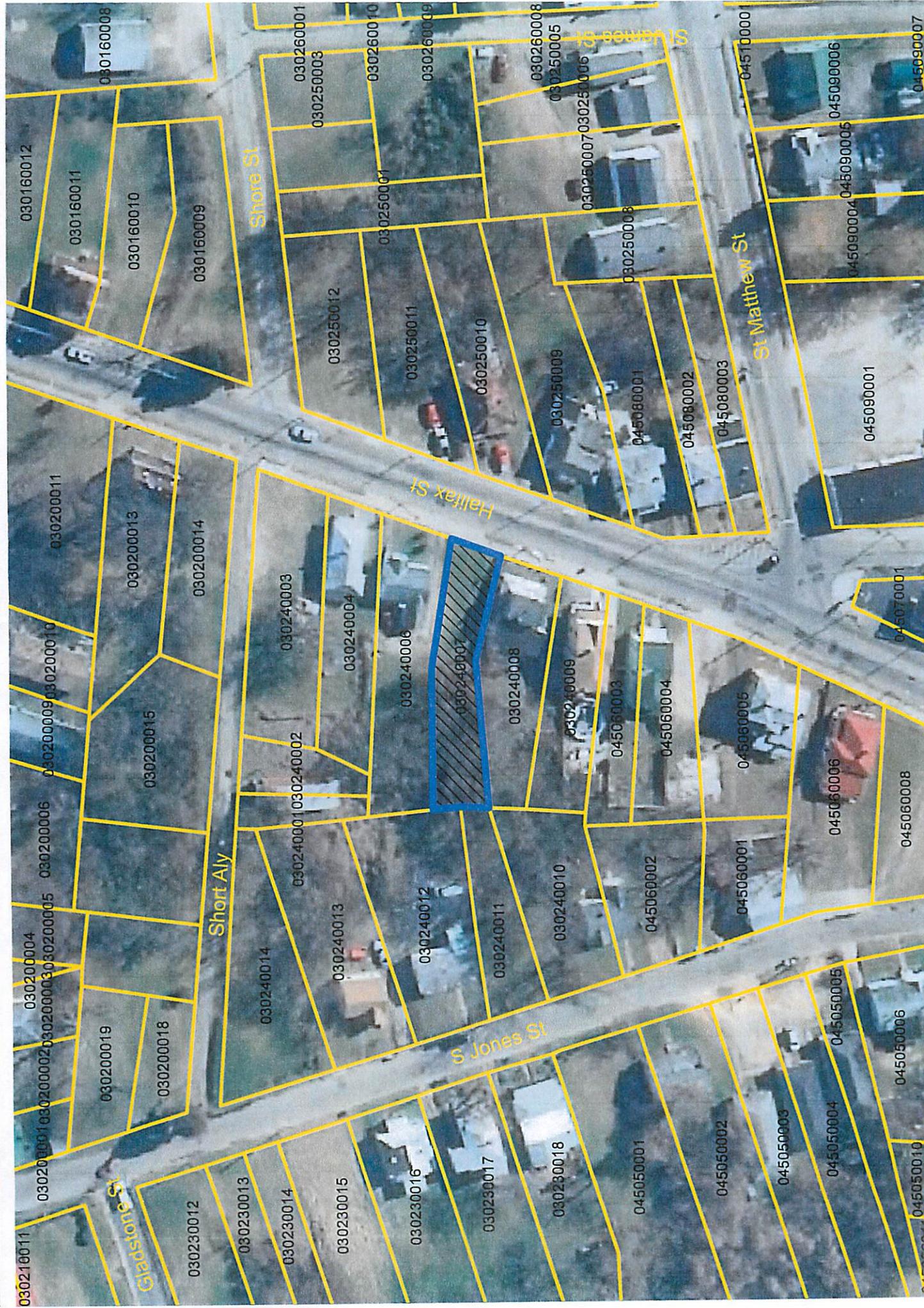
ATTACHMENTS: Tax Map; Property Report

STAFF: Dironna Belton, Chief Operating Officer



811 HALIFAX STREET 030-240007

80 40 0 80 Feet



Parcel ID: 030-240007
811 HALIFAX ST

Owner Information
CITY OF PETERSBURG
135 N. Union St
Petersburg VA 23803

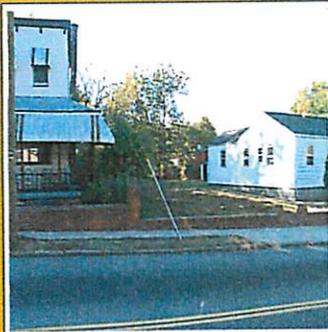
General Information

Land Use	700	Neighborhood	15
Zoning	R-3	Historic Zone	
Census Tract	8106	Utilities	,,
Ward	5 - Myers		

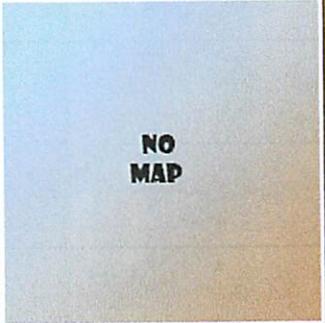
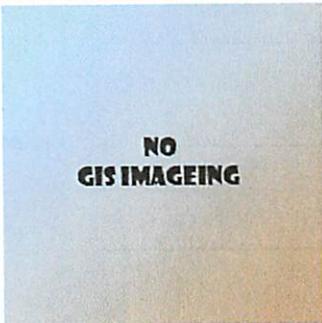
Legal
41.5-58X183.6-169.5

<u>Assessment</u>		<u>Sales</u>	
Land	\$ 8,000.00	Sale Date	05/11/2000
Building	\$ 0.00	Sale Price:	\$ 1,000.00
Total	\$ 8,000.00		
Abatement	.		
Rehab	\$ 0.00	Deed Book - Page	637-406
Land Use	\$ 0.00		

<u>Land</u>		<u>Building</u>	
Frontage:	41.50	Year Built:	
Depth:	176.00	Gross Building Area:	0.00
Square Footage:	8,712.00	Construction Type	0
Acres:	0.2000	Exterior Wall	
		Roof	
		Rooms:	0
		Bed Rooms:	0
		Bath Rooms / Half Baths:	0/0
		Heat Type	0
		% Air Conditioned	0



Image/Property/Sketch<empty>





City of Petersburg

9.a

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna Belton, Interim Chief Operating Officer

FROM: Landis Faulcon, Director of Economic Development

RE: Consideration to amend the special fund budget by \$335,000 for the sale of 16 parcels of publicly-owned property in the Halifax Triangle.

PURPOSE: Increase the Economic Development Incentive Special Fund Budget by \$335,000 for the sale of various properties for redevelopment of the Halifax Triangle.

REASON: To authorize the City Manager to sell the properties for redevelopment of the Halifax Triangle.

RECOMMENDATION: Staff recommends City Council permit the disposition of 16 parcels of property addressed as 106, 119, 121, 123, 127, 140, 147, 151, 153, 155 and 116-122 Halifax Street; 110, 112, 114 and 116 South Avenue and 137 South Market Street known as the Halifax Triangle.

BACKGROUND: Petersburg City Council previously approved a letter of intent from the Woda Group to purchase properties in the Halifax Triangle. The Woda Group responded to a request for proposals from the City of Petersburg for redevelopment of the Halifax Triangle.

COST TO CITY: N/A

BUDGETED ITEM: No

REVENUE TO CITY: \$335,000

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Appropriation Ordinance

STAFF: Landis Faulcon, Director of Economic Development



City of Henderson, Nevada

DATE: 05/11/2010

TO: The Honorable Mayor and City Council

FROM: Landis Faulcon, Director of Economic Development

SUBJECT: Request for Approval of the 2010-2011 Budget

I am pleased to report the attached budget for 2010-2011. The budget is a balanced budget and is in compliance with the Nevada Constitution.

The budget is based on the 2010-2011 fiscal year. It includes a total of \$10,000,000 in revenue and \$10,000,000 in expenditures.

The budget is a balanced budget and is in compliance with the Nevada Constitution. It is a request for approval of the budget.

I am pleased to report the attached budget for 2010-2011. The budget is a balanced budget and is in compliance with the Nevada Constitution.

The budget is based on the 2010-2011 fiscal year. It includes a total of \$10,000,000 in revenue and \$10,000,000 in expenditures.

Very truly yours,

Landis Faulcon, Director of Economic Development

cc: City Council

CITY OF HENDERSON, NEVADA

COMMUNICATIONS DIVISION

ATTACHED: BUDGET

REVISIONS TO BUDGET OR BUDGET ITEMS

REVISIONS TO BUDGET OR BUDGET ITEMS

REVISIONS TO BUDGET OR BUDGET ITEMS

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016
IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$335,000
FOR ECONOMIC DEVELOPMENT INCENTIVE SPECIAL FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2015, in the Special Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2016.

Previously adopted	\$18,895,823
Economic Development	<u>335,000</u>
:	
Total Expenses	<u>\$19,230,823</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2015 and ending June 30, 2016, the following sums for the purposes mentioned:

Previously adopted	\$18,895,823
ADD: Miscellaneous Revenue:	
Sale of Property	<u>335,000</u>
Total Resources	<u>\$19,230,823</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 8, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Honorable Kevin A. Brown, City Treasurer

RE: **Consideration to authorize the City Treasurer to publish a Delinquent Taxpayer list.**

PURPOSE: The publication by the City Treasurer's Office of the Delinquent Taxpayers List is an additional tax collection tool that will assist the City Treasurer's Office in collecting delinquent revenue.

REASON: City Council must give the City Treasurer authorization prior to publishing a delinquent taxpayer list.

RECOMMENDATION: The City Treasurer recommends that the City Council give the City Treasurer authorization to publish the delinquent taxpayers list in the local newspaper as soon as possible.

BACKGROUND: Virginia Code §§58.1-3921 – 58.1-3924 gives the City Treasurer the authority to create delinquent taxpayer lists and gives the local governing body authority to publish such lists, or parts of the list as deemed advisable by the Treasurer, in the local newspaper.

COST TO CITY: \$5,000.00

BUDGETED ITEM: No

REVENUE TO CITY: \$4 Million Dollars

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: None

STAFF: Honorable Kevin A. Brown, City Treasurer



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

FROM: Dironna Belton, Interim Chief Operating Officer

RE: Consideration to approve the purchase of 125 W. Washington Street

PURPOSE: To give City Manager the authority to purchase 125 W. Washington Street

REASON: A public hearing was held and staff was requested to negotiate the purchase price and report back to Council.

RECOMMENDATION: Staff recommends City Council to accept the price and permit the purchase of 125 W. Washington Street

BACKGROUND: A hearing to permit the purchase of this property was held on January 19, 2016. City Council gave the City Manager the authorization to negotiate the selling price of 125 W. Washington Street and to report back for the permit to sell. The negotiated price of the property is \$100,000.

COST TO CITY: \$100,000

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Tax Map

STAFF: William E. Johnson, III City Manager



City of Petersburg

9.d

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Nykesha D. Jackson, Clerk of City Council

RE: Consideration of reappointment to the Virginia Gateway Region Board

PURPOSE: To consider re/appointments to the Virginia Gateway Region Board.

REASON: The term of the two (2) members representing the City on the Board will expire on February 29, 2016.

RECOMMENDATION: Recommend Council reappoint Mayor W. Howard Myers and Winston T. Saunders, Director of Engineering and Facilities of Boars Head Provisions, to the Board

BACKGROUND: Virginia's Gateway Region is a private, nonprofit organization that is funded to facilitate new business opportunities, work with existing businesses, advance resources that will enhance the economic viability of the region, and foster regional cooperation among the public and private entities that are involved in economic development activities.

Virginia's Gateway Region includes the Cities of Colonial Heights, Hopewell and Petersburg, and the Counties of Chesterfield, Dinwiddie, Prince George, Surry and Sussex.

