Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
March 28, 2024
6:00 p.m.

6:00 p.m.	**1.**	**Consideration of Work Session and Regular Meeting Agendas**
6:05 p.m.	**2.**	**Presentation of the FY 2025 Proposed Budget**
6:50 p.m.	**3.**	**Break Until Regular Meeting at 7:00 p.m.**

Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
March 28, 2024
7:00 p.m.

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence – Woods

Mayor's Report

Remote Area Medical (RAM) Clinic

State of the City Address

Additional Items by Members of Council

<u>REGULAR MEETING</u>

A. Consent Agenda

A.1. Approval of Minutes
Work Session and Regular Meeting of March 14, 2024

A.2. Consideration of Resolution Amending Appointment of Other Post Employment Benefits Finance Board

A.3. Consideration of Grant Application for Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant—Law Enforcement Equipment for Staunton Police Department

A.4. Consideration of Grant Application for Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant—Law Enforcement Equipment for Staunton City Sheriff's Department

All items will be voted on in one (1) motion. If so requested by any member of Council, an item placed on the consent agenda shall be removed and taken up as a separate matter at the end of the Regular Meeting.

B. Retirement Certificate Presentation to Christopher A. Lambert

C. **Consideration of Ordinance Amending Section 13.20.090 of the Staunton City Code—Utility Disconnections**

D. **Consideration of a Resolution to Issue General Obligation Bonds in a Principal Amount Not to Exceed $35.5 Million for the Financing of the New Juvenile and Domestic Relations District Courthouse and Related Facilities**

Matters from the City Manager

Matters from the Public*

Adjournment

***<u>Public Participation</u> For instructions on how to participate in a Public Hearing and Matters from the Public portions of the City Council meeting visit www.staunton.va.us/council.**

CITY COUNCIL AGENDA BRIEFING

Staunton, Virginia

<table>
<tr><td>Meeting Date:</td><td>March 28, 2024</td><td rowspan="3">City Council</td></tr>
<tr><td>Item #</td><td>1</td></tr>
<tr><td>Department:</td><td>City Council</td></tr>
<tr><td>Alignment with Staunton Plan (Value/Strategic Area):</td><td colspan="2">Values: Integrity
Engagement</td></tr>
<tr><td>Subject:</td><td colspan="2">Work Session and Regular Meeting Agendas</td></tr>
</table>

Background: Consistent with Procedural Memorandum No. 3, attached are draft meeting agendas for City Council's consideration and for approval as Council prefers.

Suggested Motion: I move to approve the Work Session agenda and the Regular Meeting agenda [as presented] [with the following changes: as to the Work Session, the addition/deletion of __________; as to the Regular Meeting, the addition/deletion of __________].

City Manager: Leslie Beauregard

CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

<table>
<tr><td>Meeting Date:</td><td>March 28, 2024</td><td rowspan="3">Leslie Beauregard
City Manager

Jessie Moyers
Chief Financial Officer</td></tr>
<tr><td>Item #</td><td>2</td></tr>
<tr><td>Department:</td><td>City Manager’s Office

Finance Department</td></tr>
<tr><td>Alignment with Staunton Plan (Value/Strategic Area):</td><td colspan="2">Values: Excellence; Integrity; Inclusion & Equity; Engagement; Environmental Consciousness

Strategic Areas: Infrastructure; Economic Development; Responsive, Efficient Government; West End; Built Environment</td></tr>
<tr><td>Subject:</td><td colspan="2">Presentation of the Proposed FY 2025 Budget</td></tr>
</table>

Background: The City Manager will present details of the FY 2025 Proposed Budget to City Council during the work session. This presentation will be the official kick off to a series of public hearings and work sessions that will result in the scheduled consideration to adopt the FY 2025 Operating and Capital Budget on April 25, 2024. City Council will be presented with the budget document on Thursday during the work session, and all materials will be posted on the City’s website at https://www.ci.staunton.va.us/departments/finance/city-budget following the presentation.

FY 2025 Work Session and Public Hearing Schedule

March 28 Presentation of the FY 2025 Proposed Budget

April 4 Budget Work Session – 5:00 p.m.

April 11 Joint Schools/City Budget Work Session – 5:00 p.m.
City Budget Work Session (following joint work session)
Introduction of Ordinances and Budget Related Public Hearings – 7:00 p.m.

April 18 Budget Work Session (tentative) – 7:30 p.m.

April 25 Budget Work Session – 5:00 p.m.
Consideration of the FY 2025 Adopted Operating and Capital Budget – 7:00 p.m.

Attachment: Not applicable.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

Meeting Date:	**March 28, 2024**	**City Council**
Item #:	**A**	
Department:	**City Council**	
Alignment with Staunton Plan (Value/Strategic Area):	**Strategic Area: Responsive, Efficient Government**	
Subject:	**Consent Agenda**	

Background: As provided in Council Procedure Memorandum No. 14, it is the policy of City Council to have the City Manager place routine, noncontroversial items on a Consent Agenda. Briefings for each item included on the Consent Agenda have been prepared in the manner and format of regular business items on the agenda, with each item described in sufficient detail to provide the public with an appropriate understanding of such item. All matters listed on the Consent Agenda will be enacted by one motion and as a single item. There will be no separate discussion of an item. If discussion is desired, the item may be removed from the Consent Agenda at the request of a member of City Council and considered separately at the end of the regular meeting agenda.

The Mayor will inquire whether any member of City Council desires to remove any item from the Consent Agenda and to place such item on the regular meeting agenda for separate consideration.

Suggested Motion (if no items removed): I move to approve the Consent Agenda, as presented.

Suggestion Motion (if one or more items removed): I move to approve the Consent Agenda with the exception of item(s) _____, and that item(s)____ be moved to the end of the regular agenda for discussion and a separate vote.

City Manager: Leslie Beauregard

CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

Meeting Date:	**March 28, 2024**	**City Council**
Item #	**A.1**	
Department:	**City Council**	
Alignment with Staunton Plan (Value/Strategic Area):	**Values: Integrity** **Engagement**	
Subject:	**Approval of Minutes**	

Background: Draft meeting minutes are attached for City Council's consideration and for approval as Council prefers.

Attachment:

Attachment 1 – Work Session and Regular Meeting Minutes of March 14, 2024

Suggested Motions: I move to approve the work session and regular meeting minutes of March 14, 2024 [as presented] [with the following changes: ____________________________.]

City Manager: Leslie Beauregard

City Council
WORK SESSION
March 14, 2024
6:15 p.m.

Council Members present: Vice Mayor Darby, and Councilors Arrowood, Campbell, Edwards, Robertson, and Woods. Mayor Claffey was absent.

Mayor Claffey called the meeting to order: Vice Mayor Darby called this meeting of Staunton City Council to order.

1. Consideration of Work Session and Regular Meeting Agendas

Consistent with Procedural Memorandum No. 3, the agendas were presented for Council consideration.

Ms. Woods moved to approve the work session and regular meeting agendas as presented.

The motion was seconded by Mr. Arrowood and carried as follows:

Ms. Edwards	aye	Mr. Robertson	aye
Mr. Arrowood	aye	Vice Mayor Darby	aye
Ms. Woods	aye	Mayor Claffey	absent
Mr. Campbell	aye		

2. Introduction of Newly Appointed Shenandoah Valley Social Services Director, Sherry McClanahan

Sherry McClanahan joined the Shenandoah Valley Department of Social Services in January as Director in January 2024. She introduced herself and provided an annual update of the department.

Vice Mayor Darby asked if Councilmembers had any questions.

Mr. Robertson asked Ms. McClanahan if she is planning on making any changes. She stated that they are still assessing, and some things are in the works.