Each member jurisdiction appoints one (1) local elected official and one (1) local business representative to the Board of Directors. Both Mayor Myers and Winston Saunders have indicated their desire to represent the City on the Board.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

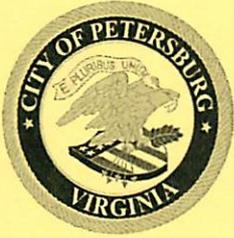
RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Boards and Commission Excel Sheet

STAFF: Nykeshia D. Jackson, Clerk of City Council

VIRGINIA GATEWAY REGION (formerly ABIDCO)				
	Number of members: 18 - Each of the 6 member localities appoint one elected official and one key local business representative - these twelve members then select 6 at-large members.			
TERMS	APPOINTMENTS	TERMS	NEW APPLICANTS	WARDS
03/03/15-02/29/2016	Mayor W. Howard Myers	Ward 5		
03/03/15-02/29/2016	Winston T. Sanders			
	AUTHORITY:			
	April 1960 Articles of Incorporation. ABIDCO is not-for-profit organization established under the laws of the Commonwealth of Virginia. Represented within the Appomattox Basin Area are the Cities of Colonial Heights, Hopewell, and Petersburg, and the counties of Chesterfield, Dinwiddie, and Prince George.		Each of the six (6) members local governing bodies appoints one (1) local elected official and one (1) key local business representative to the Board of Directors. The twelve (12) members appointed then select six (6) at-large members bringing the total membership to eighteen (18).	
	MEETING DATE AND TIME:		TERMS:	
	1 st Thursday at 7:30 a.m.		One year commencing October 1	
	STAFF LIAISON:		DUTIES:	
	Renee Wyatt-Chapline, Executive Director Virginia's Gateway Region (804) 732-8971		To enlist, encourage and promote the development of businesses and industries throughout the area.	



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Nykesha D. Jackson, Clerk of City Council

RE: **Consideration of an appointment to the Central Virginia Waste Management Authority Board**

PURPOSE: To make an appointment to the Central Virginia Waste Management Authority Board.

REASON: Daniel Harrison was named interim Public Works Director on November 5, 2015. He will need to replace Steven Hicks, former Public Works Director on the Central Virginia Waste Management Authority Board.

RECOMMENDATION: Recommend Council appoint Daniel Harrison, Interim Director of Public Works Central Virginia Waste Management Authority Board.

BACKGROUND: The Central Virginia Waste Management Authority (CVWMA) is a public service authority that implements solid waste management and recycling programs for thirteen local governments. Since its formation in 1990, the CVWMA has endeavored to provide efficient and economical waste management and recycling solutions for its member jurisdictions. The CVWMA's aim is to meet local government's waste management and recycling needs, through improving existing services and programs and expanding into new program areas. A board of directors including representatives from each member locality governs the actions of the Authority and daily operations are coordinated by an experienced staff.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: N/A

STAFF: Nykesha D. Jackson, Clerk of City Council

CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY			
	Number of members: 2		
TERMS	APPOINTMENTS	NEW APPLICANTS	
01/22/2013-12/31/2016	Steven Hicks, Director of Public Works		
01/22/2013-12/31/2016	William Riggleman, Director of Landfill Operations		
	AUTHORITY:	COMPOSITION:	
	Code of Virginia, Chapter 28, Title 15.1, Virginia Water and Sewer Authorities Act; City Council Resolution #90-153 adopted 10/2/90.	Each of the Authority's participating political subdivisions shall be entitled to no less than one (1) and to no more than three (3) members. The number of members from each participating political subdivision shall be as follows:	
		Population Basis:	Members:
		0-50,000	1
		50,001-100,000	2
		100,000 +	3
	MEETING DATE AND TIME		
	Monthly, 3rd Friday, 9:00 a.m. at Central Virginia Waste Management Authority Headquarters		
		TERMS:	
		Four (4) years	
	STAFF LIAISON:		
	Kimberly A. Hynes, Executive Director, CVWMA		
	2100 West Laburnum Avenue, Suite 105		
	Richmond, VA 23227		
	(804) 359-8413		



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: T. C. Hairston, Fire Chief

RE: **Consideration of appropriation for the 2015 State Homeland Security Program (SHSP) for Tri-City Communications Enhancement.**

PURPOSE: To appropriate funds for the installation of communications equipment to support the implantation of State Homeland Security Strategies to address the identified planning, organization, equipment, training and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events.

REASON: This SHSP Grant will be used to Enhance Communications in the Tri-City's during manmade and natural disasters.

RECOMMENDATION: Recommend Council to approve the attached appropriation ordinance in the amount of \$11,200.00.

BACKGROUND: The FY 2015 HSGP contributes to the implementation of the National Preparedness System by financially supporting the ability of States and local jurisdictions to build, sustain, and deliver core capabilities identified in the Goal.

COST TO THE CITY: None

BUDGETED ITEM: No

REVENUE TO CITY: \$11,200

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Emergency Operation Center

AFFECTED AGENCIES: Public safety

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: An appropriation ordinance in the amount of \$11,200

STAFF: Emergency Management Staff

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016
IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$11,200
FOR 2015 STATE HOMELAND SECURITY PROGRAM (SHSP).**

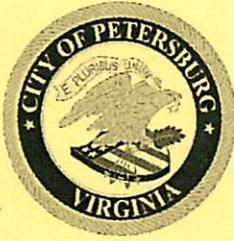
BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2015, in the Special Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2016.

Previously adopted	\$19,261,038
Fire Department	<u>11,200</u>
:	
Total Expenses	<u>\$19,272,238</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2015 and ending June 30, 2016, the following sums for the purposes mentioned:

Previously adopted	\$19,261,038
ADD: Revenue From Other Agencies	
Va Dept of Emergency Management	<u>11,200</u>
Total Resources	<u>\$19,272,238</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Cassandra Conover/ Program Sponsor

RE: **Consideration of an appropriation for Victims of Crime Act Assistance Grant Program**

PURPOSE: City Council Approval for Additional Funding in Victim Witness Program Fiscal Year 2016

REASON: Additional Funds Awarded through the DCJS in the amount \$30,215 which council needs to approve for appropriation in my existing grant

RECOMMENDATION: Recommend Council to approve the appropriation ordinance in the amount of \$30,215.

BACKGROUND: The amount of \$30,215 pursuant to the attached Statement of Grants has been awarded to the department for use in the current fiscal year, 2016. These monies will be used to purchase new equipment for our office, personnel cost and additional supplies which are needed desperately. We are therefore respectfully requesting approval from City Council for its appropriation. Annual reporting and certifications are filed yearly with the Department of Criminal Justice Service.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: \$30,215

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Victim Witness

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Appropriation Ordinance, Final Program Guidelines

STAFF: Victim Witness

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016
IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$30,215
FOR ADDITIONAL FUNDING VICTIM WITNESS GRANT PROGRAM.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2015, in the Special Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2016.

Previously adopted	\$19,230,823
Victim Witness	<u>30,215</u>
:	
Total Expenses	<u>\$19,261,038</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2015 and ending June 30, 2016, the following sums for the purposes mentioned:

Previously adopted	\$19,230,823
ADD: Revenue From Other Agencies:	
Dept of Criminal Justice Services	<u>30,215</u>
Total Resources	<u>\$19,261,038</u>

EXCERPTS FROM:

FINAL PROGRAM GUIDELINES

Victims of Crime Act (VOCA) Victim Assistance Grant Program

Office of Justice Programs, Office for Victims of Crime, Department of Justice

ALLOWABLE Costs

E. Services, Activities, and Costs at the Subrecipient Level

1. Allowable Costs for Direct Services. The following is a listing of services, activities, and costs that are eligible for support with VOCA victim assistance grant funds within a subrecipient's organization:

a. Immediate Health and Safety. Those services which respond to the immediate emotional and physical needs (excluding medical care) of crime victims such as crisis intervention; accompaniment to hospitals for medical examinations; hotline counseling; emergency food, clothing, transportation, and shelter (including emergency, short-term nursing home shelter for elder abuse victims for whom no other safe, short-term residence is available); and other emergency services that are intended to restore the victim's sense of security. This includes services which offer an immediate measure of safety to crime victims such as boarding-up broken windows and replacing or repairing locks. Also allowable is emergency legal assistance such as filing restraining orders and obtaining emergency custody/visitation rights when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victim.

b. Mental Health Assistance. Those services and activities that assist the primary and secondary victims of crime in understanding the dynamics of victimization and in stabilizing their lives after a victimization such as counseling, group treatment, and therapy. "Therapy" refers to intensive professional psychological/psychiatric treatment for individuals, couples, and family members related to counseling to provide emotional support in crises arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy.

c. Assistance with Participation in Criminal Justice Proceedings. In addition to the cost of emergency legal services noted above in section a. "Immediate Health and Safety", there are other costs associated with helping victims participate in the criminal justice system that also are allowable. These services may include advocacy on behalf of crime victims; accompaniment to

criminal justice offices and court; transportation to court; child care or respite care to enable a victim to attend court; notification of victims regarding trial dates, case disposition information, and parole consideration procedures; and assistance with victim impact statements. State grantees may also fund projects devoted to restitution advocacy on behalf of specific crime victims. VOCA funds cannot be used to pay for non-emergency legal representation such as for divorces, or civil restitution recovery efforts.

d. **Forensic Examinations.** For sexual assault victims, forensic exams are allowable costs only to the extent that other funding sources (such as state compensation or private insurance or public benefits) are unavailable or insufficient and, such exams conform with state evidentiary collection requirements. State grantees should establish procedures to monitor the use of VOCA victim assistance funds to pay for forensic examinations in sexual assault cases.

e. **Costs Necessary and Essential to Providing Direct Services.** This includes pro-rated costs of rent, telephone service, transportation costs for victims to receive services, emergency transportation costs that enable a victim to participate in the criminal justice system, and local travel expenses for service providers.

f. **Special Services.** Services to assist crime victims with managing practical problems created by the victimization such as acting on behalf of the victim with other service providers, creditors, or employers; assisting the victim to recover property that is retained as evidence; assisting in filing for compensation benefits; and helping to apply for public assistance.

g. **Personnel Costs.** Costs that are directly related to providing direct services, such as staff salaries and fringe benefits, including malpractice insurance; the cost of advertising to recruit VOCA-funded personnel; and the cost of training paid and volunteer staff.

h. **Restorative Justice.** Opportunities for crime victims to meet with perpetrators, if such meetings are requested or voluntarily agreed to by the victim and have possible beneficial or therapeutic value to crime victims.

State grantees that plan to fund this type of service should closely review the criteria for conducting these meetings. At a minimum, the following should be considered: (1) the safety and security of the victim; (2) the benefit or therapeutic value to the victim; (3) the procedures for ensuring that participation of the victim and offender are voluntary and that everyone understands the nature of the meeting, (4) the provision of appropriate support and accompaniment for the victim, (5) appropriate "debriefing" opportunities for the victim after the meeting or panel, (6) the credentials of the facilitators, and (7) the opportunity for a crime victim to withdraw from the process at any time. State grantees are encouraged to discuss proposals with OVC prior to awarding VOCA funds for this type of activity. VOCA assistance funds

cannot be used for victim-offender meetings which serve to replace criminal justice proceedings.

2. **Other Allowable Costs and Services.** The services, activities, and costs listed below are not generally considered direct crime victim services, but are often a necessary and essential activity to ensure that quality direct services are provided. Before these costs can be supported with VOCA funds, the state grantee and subrecipient must agree that direct services to crime victims cannot be offered without support for these expenses; that the subrecipient has no other source of support for them; and that only limited amounts of VOCA funds will be used for these purposes. The following list provides examples of such items:

a. **Skills Training for Staff.** VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers including paid staff and volunteers, so that they are better able to offer quality services to crime victims. An example of skills development is training focused on how to respond to a victim in crisis.

VOCA funds can be used for training both VOCA-funded and non-VOCA-funded service providers who work within a VOCA recipient organization, but VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals that do not provide direct services.

b. **Training Materials.** VOCA funds can be used to purchase materials such as books, training manuals, and videos for direct service providers, within the VOCA-funded organization, and can support the costs of a trainer for in-service staff development. Staff from other organizations can attend in-service training activities that are held for the subrecipient's staff.

c. **Training Related Travel.** VOCA funds can support costs such as travel, meals, lodging, and registration fees to attend training within the state or a similar geographic area. This limitation encourages state grantees and subrecipients to first look for available training within their immediate geographical area, as travel costs will be minimal. However, when needed training is unavailable within the immediate geographical area, state grantees may authorize using VOCA funds to support training outside of the geographical area. For example, VOCA grantees may benefit by attending national conferences that offer skills building training workshops for victim assistance providers.

d. **Equipment and Furniture.** VOCA funds may be used to purchase furniture and equipment that provides or enhances direct services to crime victims, as demonstrated by the VOCA subrecipient.