Ms. Edwards asked what the Children's Services Act is. McClanahan stated that it is essentially a last option funding resource for children without insurance or Medicaid.

Mr. Arrowood asked how steady funding has been overall. Ms. McClanahan stated that they are actually under budget, but their constant staffing shortages and issues are a real challenge.

Councilmembers had no further questions or comments.

3. <u>Update on Blue Ridge Community College</u>

Dr. John Downey, President of Blue Ridge Community College, provided an update on the college.

Vice Mayor Darby asked if Councilmembers had any questions.

Mr. Roberton asked how many students use BRCC as a stepping stone to other programs. Dr. Downey stated that about 50% of students who start at BRCC finish either an associate's degree or a certificate.

Dr. Downey elaborated on the Job Starter Program at the request of Ms. Woods.

Councilmembers had no further questions.

4. <u>Update on Modernizing City Refuse Collection</u>

City Manager Leslie Beauregard stated in January 2023, City Council allocated $850,000 of American Rescue Plan Act (ARPA) funds to modernize the City's refuse collection system. The proposed modernization includes standardized, City-owned trash receptacles, as well as mechanical tippers on the refuse trucks, and new management and enforcement systems.

Ms. Beauregard closed by stating that both the public works director and the superintendent of refuse positions are vacant, so she recommended that the project be place on hold until those positions are filled.

The work session adjourned at 6:50 p.m.

____

Kiley A. Kesecker
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, March 14, 2024
7:00 p.m.
Rita S. Wilson Council Chambers

PRESENT:	**Vice Mayor Amy G. Darby**
	Brad D. Arrowood
	Adam F. Campbell
	Michele D. Edwards
	Mark A. Robertson
	Alice L. Woods
ABSENT:	**Mayor Stephen W. Claffey**
ALSO PRESENT:	**Leslie Beauregard, City Manager**
	Amanda Kaufman, Assistant City Manager
	John Blair, City Attorney
	Kiley Kesecker, Clerk of Council

Vice Mayor Darby called the meeting to order: Vice Mayor Darby called this meeting of Staunton City Council to order.

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Mr. Robertson.

Proclamation: Brain Injury Awareness Month, received by Anne Fitzgerald, Executive Director at Brain Injury Connections of the Shenandoah Valley

MAYOR'S REPORT

There was no Mayor's Report.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Ms. Edwards gave an update on library and school programs, and stated that she attended a VPAS roundtable, a West End revitalization workshop, the NAACP Unity Prayer Breakfast, and the new SDDA exhibit at the SPACE.

Mr. Campbell stated that he participated in a meeting of the Lewis Creek Watershed Advisory Committee and JMU architectural design students, and he attended a networking event at the HUB, a West End Business Association meeting, and the Uniontown public information meeting.

Mr. Robertson stated that House Bill 136 concerning Uniontown had been signed by Governor Youngkin, and gave an update on CAPSAW. He stated that the Nominations Committee met on March 13, 2024 and would like to make the following motion:

> To appoint Camille Dierkside to the Tourism Advisory Board to fill the unexpired term of Greg Beam ending December 31, 2026.
>
> To appoint Cheryl Hollocher to the Library Advisory Board for a 4-year term beginning March 1, 2024 and ending February 28, 2028.
>
> To reappoint Judge Robin Mayer, Peter Boatner, Jeffrey Gaines, and Chris Hartless to the Blue Ridge Criminal Justice Board for 2-year terms beginning March 1, 2024 and ending February 28, 2026.
>
> To reappoint Brian Gearhart to the Tourism Advisory Board for a 3-year term beginning January 1, 2024 and ending December 31, 2026.
>
> To reappoint Nicholas Hurston to the Redevelopment & Housing Authority for a 4-year term beginning March 1, 2024 and ending February 28, 2028.

Needing no second, the motion carried as follows:

Mr. Robertson	aye	Mr. Arrowood	aye
Ms. Woods	aye	Vice Mayor Darby	aye
Ms. Edwards	aye	Mayor Claffey	absent
Mr. Campbell	aye		

REGULAR MEETING

A. Consent Agenda

Vice Mayor Darby made the following statement:

"Per Procedure Memorandum No. 14, it is the policy of City Council to have routine, non-controversial items placed on a Consent Agenda. All items on the Consent Agenda will be voted on in one motion. If separate discussion of an item is requested by any member of Council, that item shall be removed and considered separately at the end of the regular meeting agenda."

A.1. Approval of Meeting Minutes
Work Session and Regular Meeting of February 22, 2024

A.2 Virginia Commission for the Arts 2024-2025 Creative Communities Partnership Grant Application

Vice Mayor Darby asked if any Councilmembers desired to remove any item from the Consent Agenda to be placed on the regular meeting agenda for separate consideration.

Mr. Campbell moved to approve the Consent Agenda as presented.

The motion was seconded by Mr. Robertson and carried as follows:

Ms. Woods	aye	Ms. Edwards	aye
Mr. Robertson	aye	Vice Mayor Darby	aye
Mr. Campbell	aye	Mayor Claffey	absent
Mr. Arrowood	aye		

B. Public Hearing and Consideration of an Amendment to Staunton City Code 18.85, H-1, Historic Preservation District, of Title 18, Zoning, to reference the Staunton Virginia, Historic District Design Guidelines

Senior Planner Rodney Rhodes stated that Staunton City Code 18.85, H-1, Historic Preservation District, establishes the regulations for the City's five historic districts. This chapter states in part:

SCC 18.85.050(7)(a) …. the commission shall issue certificates of appropriateness for the above proposed actions if those actions conform in design, scale, building material, setback and landscaping and to the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings….

In 2018, City Council adopted new standards and guidelines, specifically for the City of Staunton. Applications for Certificates of Appropriateness (COA) are reviewed in accordance with the local historic guidelines as well the Secretary of Interior's Standards and Guidelines; therefore, Chapter 18.85 needs to be amended to include a reference to the Staunton, Virginia Historic District Design Guidelines.

At its July 21, 2023 meeting, the Planning Commission conducted a public hearing during which no one spoke in opposition to the request, and on a 5-0 vote, the Commission voted unanimously to recommend approval of the amendment.

At its August 24, 2023 meeting, City Council introduced the Zoning Text Amendment. Staff was directed to provide a work session on the guidelines before Council considers adoption of the Zoning Text Amendment. It was noted that this would provide the other six members of Council a better understanding of the guidelines. During the February 8, 2024 Work Session, Mr. Rhodes, Director of Historic Staunton Foundation Frank Strassler, and Chair of the Staunton Historic Preservation Commission Deneen Brannock provided City Council with an overview of the adopted Historic District Design Guidelines.

Vice Mayor Darby asked if Councilmembers had any questions or comments.

Councilmembers had no further questions.

Vice Mayor Darby stated the following:

"In a moment, I will open the Public Hearing. It is a time that Council sets aside to hear from citizens and others about a specific topic.

We ask that you please give your name, your address, and then keep your remarks at five minutes or less. When you reach the five-minute time limit, I will let you know that your time limit has expired.

For our Zoom participants, please raise your hand now if you wish to speak on this particular Public Hearing. If you raise your hand during this Public Hearing, you will also be able to raise your hand during this Council meeting for other Public Hearings and Matters of the Public. Please keep your comments to five minutes as well. Once everyone who wishes to speak has had an opportunity, I will then close the Public Hearing.

I will now open the Public Hearing, so if you wish to speak, please approach the podium. We will alternate between individuals physically present and those that have their hands raised via the Zoom platform."

The public hearing was opened.

Frank Strassler, 16 North Washington Street, spoke in support of the proposed ordinance.

With there being no one else wishing to speak, the public hearing was closed.