VOCA funds cannot support the entire cost of an item that is not used exclusively for victim-related activities. However, VOCA funds can support a prorated share of such an item. In addition, subrecipients cannot use VOCA funds to purchase equipment for another organization or individual to perform a victim-related service. Examples of allowable costs may include

beepers; typewriters and word processors; video-tape cameras and players for interviewing children; two-way mirrors; and equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas.

The costs of furniture, equipment such as Braille equipment or TTY/TTD machines for the deaf, or minor building alterations/improvements that make victims services more accessible to persons with disabilities are allowable. Refer to the OJP Financial Guide, effective edition, before these types of decisions are made.

e. **Purchasing or Leasing Vehicles.** Subrecipients may use VOCA funds to purchase or lease vehicles if they can demonstrate to the state VOCA administrator that such an expenditure is essential to delivering services to crime victims. The VOCA administrator must give prior approval for all such purchases.

f. **Advanced Technologies.** At times, computers may increase a subrecipient's ability to reach and serve crime victims. For example, automated victim notification systems have dramatically improved the efficiency of victim notification and enhanced victim security.

In order to receive a grant for advanced technologies, each subrecipient must meet the program eligibility requirements set forth in section IV.B. Of the Guidelines, Subrecipient Organization Eligibility Requirements. In making such expenditures, VOCA subrecipients must describe to the state how the computer equipment will enhance services to crime victims; how it will be integrated into and/or enhance the subrecipient's current system; the cost of installation; the cost of training staff to use the computer equipment; the ongoing operational costs, such as maintenance agreements, supplies; and how these additional costs will be supported. Property insurance is an allowable expense as long as VOCA funds support a prorated share of the cost of the insurance payments.

State grantees that authorize equipment to be purchased with VOCA funds must establish policies and procedures on the acquisition and disbursement of the equipment, in the event the subrecipient no longer receives a VOCA grant. At a minimum, property records must be maintained with the following: a description of the property and a serial number or other identifying number; identification of title holder; the acquisition date; the cost and the percentage of VOCA funds supporting the purchase; the location, use, and condition of the property; and any disposition data, including the date of disposal and sale price. (See OJP Financial Guide, effective edition.)

g. **Contracts for Professional Services.** VOCA funds generally should not be used to support contract services. At times, however, it may be necessary for VOCA subrecipients to use a portion of the VOCA grant to contract for specialized services. Examples of these services include assistance in filing restraining orders or establishing emergency custody/visitation rights

(the provider must have a demonstrated history of advocacy on behalf of domestic violence victims); forensic examinations on a sexual assault victim to the extent that other funding sources are unavailable or insufficient; emergency psychological or psychiatric services; or sign and/or interpretation for the deaf or for crime victims whose primary language is not English.

Subrecipients are prohibited from using a majority of VOCA funds for contracted services, which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.

h. Operating Costs. Examples of allowable operating costs include supplies; equipment use fees, when supported by usage logs; printing, photocopying, and postage; brochures which describe available services; and books and other victim-related materials. VOCA funds may support administrative time to complete VOCA-required time and attendance sheets and programmatic documentation, reports, and statistics; administrative time to maintain crime victims' records; and the prorated share of audit costs.

i. Supervision of Direct Service Providers. State grantees may provide VOCA funds for supervision of direct service providers when they determine that such supervision is necessary and essential to providing direct services to crime victims. For example, a state grantee may determine that using VOCA funds to support a coordinator of volunteers or interns is a cost-effective way of serving more crime victims.

j. Repair and/or Replacement of Essential Items. VOCA funds may be used for repair or replacement of items that contribute to maintaining a healthy and/or safe environment for crime victims, such as a furnace in a shelter. In the event that a vehicle is purchased with VOCA funds, related items, such as routine maintenance and repair costs, and automobile insurance are allowable. State grantees are cautioned to scrutinize each request for expending VOCA funds for such purposes to ensure the following: (1) that the building or vehicle is owned by the subrecipient organization and not rented or leased, (2) all other sources of funding have been exhausted, (3) there is no available option for providing the service in another location, (4) that the cost of the repair or replacement is reasonable considering the value of the building or vehicle, and (5) the cost of the repair or replacement is prorated among all sources of income.

k. Public Presentations. VOCA funds may be used to support presentations that are made in schools, community centers, or other public forums, and that are designed to identify crime victims and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by VOCA funds.

UNALLOWABLE Costs

3. Non-Allowable Costs and Activities. The following services, activities, and costs, although not exhaustive, cannot be supported with VOCA victim assistance grant funds at the subgrantee level:

a. **Lobbying and Administrative Advocacy.** VOCA funds cannot support victim legislation or administrative reform, whether conducted directly or indirectly.

b. **Perpetrator Rehabilitation and Counseling.** Subrecipients cannot knowingly use VOCA funds to offer rehabilitative services to offenders. Likewise, VOCA funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual.

c. **Needs Assessments, Surveys, Evaluations, Studies.** VOCA program funds may not be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.

d. **Prosecution Activities.** VOCA funds cannot be used to pay for activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency, such as witness notification and management activities and expert testimony at a trial. In addition, victim witness protection costs and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility and cannot be supported with VOCA funds.

e. **Fundraising activities.**

f. **Indirect Organizational Costs.** The costs of liability insurance on buildings; capital improvements; security guards and body guards; property losses and expenses; real estate purchases; mortgage payments; and construction may not be supported with VOCA funds.

g. **Property Loss.** Reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills is not allowed.

h. **Most Medical Costs.** VOCA funds cannot pay for nursing home care (emergency short-term nursing home shelter as described in section IV.E.1.a. is allowable), home health-care costs, in-patient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment. VOCA victim assistance grant funds cannot support medical costs resulting from a victimization, except for forensic medical examinations for sexual assault

victims.

i. Relocation Expenses. VOCA funds cannot support relocation expenses for crime victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, VOCA funds may be used to support staff time in locating resources to assist victims with these expenses.

j. Administrative Staff Expenses. Salaries, fees, and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals unless these expenses are incurred while providing direct services to crime victims.

k. Development of Protocols, Interagency Agreements, and Other Working Agreements. These activities benefit crime victims, but they are considered examples of the types of activities that subrecipients undertake as part of their role as a victim services organization, which in turn qualifies them as an eligible VOCA subrecipient.

l. Costs of Sending Individual Crime Victims to Conferences.

m. Activities Exclusively Related to Crime Prevention.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Tracie Douglass-Bryant, Administrative Manager

RE: **Resolution to Execute Standard Independent Commission Agreement with Greyhound Lines/Greyhound Lines Canada**

PURPOSE: To authorize the City Manager to enter into a standard Independent Commission Agreement with the Greyhound Lines/Greyhound Lines Canada for the third party contracting for the commission of Greyhound ticket sales, inbound/outbound express and excess baggage and value fees.

REASON: City Council requires that the City official signing for a locality must have signatory authority granted before executing an Independent Standard Commission Agreement.

RECOMMENDATION: Recommend Council adopt Resolution authorizing City Manager to Enter into Commission Agreement.

BACKGROUND: Currently Greyhound Lines is a tenant in Petersburg Station located at 100 W. Washington Street. Since, 2010, there has been an independent contractor running the daily operations; this ended February 2016. Both the City of Petersburg (Petersburg Area Transit) and Greyhound have a mutual benefit in the ticket sales office remaining open. This agreement will allow PAT staff to run the Greyhound ticket station as well as PAT customer service, allowing for a vital tenant in our station to remain. There are several pending grant opportunities that benefit from this ticketing station remaining here in Petersburg.

COST TO CITY: \$0

BUDGETED ITEM: N/A

REVENUE TO CITY: \$25,680

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Area Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: Resolution, Draft Agreement

STAFF: Dironna Moore Belton, Transit General Manager

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MAJOR STANDARD
INDEPENDENT COMMISSION AGREEMENT WITH GREYHOUND LINES / GREYHOUND LINES CANADA**

WHEREAS, the City Council of the City of Petersburg, desires to have the City Manager enter in an agreement to obtain a percentage commission from Greyhound ticket sales, inbound/outbound express packages and excess baggage and value fees; and

WHEREAS, the City of Petersburg is committed to follow the terms of said contract in an under the laws of Virginia; and

BE IT THEREFORE RESOLVED, that the City of Petersburg hereby grants authority for the City Manager to execute the independent commission agreement and any related documents regarding the operating Greyhound ticketing station located at 100 W. Washington Street.

**Greyhound Lines / Greyhound Lines Canada
REQUEST FOR MAJOR STANDARD INDEPENDENT COMMISSION
AGREEMENT**

Please Check One: Request for Contractor Agreement

LOCATION: 100 W. Washington St Petersburg VA 23805
STREET CITY PROVINCE/STATE POSTAL CODE

AGENCY NO.: 9667 EFFECTIVE DATE: 3/16/2016

CORPORATE NAME OF CONTRACTOR: City of Petersburg, VA

INDIVIDUAL NAME OF CONTRACTOR: _____

✓ CONTRACTOR'S ID NO. FEDERAL/SSN (US ONLY) _____

✓ IS CONTRACTOR INCORPORATED (US ONLY): _____ YES _____ NO

BACKGROUND/CREDIT CHECK COMPLETED N/A YES N/A NO

SICA or 20% AGENCIES	
COMMISSION RATES (Fill in commission rates that apply)	
<u>13.0%</u> % TICKETS/PTO SALE	<u>15.0%</u> % EXCESS BAGGAGE
<u>15.0%</u> % OUTBOUND EXPRESS	<u>10.0%</u> % EXCESS VALUE
<u>10.0%</u> % INBOUND EXPRESS	_____ % VENDING
_____ % INBOUND EXPRESS	_____ \$ MONTHLY GUARANTEE
_____ % COMMUTER TICKETS	_____ \$ DAILY COMPENSATION
_____ % CHARTER (TICKETS)	_____ \$ BONUS TOTAL

TERMINAL DAYS/HOURS OF OPERATION: Mon-Sat 6:15am - 12:00pm, 3:00pm - 4:30pm

EXPRESS DAYS/HOURS OF OPERATION: Mon-Sat 6:15am - 12:00pm, 3:00pm - 4:30pm

COMMENTS: _____

SUBMITTED BY: Lori Buzzerio
 LOCATION: Albany, NY
 PHONE: 860-655-0788
 DATE: 2/29/2016

APPROVAL FOR PREPARATION

 DATE _____

FURTHER APPROVAL IF REQUIRED
 NAME: _____
 DATE: _____

THIS DOCUMENT WILL SERVE AS A TEMPORARY INTERIM AGREEMENT BETWEEN THE PARTIES. CONTRACTOR AGREES THAT IT WILL SAFEGUARD, PROTECT AND BE RESPONSIBLE FOR GREYHOUND FUNDS RECEIVED IN CONNECTION WITH ITS ACTING AS AN INDEPENDENT CONTRACTOR FOR GREYHOUND

CONTRACTORS SIGNATURE

 DATE: _____



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Chief Operating Officer

FROM: Tracie Douglass-Bryant, Administrative Manager

RE: **Consideration of Appropriation for Capital Grant Funds to Petersburg Area Transit (PAT)**

PURPOSE: To review and approve the re-appropriation of Federal Transit Administration (FTA), the Department of Rail and Public Transportation (DRPT) and Federal Land Access Program (FLAP) grants to increase PAT spending by \$197,083.

REASON: Council re-appropriated a portion of PAT capital funds back in September 1, 2015. There is \$197,083 in remaining local, state and federal funds to re-appropriate that would allow PAT to continue FY2016 capital spending.

RECOMMENDATION: Recommend City Council appropriate \$197,083 in local, state and federal capital grant funds.

BACKGROUND: State and Federal capital funding programs make resources available to PAT for the purchase of capital items related to transit and transit facilities.

COST TO CITY: \$21,349 (Enterprise Funds)

BUDGETED ITEM: Yes

REVENUE TO CITY: \$197,083

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: Transit Re-Appropriations Table, Appropriation Ordinance

STAFF: Transit Administrative Manager/Transit Program Administration Manager

SET UP GRANTS FOR APPROPRIATION \$2,995,314

Grant #	Amount
VA-34-0005	326,539.00
DRPT New Freedom 5310	98,300.00
DRPT New Freedom 5310	16,850.00
DRPT New Freedom 5317	88,000.00
TMP 2015 & 2106 Marketing	89,459.00
VA-96-x012 ARRA	53,236.00
VA-90-x363	47,791.00
VA-90-x380	101,580.00
VA-95-x105.3	142,004.00
VA-90-x286	366,086.00
VA-90-x415	1,194,831.00
VA-90-x433	54,467.00
Total	2,579,143.00
Appropriation Amount	2,995,314.00
Difference(Amt Remain)	416,171.00
FLAP Grant	613,254.00
Appropriation Amt Needed	197,083.00

**AN ORDINANCE MAKING APPROPRIATIONS
FOR THE MASS TRANSIT FUND,
FOR THE FISCAL YEAR COMMENCING ON
JULY 1, 2015, AND ENDING JUNE 30, 2016
FOR THE TRANSIT CAPITAL GRANT.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2015, and ending June 30, 2016, for the Transit Fund are made from the following resources and revenues of the city, for the fiscal year ending June 30, 2016.

Previously adopted	\$6,015,906
Federal Land Access Program (FLAP)	<u>197,083</u>
Total Expenses	<u>\$ 6,212,989</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2015 and ending June 30, 2016, the following sums for the purposes mentioned:

Previously adopted	\$6,015,906
Revenue From Other Agencies:	
Federal Transit Authority	157,666
Dept of Rail & Public Transportation	27,592
Local Match	<u>11,825</u>
Total Resources	<u>\$ 6,212,989</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Tracie Douglass-Bryant, Administrative Manager

RE: **Consideration of the adoption of the Petersburg Area Transit Title VI Program**

PURPOSE: The City of Petersburg's Title VI Plan Update details how Petersburg Area Transit complies with the *U.S. Civil Rights Act of 1964* and related federal legislation. Attached is the updated Plan. The changes made removed Public Works language, updated the Transit General Manager name and updated the policies that related to no person, on the basis of race, color, or national origin, is subject to discrimination in the level and quality of Transportation services and transit –related benefits and make it known that any person alleging such discrimination may file a complaint with the Federal Transit Administration and/or the United States Department of Transportation.

REASON: The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. For the City of Petersburg, City Council is this governing body.

RECOMMENDATION: Recommend Council adopt the attached resolution approving Petersburg Area Transit's updated Title VI Program

BACKGROUND: In order to receive federal assistance through the FTA, Petersburg Area Transit (PAT) must comply with the guidelines of the Title VI of the Civil Rights ACT of 1964 and carry out the U.S. Department of Transportation ("DOT" or "the Department") Title VI regulations (49 CFR part 21). PAT's Title VI document is intended to integrate programs and activities, based on the considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005).

ACTION REQUESTED: A Resolution adopted by Council is required as part of PAT's submission of its Title VI program.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Yes

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: PAT Title VI Plan, Resolution

STAFF: Tracie Douglass-Bryant, Administrative Manager



100 W. Washington Street

Petersburg, Virginia 23803

Phone 804.733.2450 • Fax 804.733.2468

Petersburg Area Transit

TITLE VI PROGRAM UPDATE

REVISED
November 12, 2015

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I. INTRODUCTION

A. PAT ASSURANCES TO THE TITLE VI

PROGRAM

Petersburg Area Transit, hereafter called PAT, hereby certifies that, as a condition of receiving Federal Financial Assistance under the Urban Mass Transportation Act of 1964, as amended, PAT will ensure that:

- a) PAT shall submit on an annual basis, their Title VI Assurance, as part of their annual Certification and Assurance submission to the FTA.
- b) PAT will compile, maintain and submit in a timely manner, Title VI information required by FTA Circular 4702.1A and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.7.
- c) PAT will as a commitment to civil rights ensure that "No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance."
 - 1) None shall, on the basis of race, color or national origin is to be subjected to discrimination in the level and quality of transportation services and transit-related benefits provided by PAT.
 - 2) PAT will make it known to the public that those persons alleging discrimination on the basis of race, color or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration, the U. S. Department of Transportation and the City of Petersburg as described in Section II.
- d) PAT does not pass FTA funds thru sub-recipients.
- e) PAT as a recipient of federal funding will examine its services and identify any need for services to those with limited English proficiency, and develop and implement systems to provide services so LEP persons can have meaningful access to these services. Section IV of this plan explains and identifies action of PAT.

PAT acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C4702.1A, may be requested in writing of PAT to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

Timely Submission

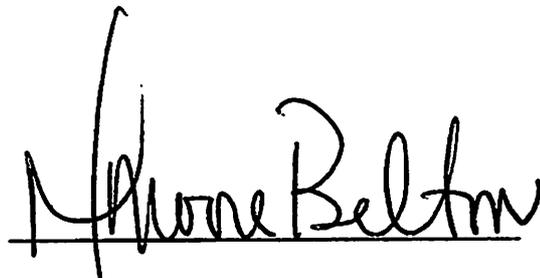
PAT acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C 4702.1A, may be required in writing of the FTA, to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

- 1) A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities;
- 2) PAT process for persons with Limited English Proficiency (LEP);
- 3) Title VI Complaint and Tracking procedures;
- 4) A list of any Title VI investigations, complaints or lawsuits filed since the last submission; and
- 5) A copy of PAT public notice regarding Title VI compliance and public access and instructions to PAT Title VI complaint procedures.

Portions of the Plan which have not changed since the last submission will not be resubmitted, however, PAT shall include a statement to this effect in lieu of copies of the original documents in order to eliminate redundancy in resubmissions.

The person, whose signature appears below, are authorized to sign on behalf of the grant applicant or recipient.

Date: November 12, 2015



Dironna Moore Belton

Transit General Manager

8. Title VI Compliance History

PAT has no issues of noncompliance and makes necessary corrections when identified:

- a) There are no outstanding lawsuits or complaints naming PAT which allege discrimination on the basis of race, color or national origin with respect to service or other transit benefits.
- b) There are no pending applications for Federal Financial Assistance and there is no Federal financial assistance currently being provided to PAT other than that being supplied by the Federal Transit Administration (FTA). Currently, PAT is applying for Section 5307 and 5317 funding through the FTA.
- c) During the course of the last three (3) years, there have not been any civil rights compliance review activities conducted with respect to PAT and, to the best of our knowledge, there are not presently any ongoing civil rights compliance review activities being conducted with respect to PAT.
- d) There are currently no pending construction projects which would negatively impact minority communities being performed by PAT.

II. GENERAL REQUIREMENTS

A. NOTICE TO THE PUBLIC

Petersburg Area Transit (PAT or "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U. S. C. 2000d-42 U. S. C. 2000d-4 U.S.C. 2000d-4 (hereinafter reference as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to the "Regulations") and other pertinent directives, to the end and that in accordance with the Act of 1964, Regulations, and other pertinent directives.

PAT will thereby maintain notice to the public identifying this compliance using all available manners of address from the design of its program, training of its staff and providing notice using available media reinforcing the assurances stated on page 3, C., 1) and 2).

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Transit Administration Program:

- a) That the Recipient agrees that each "program" and each "facility" as defined in sub 21.23(a) and 21.23 (b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requires imposed by, or pursuant to, the Regulations.
- b) That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection will all Federal Transit Administration Programs and, in adapted form in all proposals or negotiated agreements:

Petersburg Area Transit, in accordance with the Title VI of the Civil Rights Act of 1964, 78 Stat., 252 U. S. C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federal-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

- c) That the Recipient shall insert the clauses contained herein every contract subject to this Act and the Regulations.
- d) That the Recipient shall insert the clauses contained herein as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures or improvements thereon, or interest herein.
- e) That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
- f) That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
- g) That the Recipient shall include the appropriate clauses contained herein as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties:

- (1) for the subsequent transfer of real property acquired or improved under the Federal Transit Administration Programs; and
 - (2) For the construction or use of or access to, space on, over, or under real property acquired, or improved under the Federal Transit Administration Programs.
- h) That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods:
 - (1) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - (2) The period during which the Recipient retains ownership or possession of the property.
- i) The Recipient shall provide for such methods of administration for program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
- j) The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.
- k) The Recipient assures that the level and quality of transit service and related benefits are provided in a manner consistent with Title VI of the Civil Rights Act of 1964.

THESE ASSURANCES are given in consideration of, and for the purpose of, obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Transit Administration and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Transit Administration Programs.

8. DISCRIMINATION COMPLAINT PROCEDURES

In compliance with 49 CFR Section 21.9 (b), PAT has developed procedures for investigating and tracking Title VI complaints filed against them. Such procedures shall be made available to the public upon request. PAT complaint procedures and complaint form are contained herein as:

Appendix A - Public Notice of Rights/Complaint Process

C. DISCRIMINATION COMPLAINT FORM and PROCESS

PAT has established a process for riders to file a complaint under Title VI. Any person who believes that she or he has been discriminated against on the basis of race, color, or national origin by PAT may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The form is available at our administrative offices and public notice is provided to maintain compliance with 49 CFR. The form is a part of Appendix A as mentioned above.

III. PUBLIC PARTICIPATION PLAN

A. KEY PRINCIPLES and GOALS

To improve public participation resulting in a more effective program under Title VI, PAT shall establish a plan for public participation under the following key principles:

- a) Coordination with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities;
- b) Provision of opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- c) Utilization of locations, facilities and meeting times that are convenient and accessible to low-income and minority communities;
- d) Utilization of different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities; and
- e) Implementation of DOT's policy guidance regarding PAT responsibilities to LEP persons.

B. PUBLIC PARTICIPATION PROCESS

Processes and actions developed to address public participation are set to provide reinforcement of the Title VI objectives. These efforts include:

- a) Meetings will be held in locations which are fully accessible and welcoming to all area residents, including, but not limited to, low-income and minority members of the public and in locations relevant to the topics being presented and discussed.
- b) Meetings when considering fare changes, elimination, addition, or modifications to routes and schedule and other transit planning projects are held as formal public city council sessions.
- c) Schedule meetings that are convenient to patrons, minority and LEP communities that permit roundtable discussion and enhance participation, such as recent held open house to acclimate patrons to services; participation in Hispanic community awareness event to help identify support to LEP persons and open forums to initiate development of patron passenger advisory group.
- d) Coordinate with community organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities through churches, nearby university leadership, clubs and other civic organizations.
- e) Uses media and signage to support the process as follows:
 1. Print-Newspapers and other periodicals
 2. Outdoor-Advertising on-board buses (interior and exterior) and in bus shelters
 3. Website - PAT has assembled a comprehensive website with the City of Petersburg.
 4. Web-Based Feedback - publishes URL and receives email from outside sources (Government Outreach System).
 5. On Board - PAT provides riders with details of service changes, schedules of public meetings and notifications including Title VI requirements.
 6. On-board scrolling messages - PAT buses provide messages of pertinent and relevant data.
 7. Interterminal public address system used to inform passengers of transit information.

M. LANGUAGE ASSISTANCE PLAN

The demographics for Petersburg, Virginia as provided by the U.S. Census indicate that the city is 79 percent Black or African American, 15 percent White, 4 percent Hispanic and 1 percent other. This make-up supports that the Hispanic community is its largest minority. Several programs (Appendix B and C) to support this community along with concerns of limited English proficiency have been instituted to make Petersburg Area Transit inclusive to all.

A. Improving Access for People with Limited English Proficiency (LEP)

PAT shall take steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). PAT will assist persons with Limited English Proficiency to participate in the transportation planning process. PAT Staff will make every effort to provide translators and document translation, where feasible, upon request. PAT Limited English Proficiency (LEP) Plan is contained herein as Appendix B.

B. PAT LIAISON OFFICE

In an effort to plan for and address support to persons with limited English proficiency, the City of Petersburg established a PAT Hispanic liaison office at 2447-A County Drive, Petersburg, VA 23805. This office sets within an area defined for its heavier concentration of Hispanic persons. It features on efforts to bring the LEP community into the mainstream which includes transit systems and citizen participation.

C. ACTIONS AND TOOLS SUPPORTING RIDERS WITH LEP

To support its Title VI program, PAT has completed many actions and tools to support riders with LEP. Actions taken include:

- a) the Hispanic Liaison Office previously discussed,
- b) Establishment of new transit routes to support the community where a predominance of LEP persons reside.
- c) The use of multi-lingual signage on transit vehicles and websites.
- d) PAT administrative offices have established multi-lingual telephone information access.
- e) Work is ongoing for the translation of other documents to support Title VI progress.