Mr. Arrowood moved that Council adopt the ordinance and approve the amendment, as recommended by the Planning Commission.

The motion was seconded by Ms. Woods and carried as follows:

Mr. Arrowood	aye	Mr. Campbell	aye
Ms. Edwards	aye	Vice Mayor Darby	aye
Ms. Woods	aye	Mayor Claffey	absent
Mr. Robertson	aye		

Ordinance No. 2023-02

AN ORDINANCE AMENDING
SECTION 18.85.050, APPLICATION TO COMMISSION FOR CERTIFICATE OF APPROPRIATENESS,
OF CHAPTER 18.85, H-1 HISTORIC PRESERVATION DISTRICT
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO REFERENCE THE STAUNTON HISTORIC DISTRICT GUIDELINES

<u>Recitals</u>

A. On December 13, 2018, after review by the Staunton Historic Preservation Commission and Staunton Planning Commission, City Council adopted the Staunton, Virginia, Historic District Guidelines ("Guidelines");

B. The guidelines provide guidance and design standards for the reconstruction, alteration, new construction, or renovation of the properties within the City's five historic districts;

C. City Staff have determined that Chapter 18.85, H-1 Historic Preservation District, of Title 18, Zoning, of the Staunton City Code should be amended to reference these new guidelines;

D. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter and recommended approval of the text amendment;

E. This matter has been properly advertised, heard, and considered; and

F. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Chapter 18.85, H-1 Historic Preservation District, of Title 18, Zoning, of the Staunton City Code, is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

Chapter 18.85

H-1 HISTORIC PRESERVATION DISTRICT

Sections:

…..

…..

…..

18.85.050 Application to commission for certificate of appropriateness.

(1) Approval of Material Change in Appearance in Historic Districts or Involving Historic Properties. After the designation by ordinance of an historic property or of an historic district, no material change including construction, reconstruction, exterior alteration, demolition, or relocation that affects the appearance of such historic property, or of a contributing or noncontributing building, structure, site or object within such historic district, shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a certificate of appropriateness has been submitted to and approved by the commission. A certificate of appropriateness shall be required whether or not a building permit is required. Ordinary maintenance and repair items such as those listed in SCC 18.85.060 are exempt from review.

(2) Pre-Application Conference with Staff. Prior to the formal submission of a proposed plan of erection, demolition, alteration, or removal of buildings controlled by this chapter, the applicant or his or her representative is encouraged to meet with the designated staff of the commission concerning the proposed plan of action and submit unofficial preliminary studies, a written description, drawings, photographs, and plans of the concept of the proposed action for tentative review, comments, and recommendations.

(3) Submission of Plans to Commission. An application for a certificate of appropriateness shall be accompanied by a written description, drawings, photographs, plans, and documentation as required by the commission and as further set forth on the application for the certificate of appropriateness. Upon the filing of a complete application and the payment of the application fee no later than the first Tuesday of the month, the application shall be considered at that month's commission meeting. An application filed or application fee paid after such first Tuesday shall cause such application to be considered at the following month's commission meeting.

(4) Interior Alterations. In its review of applications for certificate of appropriateness, the commission shall not consider interior arrangement or use having no effect on exterior architectural features.

(5) Technical Advice. The commission shall have the power to seek technical advice from outside its members on any application subject to funds being available for such purposes.

(6) Public Meetings on Applications for Certificate of Appropriateness, Notices, and Right to be Heard. The commission shall hold a public meeting at which each proposed certificate of appropriateness is discussed. Notice of the meeting shall be mailed by the commission to all owners and occupants of the proposed property. The commission shall give the property owner and/or applicant and any other interested party an opportunity to be heard at the meeting.

(7) Commission Options. The commission may approve the certificate of appropriateness as proposed, approve the certificate of appropriateness with any modifications it deems necessary, or reject it.