The City of Petersburg has several offices including Social Services, Police, Fire and Rescue that offer multilingual personnel to assist when issues arise. The City of Petersburg's website (which includes Transit data) is translatable into many languages using Microsoft Translator.

V. DECISION MAKING BODIES

PAT engages three decision making bodies to support its role in city government, operational efficiency, and public participation. These bodies are necessary to maintain sound programs for all Title VI requirements. These bodies are:

- a) The City of Petersburg's Mayor and City Council sets policies for the city. The City Manager (William E. Johnson III, implements polices set by the council and manages the daily operations of the city.
- b) While PAT doesn't have a formal Board, City Council currently acts as the Board. We are still working on a process of putting together a Committee. The PAT Committee will include, the City Manager, Transit General Manager, and the Lead Purchasing Agent this Committee will engage, review and approve all PAT contracting and operational actions.

VI SERVICE STANDARDS AND POLICIES

A. Vehicle Load

Measure: Provides service levels to prevent overcrowding and standees.

PAT system-wide goal is to have an average maximum load factor for local service not to exceed 1.0, as measured by a ratio of total passengers to seats on board the vehicles. This equates to a maximum of approximately 1 standee on a 21'-29' vehicle.

PAT works closely with its Para-transit section to ensure passengers are not left behind due to overcrowding or overloads. Overcrowding is monitored on all routes; no route in PAT system is overcrowded or overloaded.

Buses in PAT's fleet currently used have seating capacities of:

Type Vehicle	Make	Model	Seats	Standing	Total
21' Mini Bus	Ford	450	9	0	9
24' Mini Bus	Ford	450	21	0	21
29' Low Floor Bus	Gillig	Low Floors	29	0	29
35' Standard Bus	Gillig	Phantom	32	0	32
30' Trolley	Hometown Trolley	Villager	32	0	32

B. Vehicle Headway

Measure: Provides adequate service frequency based on the corridor of operation and ridership demand.

PAT's system-wide goal is to provide service every 30 and 60 minutes during the peak and off-peak times along all primary transportation corridors in the Petersburg Transit Service Areas. As some routes provide overlapping service within a given corridor, corridor frequencies are typically the same. The vehicle headway standard is designed to ensure that passengers have equitable wait times for transit vehicles. Vehicle headways are measured as the amount of time between the departure of two subsequent buses along the same route or service corridor.

PAT differentiates between three types of bus service as defined below:

Service Type	Bus Routes
Petersburg Service Area	NA
South Park Mall (City of Colonial	NA
Etrick's Chesterfield County	NA
Demand Responsive	CSH/SVTC

C. On-time Performance

Measure: Provides accessible and reliable transit services to Marin County

To ensure reliable services, PAT aims to have a 95% on-time performance target at major stops and transfer station and an 85% on-time performance target at minor time-point stops for fixed route operations. In addition, PAT's standard is less than 1% of fixed-route trips missed or removed from the daily schedule. For Para transit services, the standard for on-time performance is at least 95% of all Para transit trips arriving within the thirty minute pick-up window.

D. Service Availability

Measure: Provides accessible and reliable transit services to City of Petersburg, City of Colonial Heights, City of Hopewell and Dinwiddie County.

PAT's goal is to provide transit service to major origins within the Petersburg Area Transit Service Area and surrounding localities. This goal includes, providing transit within 1/4 mile of 90% all City of Petersburg residents by census, 90% of major employers and other large trip generators, and 95% of large multifamily housing developments as well as ensuring that 75% and 75% of middle and high schools are within 1/2 mile and 1/2 mile, respectively, of transit service.

E. Distribution of Transit Amenities for Each Mode

The transit amenities policy is designed to provide the framework for the distribution of bus stop amenities equitably throughout the system. When resources allow for improvements at multiple stop locations, PAT will prioritize resources based on passenger activity and transfer opportunities. PAT will also recognize the amount of observed boarding versus alighting activity when siting amenities such as shelters, benches, and real-time.

In situations where PAT has the authority and available resources to site new amenities at multiple bus stops, amenities will be programmed for placement at those stops based on need and ridership. Amenities may include, but are not limited to, shelters, seating, trash receptacles, and transit information displays. Amenities are based on passenger boarding's, transfer opportunities, and access to major activity connection areas. While PAT will use need and ridership to program the installation of amenities, external factors (e.g., site limitations, regulations of local jurisdictions, etc.) may dictate that amenities be installed out of order or not at all. Maintenance and replacement of existing amenities will not be subject to.

E. Vehicle Assignment for Each Mode

The vehicle assignment policy is designed to provide the framework for the distribution of buses in an equitable fashion throughout the system. All vehicles used in transit service will be ADA accessible and accommodate at least two wheelchairs and two bicycles.

Vehicle size and capacity will be assigned based on demand and passenger load factors.

Those routes or one route with the lowest passenger demand will be assigned a 21'-24' mini-bus, those with medium demand will be assigned a 29' vehicle and those with the highest demand will be assigned a 35' vehicle.

Appendix A
Public Notice of Rights/Complaint Process

Title VI Public Notice of Rights/Complaint Process

Public Notice of Rights

The following statement shall be posted on site at both PAT office locations, on the PAT website (www.petersburg-va.gov); permanently displayed on public transit vehicles; and other appropriate materials made available to the public. (Documents will be translated into languages other than English, upon request.)

Non-Discrimination-Your Rights under Title VI of the Civil Rights Act of 1964

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in , be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.,,"

Title VI Information, Limited English Proficient (LEP) Information and Complaint Process (for printed materials, website, and other mediums upon request)

PAT grants all citizens equal access to all its transportation services. It is further the intent of PAT that all citizens are aware of their rights to such access. This is designed to serve as an educational tool for citizens so that they may understand one of the civil rights laws that protect their benefit of the PAT programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

What is Title VI?

Title VI of the Civil Rights Act of 1964, is the Federal Law that protects individuals from discrimination on the basis of their race, color or national origin in programs that receive Federal Financial Assistance.

Petersburg Area Transit supports this law and posts this information on its Transit Buses, City owned website, and at the Transit Station offices where patrons may be notified. The following statement and instructions are provided:

"No person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of transportation service furnished by PAT on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color or national origin."

How can I file a discrimination complaint?

Any person who believes that they have, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, or national origin may file a complaint with PAT, Queenie Byrd, Transit Program Administration Manager at (804)733-2452.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and PAT may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The following measures will be taken to resolve Title VI complaints:

- 1) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; number of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age) and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.**

Petersburg Area Transit strongly encourages the use of the attached PAT Title VI Complaint Form when filing official complaints.

The preferred method is to file your complaint in writing using the PAT Title VI Complaint Form and send it to:

**Title VI Coordinator
Petersburg Area Transit
100 West Washington Street
Petersburg, Virginia 23803**

- 2) . In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to PAT Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the PAT Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.**
- 3) When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.**

- 4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided sixty (60) business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 5) Within fifteen (15) business days from receipt of a complete complaint, PAT will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Transit Administrative Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - a) If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b) If the complaint is to be investigated, the notification shall state the grounds of PAT jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6) When PAT does not have sufficient jurisdiction, the Transit Administrative Manager or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- 7) If the complaint has investigative merit, the Transit Administrative Manager or his/her designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted and an investigative report will be submitted to the Transit Administrative Manager within sixty (60) days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed and a finding with recommendations and conciliatory measures when appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.
- 8) The Transit Administration Program Manager or his/her authorized designed will issue letters of finding to the Complainant and Respondent within ninety (90) days from receipt of the complaint.
- 9) If the Complainant is dissatisfied with PAT's resolution of the complaint, he/she has the right to file a complaint with;

Office of Civil Rights

ATTN: Title VI Program Coordinator

East Building, 5th Floor – TCR,

1200 New Jersey Avenue, SE

Washington, D.C. 20590

Petersburg Area Transit

Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with Petersburg Area Transit. You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used.

1. *State your name and address

Name _____

Address _____

City _____

Telephone Number – H _____ ~~W~~ _____

2. *Person discriminated against, if different from above

Name _____

Address _____

City _____

Telephone Number – H _____ ~~W~~ _____

Please explain your relationship to this person(s)

3. * Agency or program that discriminated

Name _____

Address _____

City _____

Telephone Number – H _____ ~~W~~ _____

4A. *Non-Employment - Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the transit system in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., Race -African American or Sex - Female).

D Race/Color _____

D National Origin _____

D Sex _____

D Religion _____

D Age _____

D Disability _____

48. *Employment - Does your complaint concern discrimination in employment by the transit system? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., Race -African American or National Origin - Canadian)

Race/Color _____

National Origin _____

5. What is the most convenient time and place for us to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and telephone number of a person who can tell us how to reach you and/or provide information about your complaint.

Name _____ Telephone Number _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name of Attorney _____

Address _____

Telephone Number _____

8. *To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination _____

Most recent date of discrimination _____

9. *Please explain as clearly as possible what happened, why you believe it happened and how you were discriminated against. Please indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case).

10. The laws we enforce prohibit recipients of federal funds programmed through the transit system from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #9), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

11. Please list below any person(s) (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name	Street/City	Telephone Number

12. Do you have any other information that you think is relevant to our investigation of your allegations?

13. What remedy are you seeking for the alleged discrimination?

14. Have you (or the person discriminated against) filed the same or any other complaints with other agencies such as the Federal Transit Administration Office of Civil Rights, etc?

Yes

No

If so, do you remember the complaint number? _____

Against what agency and department or program was it filed?

Name _____

Address _____

Telephone Number _____

Date of Filing _____

Briefly, what was the nature of the complaint? _____

What was the result? _____

15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

- U. S. Equal Employment Opportunity Commission
- Federal or State Court
- Your State Equal Opportunity Office and/or local

Office of Human Rights

16. If you have already filed a charge or complaint with an agency indicated in #15 above, please provide the following information (attached additional pages if necessary)

Name of Agency _____

Date Filed _____

Case or Docket Number _____

De Trial/Hearing _____

Location of Agency/Court _____

Name Investigator _____

Status of Case _____

Comments _____

17. How did you learn that you could file this complaint?

18. * We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

Signature _____

Date _____

Please feel free to add additional sheets to explain the present situation to us.

Please mail the completed, signed Discrimination Complaint Form to:

Petersburg Area Transit
100 West Washington Street
Petersburg, Virginia 23803
Telephone - 804.733.2450

Attention: Transit Administrative Manager

****PLEASE MAKE A COPY FOR YOUR RECORDS****

Appendix B
Limited English Proficiency Plan (LEP)

Limited English Proficiency Plan(LEP)

INTRODUCTION

The purpose of this Limited English Proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U. S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title V of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

EXECUTIVE ORDER 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LRP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as Petersburg Area Transit (PAT), and governments, private and non-profit entities, and sub-recipients.

PLAN SUMMARY

PAT has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to PAT services are required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining the City of Petersburg – PAT extent of obligation to provide LEP services, PAT undertook a U.S. Department of Transportation four factor LEP analysis which considers the following:

- a) The number or proportion of LEP persons eligible in PAT's service area who may be served or likely to encounter a PAT program, activity, or service;
- b) The frequency with which LEP individuals come in contact with PAT services
- c) The nature and importance of the program, activity or service provided by PAT to the LEP population;
- d) The resources available to PAT and overall cost to provide LEP assistance. A brief description of these considerations is provided in the next section.

FOUR FACTOR ANALYSIS

1. The number or proportion of LEP persons eligible in the PAT service area who may be served or likely to encounter a PAT program, activity or service.

The Crater Planning District Commission staff has reviewed 2010 Census data on the number of individuals in its service area that have LEP, as follows:

Language Use and English-Speaking Ability for the Population by Speaking other than English at home.

Total Population 5 years and older – 30,246

Speak English at home – 28,857 100%

Total population non-English – 1,389 4.6%

of population not speaking English well or not at all 120 0.4%

English ability very well 1,101

English ability well 166

English ability not well 75

English ability not at all 45

The frequency with which LEP individuals come in contact with a PAT program, activity or service.

PAT assessed the frequency at which staff and drivers have or could possibly have a contact with LEP persons. This includes documenting phone inquiries, on-board surveys, service personnel, and community outreach. As a result, PAT established an office to bridge the language barrier, increase routes to support residential locations, enhanced signage and telephone information data. The majority of LEP persons are Hispanic.

2. The nature and importance of the program, activity or service provided by the PAT to LEP community.

In the PAT service area, the overwhelming majority of the population (95.4%) speaks English only, however because the LEP community is concentrated, PAT established an office to bridge the language barrier for rider education, ticket sales, etc. Education programs teach LEP persons how to transit around the city whether by bus or emergency vehicle. Some programs provide training on ridership for shopping and work related travel, such as social services, health and wellness centers, and local employment commission. Based on these actions ridership by LEP persons should increase. Use of telephone translation can be used to address crisis situations and multilingual signage satisfies most scenarios.

3. The resources available to PAT and overall costs

PAT assessed its available resources that could be used for providing LEP assistance. This included identifying translation companies and cost, including Spanish subtitles in brochures, working with groups representing these populations and what level of staff training is needed. After analyzing these four areas, PAT developed the plan outlined in the following section for assisting persons of limited English proficiency.

LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

How to Identify an LEP Person who Needs Language Assistance

Below are tools to help identify persons who may need language assistance:

- a) When dialing PAT customer service, information is available in Spanish.

- b) All transit vehicles carry Title VI notification signage in Spanish.
- c) A PAT Office is located in the area of concentration to enhance community outreach.
- d) Dual language staff is available.
- e) PAT website provides translation in many languages using Microsoft Translator.

Language Assistance Measures

PAT employs many language assistance measures to assist local and traveling persons as mentioned above in the LEP proficiency plan.

PAT Staff Training

All PAT staff will be provided with the LEP Plan and educated on procedures to follow. This information will also be part of the PAT staff orientation process for new hires. Training topics primarily identify our translation capabilities and provides reference and contact information to our LEP liaison office.

Outreach Techniques

PAT employs outreach techniques using the following options when and/or if the need arises for LEP outreach:

- a) If staff knows that they will present a topic that could be of potential importance to an LEP person or its' staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting, notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
- b) When holding a public meeting, staff will insert the clause, based on the LEP population and when relevant, translates into an alternative Language, a translator will be available.
- c) Key print materials, including bus limited to schedules and maps will be translated and made available at Petersburg Station and LEP Office, on board vehicles and in communities when a specific and concentrated LEP population is identified or a request is made.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, PAT will follow the Title VI Program update schedule for the LEP Plan. However, major updates most likely will not occur until the next Census 2020 results are released or when socio-political actions bring change to our attention.

Each update should examine all plan components such as:

- a) How many LEP persons were encountered?
- b) Were their needs met?
- c) What is the current LEP population in PAT service area?
- d) Has there been a change in the types of languages where translation services are needed?
- e) Is there still a need for continued language assistance for previously identified PAT programs? Are there other programs that should be included?
- f) Have the PAT available resources, such as technology, staff and financial costs covered?
- g) Has PAT fulfilled the goals of the LEP Plan? and
- h) Were any complaints received?

Dissemination of the PAT Limited English Proficiency Plan

PAT includes the LEP Plan with its Title VI Policy and Complaint Procedures. PAT's Notice of Rights under Title VI to the public is posted in both PAT offices, on the website at www.petersburgva.gov and on all vehicles.

Any person, including social service, non-profit, and law enforcement agencies along with other community partners with internet access will be able to access the plan.

Copies of the LEP Plan will be provided upon request, to any person(s) requesting the document via telephone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to PAT Title VI Coordinator.

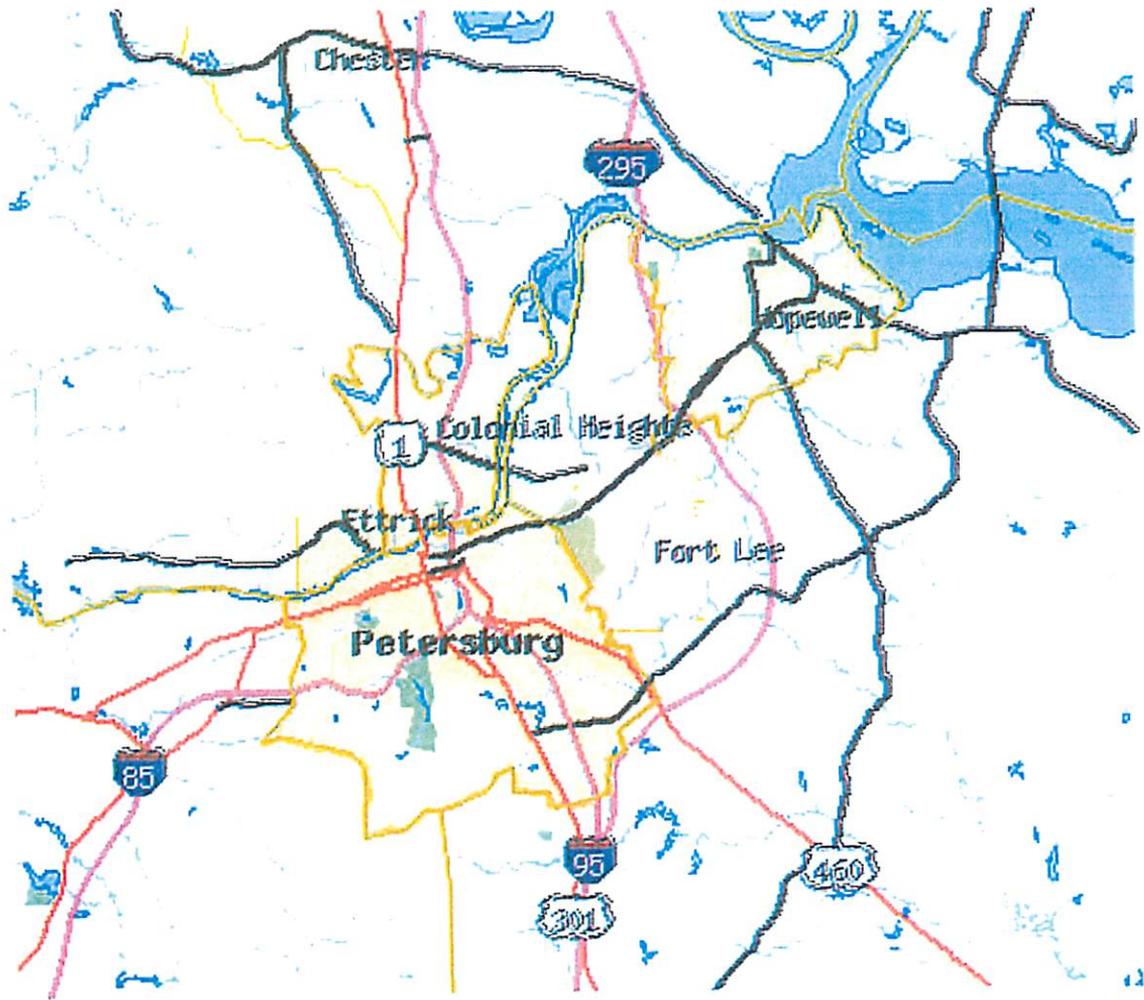
Transit Administration Program Manager

100 West Washington Street, Petersburg, Virginia 23803

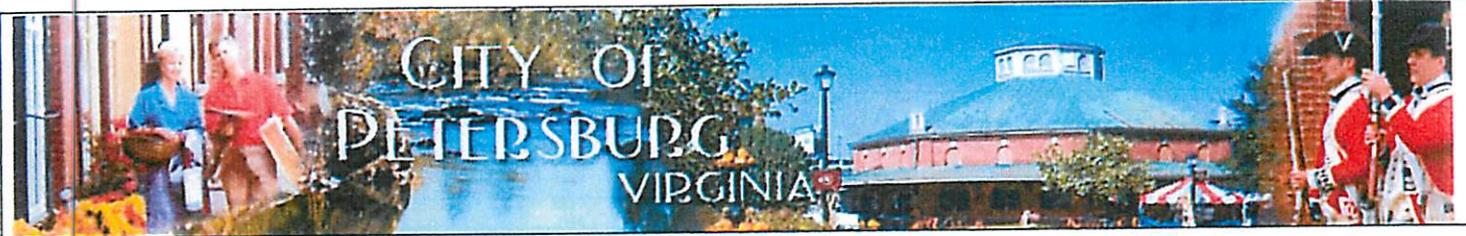
Telephone - 804.733.2452 Fax - 804.733.2468

Email – abvrd@petersburg-va.org

Appendix C
PAT Title VI Service Area



The PAT service area includes the cities of Petersburg, Hopewell, Colonial Heights Southpark Mall area, and the neighboring Fort Lee military installation.



Dironna Belton
General de tránsito

[Página de inicio](#)
[Rutas de Petersburg](#)
[Ruta de Hopewell](#)
[Horarios](#)
[Horas de operación](#)
[Información sobre las tarifas](#)
[Paratransit](#)
[Montar puntas](#)
[Licitaciones](#)
[Sección 1511](#)
[Derechos civiles](#)
[GRTC](#)
[BABS](#)
[Correo electrónico](#)

Notificación de los derechos del público bajo el Título VI

LA CIUDAD DE PETERSBURG, VIRGINIA

- La ciudad de Petersburg, Virginia opera sus programas y servicios sin importar raza, color y origen nacional de acuerdo al Título VI del Acto de Derecho Civil. Cualquier persona que crea que el o ella ha sido agraviada por alguna práctica ilegal discriminatoria bajo el Título VI puede llenar una queja a la Ciudad de Petersburg, Virginia.
- Para mas información del programa de los Derechos Civiles de la Ciudad de Petersburg y los procedimientos de llenar quejas, contacte a Queenie Byrd Gerente Administrativo de Tránsito al (804) 733-2452, email qbyrd@petersburg-va.org o visite nuestra oficina administrativa en 100 West Washington Street, Petersburg, Virginia 23803.
- Una queja puede ser llenada directamente con la Administración Federal de Tránsito, llenando la queja con la oficina de derechos Civiles,Atencion: Coordinator del Programa del Título VI, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590





Dironna Moore Belton
Transit General
Manager

- Home
- Petersburg Routes
- Hopewell Route
- Schedules
- Hours of Operation
- Fare Information
- Paratransit
- Riding Tips
- Procurement
- Section 1511
- Civil Rights
- GRTC
- BABS
- Email

Notifying the Public of Rights Under Title VI

THE CITY OF PETERSBURG, VIRGINIA

The City of Petersburg, Virginia operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Petersburg, Virginia.

For more information on the City of Petersburg, Virginia civil rights program, and the procedures to file a complaint, contact Queenie Byrd Transit Administrative Manager at (804) 733-2452, email qbyrd@petersburg-va.org or visit our administrative office at 100 West Washington Street, Petersburg, Virginia 23803.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590



**A RESOLUTION ADOPTING THE PETERSBURG
AREA TRANSIT TITLE VI PROGRAM**

WHEREAS, the City Council of the City of Petersburg, Virginia does hereby find as follows:

WHEREAS, the Management in Petersburg Area Transit ("PAT"), directed by the Petersburg City Manager through the agreement with the Federal Transit Administration to develop and administer a Title VI Civil Rights Program, which would provide a consistent approach for 49 CFR and the Federal Transit Administration to work together more effectively and efficiently to ensure equal opportunity to all who are impacted by funding provided to PAT as a funding recipient; and

WHEREAS, the collective input and guidance from City Council has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive Title VI Program; and

WHEREAS, it is necessary and desirable that all City agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of equal opportunity; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical to utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, uniform personnel and contract qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities for reporting complaints; and

WHEREAS, the Title VI procedures for managing personnel, communications, local services, maintain equitable programs, and streamline incident management processes;

WHEREAS, the Petersburg Area Transit components of Title VI Program are already an integral part of various city management activities, including transit services, and public participation; and

WHEREAS, the Federal Transit Administration recommended adoption of a standardized program for reporting and adherence to Title 49 of the Code of Federal Regulations.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Petersburg, that the Petersburg Area Transit Title VI Program is established as the City standard for operation citing that:

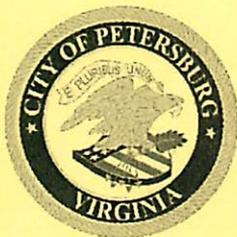
Petersburg Area Transit, in accordance with the Title VI of the Civil Rights Act of 1964, 78 Stat, 252 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federal-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation

and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Adopted by the Council of Petersburg, Virginia this 15th day of March, 2016

W. Howard Myers, Mayor

Nykesha D. Jackson, Clerk of Council



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Tracie Douglass-Bryant, Administrative Manager

RE: **Consideration of an appropriation for Alternative Fuel Grant Funds to Petersburg Area Transit (PAT)**

PURPOSE: To review and approve the appropriation of the Department of Mines, Minerals and Energy (DMME) bridge loan for the Congestion Mitigation and Air Quality (CMAQ) grant funds in the amount of \$80,000.