The commission shall approve the application and issue a certificate of appropriateness if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the aesthetic, cultural, historic, or architectural significance and value of the historic property or the historic district. In making this determination, the commission shall consider, in addition to any other pertinent factors, the following criteria for each of the following acts:

> (a) Reconstruction, Alteration, New Construction, or Renovation. The commission shall issue certificates of appropriateness for the above proposed actions if those actions conform in design, scale, building material, setback and landscaping and to the Secretary of Interior's Standards and Guidelines for the Treatment of Historic Properties and the Staunton Historic District Guidelines.

…..

…..

…..

In all other respects, the provisions of Title 18, Zoning, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: March 14, 2024
Adopted: March 14, 2024
Effective Date: March 14, 2024

Signed: AMY G. DARBY, VICE MAYOR

Attest: KILEY A. KESECKER
Clerk of Council

C. Update on Juvenile and Domestic Relations District Court Project, Followed by Public Hearing and Consideration of an Ordinance to Issue General Obligation Bonds in a Principal Amount Not to Exceed $35.5 Million for the Financing of the Construction of the Staunton Juvenile and Domestic Relations District Court

City Manager Leslie Beauregard stated that the city is constructing a new Juvenile and Domestic Relations (J&DR) District Court facility located in the former Chestnut Hills Shopping Center in the city's West End. Currently, Staunton's J&DR District Court shares a facility with the Augusta County J&DR District Court located at 6 East Johnson Street in Staunton, which is owned by Augusta County. In September 2021, the Commonwealth declared that the shared J&DR court facility was not in compliance with the requirements of Virginia State Code. In November 2022, Augusta County voters approved a referendum to relocate the County's Circuit and District Courts to a new facility to be constructed in Verona. As a result of the referendum, the City of Staunton needed to establish its own separate J&DR District Court.

On March 1, 2024, the city advertised for bids for construction of the new J&DR District Court facility. The courthouse will be a two-story brick building totaling 34,330 square feet with two courtrooms, security program areas for the City Sheriff's Office, Court Clerk's Office, Court Service Unit, satellite office space for the Commonwealth's Attorney Office, Office of the Public Defender, and mediator/victim advocate services.

Over the last few months, construction plans were finalized and approved by the Commonwealth of Virginia to meet the specifications of the Virginia Courthouse Facility Guidelines. All areas were designed to meet the specific needs of the City Sheriff, the Judges, and the Clerk and their staff. The site is being prepped for demolition and the site plan has been approved.

Construction Manager John Keene stated that the former Heck's Department Store at 2030A and 2030B West Beverley St. will be demolished and sections of the adjacent existing building at 2040 West Beverley St. will be preserved and saved for reuse by the city. The new J&DR District Court building will be set toward the back of the lot and the front of the building will face West Beverley Street. This placement and the design are being done with future expansion in mind for other court services.

A pre-bid meeting will occur on Friday, March 15, 2024, with a bid addendum to be published the following week. Bids for the new J&DR Court are due on March 29. Construction on the new J&DR District Court is set to begin this spring and must be completed and ready for use by November 2025.

Chief Finance Officer Jessie Moyers stated that the proposed debt issuance proceeds will be used to cover construction costs, sitework, furniture, testing and inspections, commissioning services, data and telephone allowances, moving expenses, and costs associated with the debt issuance. The estimated maximum financing need for this project is $35.5 million. The city plans to receive bids for the project until March 29, 2024. Depending on the bids received, the city can change the amount of the debt to an amount less than $35.5 million.

The city has explored multiple financing options for this project. On behalf of the City, Davenport & Company LLC ("Davenport") distributed a request for proposals for bank financing and five (5) proposals were received by February 23, 2024. Davenport also assisted the city with preparing and submitting an application in order to potentially participate in the Virginia Resources Authority's Spring 2024 Virginia Pooled Financing Program. To proceed with the financing, Council will need to conduct a public hearing and adopt an ordinance authorizing the issuance of general obligation bonds in a maximum amount of $35.5 million.