REASON: Petersburg Area Transit (PAT) has been awarded \$80,000 from the Virginia Department of Mineral, Mines and Energy (DMME) to convert fourteen (14) of its transit vehicle fleet to cleaner burning propane. Subsequently, PAT will reduce its carbon footprint by 16% and decrease its fuel costs by about 30%.

RECOMMENDATION: Recommend City Council adopts the actions to move forward to appropriate \$80,000 in state and federal funds.

BACKGROUND: Petersburg Area Transit (PAT) has been awarded \$80,000 from the Virginia Department of Mineral, Mines and Energy (DMME) to support the advancement of alternative transportation bi-fuel technology. Under this large-scale initiative, public and private fleet vehicles are converted to propane autogas in order to reduce vehicle emissions, displace gasoline consumption. Propane autogas, also referred to as liquefied petroleum gas (LPG), is the most widely used alternative fuel in the world, with more than 17 million autogas vehicles on the roads today. PAT worked with Alliance Autogas/Blossman Gas and DMME on this opportunity, which has supported a variety of alternative fuel projects across the Commonwealth. DMME is supported on Alternative Fuels/Vehicles initiatives by Virginia Clean Cities (VCC) /James Madison University. The Clean Cities program is sponsored by the U.S. Department of Energy in accordance with the Energy Policy Act of 1992, to reduce dependence on imported petroleum products, by promoting the use of alternative fuels and vehicles use in the transportation sector.

COST TO CITY: \$0

BUDGETED ITEM: Yes

REVENUE TO CITY: \$80,000

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: Agreement, Appropriation Ordinance

STAFF: Tracie Douglass-Bryant, Transit Administrative Manager/Transit Program
Administration Manager

John W. Warren
Director



DIVISIONS
ENERGY
GAS AND OIL
MINED LAND RECLAMATION
MINERAL MINING
GEOLOGY AND MINERAL RESOURCES
MINES
ADMINISTRATION

COMMONWEALTH OF VIRGINIA

Department of Mines, Minerals and Energy

1100 Bank Street / 8th Floor
Washington Building
Richmond, Virginia 23219-3402
(804) 692-3200 FAX (804) 692-3237
www.dmme.virginia.gov

AGREEMENT

**Department of Mines, Minerals and Energy
and
City of Petersburg**

Agreement Number: C16-6033

- I) **This Agreement**, entered into this 16th day of February, 2016, between the City of Petersburg, hereinafter called the "Borrower," and the Department of Mines, Minerals and Energy (DMME), the "Lender."
- II) **SCOPE OF WORK:** DMME will loan to Borrower up to \$80,000 and Borrower agrees to use this amount to convert 14 Petersburg Area Transit (PAT) fleet vehicles with cleaner burning bi-fuel propane Autogas technology supplied by Alliance Autogas/Blossman Gas.
- III) **PERIOD OF PERFORMANCE:** From date of this agreement to the date of final repayment in full.
- IV) **COMPENSATION, METHOD OF PAYMENT, and REPAYMENT TERMS:** Upon full execution of this agreement, the Lender will issue a bridge loan in the full amount of up to \$80,000 to the City of Petersburg. The City will repay the loan to Lender by no later than four months from the date of this agreement, or as soon as the City receives Congestion Mitigation and Air Quality (CMAQ) funds that it committed to secure in the application process described in Attachment 1. There will not be any interest charged if timely repayment in full is made according to the terms of this agreement. Borrower also agrees to comply with all requirements of Attachment 2 - Virginia ARRA Terms and Conditions, and Attachment 3 - Federal Terms and Conditions.
- V) **BORROWER'S REPRESENTATIONS:** Borrower represents and warrants that:
 - a) Borrower has full power and authority to enter into this Agreement and this Agreement has been duly and validly authorized, executed and delivered by Borrower.

- b) **This Agreement does not violate any limitation on the indebtedness of Borrower imposed by any statute, ordinance, charter, bylaw, or other agreement or instrument applicable to Borrower and this Agreement will not be rescinded or cancelled at any time by any action of Borrower.**
- c) **Borrower has, or will have prior to commencing work on the Project, obtained all necessary federal, state and local licenses, permits and approvals required to construct, install, implement and operate the Project and shall comply with all federal, state and local laws, codes, rules and regulations applicable to the Project.**
- d) **Borrower shall maintain the Project in good working order, ensure that adequate personnel are fully instructed in the proper use and care of the Project and allow Lender free access to inspect the project and interview personnel entrusted with its care.**
- e) **Borrower shall budget, in the event CMAQ funds are not secured, an amount sufficient to make payment due and payable under this Agreement and Borrower shall provide documentation of this budgeted amount to Lender by no later than eight months from the date this agreement is executed.**
- f) **Borrower shall make payment via a check from the City of Petersburg or an electronic funds transfer (EFT) if that is possible.**

VI) OCCURRENCE OF DEFAULT: The occurrence of any of the following shall constitute a default by Borrower:

- a) **The failure of Borrower to make payment due and payable under this Agreement within the time specified in this Agreement.**
- b) **The failure of Borrower to comply with any provision of this Agreement.**
- c) **The expenditure of Loan funds by Borrower for purposes other than the implementation of the Project as provided in this Agreement. Borrower shall provide to Lender documentation of the expenditure of loan funds. Documentation can include but is not limited to vendor invoices.**
- d) **Without the prior written consent of Lender, the sale, transfer or other disposition by Borrower of any equipment or material constituting part of the Project, all or any part of the cost of which was paid with the Loan, or the sale, transfer or other disposition of, or the termination of the lease with respect to, the building or facility in which the Project is located, until such time as the Loan is repaid in full.**
- e) **The expenditure of Loan funds by Borrower to reimburse itself for funds expended by Borrower on the Project prior to the effective date of the Loan and this Agreement.**

VII) IN EVENT OF DEFAULT: In the event of Borrower's default, Lender shall notify Borrower of the default and Borrower shall have a reasonable opportunity, not to exceed twenty (20) days, to cure Borrower's default. If Borrower cures the default, Lender may agree to forego the collection of the interest penalty described in paragraph XII, Late Payments. If Borrower fails to cure the default, Lender shall be released from all of its obligations under this Agreement and shall have the right to declare the Loan in default and all amounts loaned to Borrower under this Agreement, all penalties and earned interest, as set out in the Repayment Schedule, shall become immediately due. Borrower waives all demands for payment, presentations for payment, notices of intention to accelerate maturity, notices of acceleration of maturity, protest, and notices of protest, to the extent permitted by law.

Upon receipt of notice of default from Lender, Borrower shall cancel or otherwise terminate any contract, agreement or order relating to the Project and cease to incur any cost or expense relating to the Project.

VIII) SEVERABILITY: In the event that any provision of this Agreement is later determined to be invalid, void, or unenforceable, then the remaining terms, provisions, covenants, and conditions of this Agreement shall remain in force and effect, and shall in no way be affected, impaired, or invalidated.

IX) ASSIGNMENT: This Agreement and the rights and obligations of Borrower hereunder are not assignable or transferable by Borrower, in whole or in part, without the prior written consent of Lender.

X) NO WAIVER: This Agreement shall not constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies, or immunities available to Lender as an agency of the Commonwealth of Virginia or otherwise available to Lender. The failure to enforce or any delay in the enforcement of any privileges, rights, defenses, remedies, or immunities available to Lender under this Agreement or under applicable law shall not constitute a waiver of such privileges, rights, defenses, remedies, or immunities or be considered as a basis for estoppel. Lender does not waive any privileges, rights, defenses, remedies or immunities available to Lender as an agency of the Commonwealth of Virginia, or otherwise available to Lender, by entering into this Agreement or by its conduct prior to or subsequent to entering into this Agreement. The modification of any privileges, rights, defenses, remedies, or immunities available to Lender must be in writing, must reference this section, and must be signed by Lender to be effective, and such modification of any privileges, rights, defenses, remedies, or immunities available to Lender shall not constitute waiver of any subsequent privileges, rights, defenses, remedies, or immunities under this Agreement or under applicable law.

This Agreement shall not constitute or be construed as a waiver of sovereign immunity available to Lender, or Borrower, if Borrower is an agency of the Commonwealth of Virginia.

XI) EARLY PAYMENT: At its option and after giving at least ten (10) days' written notice to the Lender, the Borrower may prepay the loan early, in whole or in part and without

penalty. Such written notice shall specify the date on which the Borrower will make such prepayment and whether the loan will be prepaid in full or in part, and if in part, the principal amount to be prepaid. Any such partial prepayment shall be applied against the principal amount outstanding under the loan but shall not postpone the due date of any subsequent payment on the loan, or change the amount of such installment, unless the Borrower and the Lender agree otherwise in writing.

XII) LATE PAYMENTS: If any installment due under this Agreement is not paid within thirty (30) days of its due date, Lender, at its option, may require Borrower to pay a penalty equal to one and one-half percent (1.5%) of the amount of the installment then due and 1 percent (1%) for each month until payment in full is made.

XIII) ATTORNEYS FEES: If this Agreement is given to an attorney for collection, or if suit is brought for collection, or if it is collected through probate, bankruptcy, or other judicial proceeding, then Borrower shall pay Lender all costs of collection, including reasonable attorney's fees and court costs, in addition to other amounts due. Reasonable attorney's fees shall be ten percent (10%) of all amounts due unless either party pleads otherwise.

XIV) GOVERNING LAW: This Agreement and the rights and duties of the parties hereunder shall be governed by the laws of the Commonwealth of Virginia.

XV) REPORTING: The Borrower shall comply with the reporting requirements of Attachment 3 Failure to comply with the reporting requirements of this agreement will be considered default and may result in termination of the agreement and demand for payment in full of the outstanding loan balance, including any interest and penalties due.

XVI) AUTHORITY: The Division of Energy of the Virginia Department of Mines, Minerals and Energy (DMMB) serves as the state energy office and is funded in part under the federal State Energy Program (SEP), which is authorized by the Energy Policy and Conservation Act, as amended (42 U.S.C. § 6321 et seq.). DMMB also receives federal funds from the American Recovery and Reinvestment Act (ARRA) for SEP programs, projects and activities. The funds to be used for this loan program originated under SEP ARRA Grant DE-FE0000208, CFDA 81.041. Additional authority derives from 31 USC 6304 and 10 USC 2358, PL 95-91, DOB Organization Act, PL 111-5 American Recovery and Reinvestment Act of 2009; and PL 109-58 Energy Policy Act of 2005.

XVII) COMPLIANCE WITH FEDERAL RULES AND REGULATIONS: Funding for this Agreement is authorized through the Catalog of Federal Domestic Assistance (CFDA) #81.041. Expenditures made and services provided pursuant to this Agreement shall be in accordance with 2 CFR Part 225, "Cost Principles for State, Local, and Indian Tribal Governments" (OMB Circular A-87), and OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations". The Borrower shall adhere, and require adherence by all subcontractors performing work required by this agreement, to the federal rules as noted. The Borrower is advised to comply with all the provisions in 10 CFR 600.236 and that all contracts must include the provisions in 10 CFR 600.236, Financial Assistance Rules on "Procurement", Section (i) "Contract Provisions", numbers 1-13, which are

incorporated as portions of Attachment 3. The Borrower is further advised to comply with all requirements of 41 USC 702, "Drug-free workplace requirements for Federal grant recipients".

XVIII) **FEDERAL REQUIREMENTS:** Generally, the federal funds used to capitalize this revolving loan fund maintain their federal character in perpetuity. As a result, federal requirements that apply to the funds, such as the National Environmental Protection Act (NEPA) and the National Historic Preservation Act (NHPA), would be applicable during the life of the loan. Federal requirements that apply to Recovery Act funds, such as the Davis-Bacon Act (DBA) requirements, Buy American provision requirements, and Recovery Act reporting requirements also are applicable. These and other terms and conditions are described more fully in Attachment 3.

XIX) **REPORTING REQUIREMENTS:** Pursuant to Section 1512 of Title XV of the American Recovery and Reinvestment Act (ARRA), all grant recipients are required to report to DMME on the activities, expenditures, and jobs funded under ARRA-funded projects. DMME submits these reports to the U.S. Department of Energy (DOE), electronically, through FederalReporting.gov and the PAGE on-line system, respectively.

Monthly and quarterly reporting of expenditures and jobs directly funded is a requirement of the program that capitalized the Fund. Borrower must report to DMME on the number of hours worked that were paid from Recovery Act and non-federal funds, and outlay expenditures of Recovery Act and non-federal funds, for a number of programmatic metric areas. Process Metrics activities (e.g., number of buildings retrofitted by sector, number and total capacity of solar/wind systems installed, reduction in energy source consumption, etc.) are also reported on a monthly and quarterly basis to DMME.

Reporting also is required to ensure compliance if a project receiving loan funds is covered by provisions under the Davis-Bacon, Buy American, National Environmental Policy or Historic Preservation Acts. DMME will consult with the U.S. Department of Energy, the Borrower and other appropriate parties to minimize compliance and reporting burdens.

XX) **DAVIS BACON ACT:** Projects that receive *Energize Virginia* loans are subject to the prevailing wage requirements under the Davis Bacon Act. The DBA requires all contractors and subcontractors to pay laborers and mechanics employed on a covered contract wages and fringe benefits determined by the Secretary of Labor to be prevailing for corresponding classes of employees engaged on similar projects in the locality. Standard clauses and a listing of applicable prevailing wages must be included in any contract or sub-contract paid for through the *Energize Virginia* loan funds. Prevailing wage rates can be found at this web site: <http://www.wdol.gov/>. Also see Attachment 3.

XXI) **NATIONAL ENVIRONMENTAL POLICY ACT:** The Borrower will be responsible for compliance with the National Environmental Protection Act as it may apply to a proposed project. Typically, certain uses of loan proceeds are granted compliance through Categorical Exclusions, where other uses (larger projects with environmental impacts, such as

cogeneration projects that exceed certain minimum size thresholds) will require dedicated NEPA review by the DOE. Also see Attachment 1.

XXII) NATIONAL HISTORIC PRESERVATION ACT: Properties (e.g., sites, buildings, structures, objects) of historic, archeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places, may be subject to additional compliance review to ensure conformance with the NHPA. Also see Attachment 3.

XXIII) SPECIAL TERMS AND CONDITIONS: The Borrower must comply with other specific ARRA SEP terms and conditions, including requirements for Transparency and Accountability, and Other Special Environmental Terms and Conditions (e.g., NEPA requirements, Davis-Bacon Act assurances) which are included in portions of Attachment 3.

XXIV) AGREEMENT DOCUMENTS: The agreement shall consist of the following, all of which documents are incorporated herein:

- a) This signed Agreement
- b) Attachment 1 - City of Petersburg Scope of Work
- c) Attachment 2- Terms & Conditions State Required General
- d) Attachment 3 - Terms & Conditions (SEP) - Federal
- e) Attachment 4 - Terms & Conditions - Special - DE

XXV) IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intending to be bound thereby.

City of Petersburg

By: William [Signature]
(POC's Name)

Title: City MANAGER

Date: 1/27/2016

FEIN: 54-6001502

DUNS: 066004375

Address: 100 W. Washington St.
Petersburg
Virginia 23803

Phone for POC: (804)-733-2301

Dept. of Mines, Minerals & Energy

By: John W. Warren [Signature]

Title: Director

Date: 2/16/2016

Approved as to form;
[Signature]
CITY Attorney
1/27/16

**AN ORDINANCE MAKING APPROPRIATIONS
FOR THE MASS TRANSIT FUND,
FOR THE FISCAL YEAR COMMENCING ON
JULY 1, 2015, AND ENDING JUNE 30, 2016
FOR THE TRANSIT ALTERNATIVE FUEL GRANT.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2015, and ending June 30, 2016, for the Transit Fund are made from the following resources and revenues of the city, for the fiscal year ending June 30, 2016.

Previously adopted	\$6,212,989
Alternative Fuel Grant (CMAQ)	<u>80,000</u>
 Total Expenses	 <u>\$ 6,292,989</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2015 and ending June 30, 2016, the following sums for the purposes mentioned:

Previously adopted	\$6,212,989
Revenue From Other Agencies:	
Va Dept of Mineral, Mines and Engery (DMME)	<u>80,000</u>
 Total Resources	 <u>\$ 6,292,989</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Dr. Linda Shifflette
Acting Superintendent of Petersburg Public Schools

RE: **Consideration of Appropriation of Additional Funds received by the Petersburg City Public Schools**

PURPOSE: To consider a request to amend the Petersburg City Public School's FY15/16 budget by appropriating additional funds received by the School Division.

REASON: Additional revenues were received by the School Division that were not included in the original budget.

RECOMMENDATION: The Petersburg School Board and the Acting Superintendent request that City Council appropriate the additional funds (\$5,350,474) received by the School Division for Fiscal Year 2015/2016, by adopting the attached appropriation ordinance.

BACKGROUND: When the budget was prepared, the exact amounts of grant awards were unknown. The School Division has received additional funding in the amount of \$5,350,474.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: None

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg City Public Schools

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Adopted FY16 Petersburg Public Schools Budget

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: Memorandum from Dr. Linda Shifflette, Acting Superintendent of Petersburg Public Schools, Appropriation Ordinance

STAFF: Carol G. Potter, CPA, Director of Finance



PETERSBURG PUBLIC SCHOOLS
SCHOOL ADMINISTRATIVE OFFICES
255 SOUTH BOULEVARD, EAST
PETERSBURG, VIRGINIA 23805-2700
(804) 862-7064
FAX (804) 862-8334

To: The Honorable Mayor and Members of City Council
Through: William E. Johnson III, City Manager
From: Dr. Linda Shifflette
Acting Superintendent of Petersburg Public Schools
Date: February 18, 2016
Subject: Fiscal Year 15/16 Petersburg Public Schools Supplemental Appropriation

Summary/Description: When the fiscal year 2015/2016 budget was developed by Petersburg City Public Schools the exact amounts for grant awards were unknown therefore an estimated amount was placed in the budget based on a variety of factors. This budget was adopted by Petersburg City Council as the governing body.

As we receive exact grant amounts and other adjustments not included within the original adopted budget, the School Board amends the adopted budget and requests that Petersburg City Council formally approve and appropriate these budget amendments in accordance with state code.

At its meeting on February 17, 2016 the Petersburg School Board voted to formally request that City Council adopt and appropriate the amended mid-year adjusted budget as presented. Attached is a summary of net budget amendments to date as of January 31, 2016.

Recommendation/Action requested: It is the Petersburg School Board and the Acting Superintendent's request that City Council approve and appropriate the additional amount of \$5,850,474 as presented for Fiscal Year 2015/2016.

Superintendent Recommendation: Recommend approval as presented _____.

Attachment: 1. Summary of FY15/16 Budget Adjustments

Cc: Petersburg City Public Schools Clerk of the Board

Petersburg City Public Schools			
FY15/16 Revenue Budget Adjustments as of January, 2016			
	FY15/16		FY15/16
	Adopted Budget	Adjustments	Adjusted Budget
State Funding			
VA Middle School Teacher Corps	\$0	\$10,000	\$10,000
Career Switcher	\$0	\$1,000	\$1,000
NBCIA Teacher Incentive	\$0	\$10,000	\$10,000
Gear Up GUV	\$30,000	\$9,014	\$39,014
STEM Pre-K & Kindergarten program	\$0	\$65,076	\$65,076
VSBA Prof Development	\$0	\$1,500	\$1,500
YRS Planning	\$0	\$150,000	\$150,000
VPSA-Tech	\$371,200	\$77,814	\$449,014
Project Graduation	\$29,305	\$439	\$29,744
School Security Grant	\$0	\$50,588	\$50,588
Federal Funding			
Title I	\$2,363,021	\$2,122,589	\$4,485,610
Title I-Neglected/Delinquent Children	\$0	\$63,480	\$63,480
School Improvement-SIG	\$500,000	\$396,561	\$896,561
Title II Teacher Quality	\$361,057	\$27,129	\$388,186
ESL Endorsement	\$0	\$971	\$971
SPED-IDEA 611	\$1,110,560	\$112,434	\$1,222,994
SPED Preschool	\$27,795	\$6,907	\$34,702
21st Century	\$300,000	\$342,035	\$642,035
Title III Language	\$14,624	\$4,317	\$18,941
Title III Immigrant & Youth	\$2,335	\$1,206	\$3,541
Mckinney-Vinto Homeless	\$12,000	\$1,000	\$13,000
Local Funding			
OZAB 2014 Construction Bond	\$0	\$1,852,444	\$1,852,444
Exon-Pittman Alternative	\$0	\$1,514	\$1,514
Outdoor Classroom JEB Stuart	\$0	\$1,037	\$1,037
Foster Grandparents-Westview	\$0	\$3,966	\$3,966
Breakfast in the Classroom	\$0	\$37,452	\$37,452
		\$5,350,474	



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: March 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: Dironna M. Belton, Interim Chief Operating Officer

FROM: Nykesha D. Jackson, Clerk of City Council

RE: **Consideration of an appointment to the Appomattox River Water Authority (ARWA) Board**

PURPOSE: To make an appointment to the Appomattox River Water Authority

REASON: Dironna M. Belton was named Interim Chief Operating Officer on March 3, 2016. She will need replace William E. Johnson, III former City Manager on the Appomattox River Water Authority Board.

RECOMMENDATION: Recommend Council appoint Dironna M. Belton, Interim Chief Operating Officer to the ARWA Board.

BACKGROUND: The Appomattox River Water Authority consists of the Cities of Colonial Heights and Petersburg and the Counties of Chesterfield, Dinwiddie, and Prince George. The Authority is responsible for the operation of the Appomattox River Water Treatment plant.

The Authority Board includes one (1) Member and one (1) Alternate Member from each of the political subdivisions. City Council has, as have other member jurisdictions, traditionally appointed the locality's chief administrative officer as its representative on the Board and the Director of Public Works as the alternate.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: March 15, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: N/A

STAFF: Nykeshia D. Jackson, Clerk of City Council

Manager's Report
March 15, 2016

a. Please address the water billing issues and the correspondence to residents.

The City sent residents direct mail letters about the water billing issue in November 2015. All correspondence updates have also been posted on the city's website, Utility Billing office and the City Treasurer's payment area. All up to date utility bills were mailed out to residents the week of February 8.

b. Please address the snow removal procedure and would you add Young Rd and Carey add to the priority list.

The Department of Public Works removes snow from emergency evacuation routes and hospital routes first, next Petersburg Area Transit designated emergency snow routes and then secondary roads emergency. Side streets such

as Young Road and Carey Street are considered secondary roads.

c. Please address the City ordinance 18-7 about agricultural animals near a residence. The resident requests city attorney and legal counsel be present to appeal ruling.

On December 16, 2014, the Petersburg Circuit Court ruled that the farm animals could remain as permitted by the previous Zoning Administrator's determination. This determination authorized the owner to have four sheep and one donkey on the property. This is the number that presently exists on the property. Despite previously having seven sheep, the owner voluntarily moved three of her sheep outside of the City.

To date, numerous city officials and staff have visited the location where the animals are located. The ACE team has also inspected the premises on numerous occasions. These

inspections have indicated a well-managed premises with no odor.

d. Please address my water bill at 1847 Brandon Avenue. I have a \$20 increase.

The bill for 1847 Brandon Avenue is usually \$44.34 each month. The current balance is for three months of usage for a total of \$129.06, which is \$3 less than your regular bill and staff has followed up with the resident directly.

e. Please address the sign ordinance especially for Crater Rd. businesses.

The Planning Department has begun addressing overall aesthetic features along the major corridors of the City of Petersburg through plan review and proactively reaching out to property owners informing them of certain aesthetic components that need to be addressed.

The Planning Department is also in the process of amending the zoning ordinance through a

subcommittee that is currently reviewing sign ordinances. The information submitted by the citizen has been reviewed and given consideration. If any resident is interested in serving on the committee he or she may contact the Planning Department this spring to participate. The Department can be reached at 804-733-2308. Many issues associated with parking, landscaping, signage, and overall use of properties, will be addressed with the forthcoming amendments.

Citizens may also file complaints regarding signage or any other land use issue with the Planning Department.

f. Please follow up on the traffic light at Crater and Wagner Rd.

The left turn lane had a broken loop detector. The Department of Public Works is sending a traffic contractor out to address the issue.