Ted Cole with Davenport, LLC presented an overview of the financing options available for the project and provided information on the Virginia Resources Authority's Spring 2024 Virginia Pooled Financing Program.

Vice Mayor Darby asked if Councilmembers had any questions.

Ms. Edwards asked how much the VRA issuance costs will be. Mr. Cole explained that the VRA has certain costs, some are fixed regardless of the size of the pool, and some are variable based on the size of the pool. Depending on how many different participants are in this pool, the costs could be between $50,000 and $200,000.

Mr. Robertson asked what a ten year call means. Mr. Cole stated that it means that for the first ten years of the loan you will not be able to prepay it or refund it.

Councilmembers had no further questions.

Vice Mayor Darby stated "I will now open the Public Hearing, so if you wish to speak, please approach the podium. We will alternate between individuals physically present and those that have their hands raised via the Zoom platform."

Karen Ress, 220 Biltmore Street, asked why the bond is so high when she found the average cost of a courthouse to be around $300 per square foot.

With there being no one else wishing to speak, the public hearing was closed.

Ms. Woods moved that City Council adopt the Ordinance authorizing the issuance of General Obligation Bonds in the maximum principal amount of $35.5 million for the construction of the Staunton Juvenile and Domestic Relations District Court.

The motion was seconded by Mr. Campbell and carried as follows:

Mr. Robertson	aye	Mr. Arrowood	aye
Ms. Woods	aye	Vice Mayor Darby	aye
Ms. Edwards	aye	Mayor Claffey	absent
Mr. Campbell	aye		

ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF STAUNTON, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF $35,500,000

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA:

1. It is determined to be necessary and expedient for the City of Staunton, Virginia (the “City”), (a) to finance capital improvements for a new juvenile and domestic relations district courthouse and related facilities (collectively, the “Project”), (b) to borrow money for such purposes and (c) to issue the City’s general obligation bonds therefor.

2. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, but without regard to the provisions of the City Charter, there are authorized to be issued general obligation bonds of the City in the maximum principal amount of $35,500,000 to finance the costs of the Project and to pay the costs of issuing such bonds.

3. The bonds shall bear such date or dates, mature at such time or times not exceeding 40 years from their dates, bear interest at such rate or rates, be in such denominations and form, be executed in such manner and be sold at such time or times and in such manner as the Council of the City may hereafter provide by appropriate resolution or resolutions.

4. The bonds shall be general obligations of the City, and its full faith and credit shall be irrevocably pledged to the payment of principal of and premium, if any, and interest on such bonds.

5. The Clerk of Council, in collaboration with the City Attorney, is authorized and directed to see to the immediate filing of a certified copy of this ordinance in the Circuit Court of the City of Staunton, Virginia.

6. This ordinance shall take effect immediately.

Introduced: March 14, 2024
Adopted: March 14, 2024
Effective Date: March 14, 2024

Signed: AMY G. DARBY, VICE MAYOR

Attest: KILEY A. KESECKER
Clerk of Council

D. Consideration of Proposed Fiscal Year 2025 Holiday Schedule

The City of Staunton will observe 13 paid holidays annually in FY25, plus other holidays as designated by City Council (Personnel Policy 5.3). The holiday schedule is planned in advance to allow employees and departments time to plan and coordinate operations. Staff scheduled to work essential services on a holiday are provided an alternate holiday. In case of emergency, employees called in to work during a holiday are paid for time worked and receive an alternate holiday.

Vice Mayor Darby asked if Councilmembers had any questions.

Councilmembers had no further questions.

Mr. Campbell moved to adopt the fiscal year 2025 holiday schedule as presented.

The motion was seconded by Mr. Robertson and carried as follows:

Mr. Robertson	aye	Mr. Arrowood	aye
Ms. Woods	aye	Vice Mayor Darby	aye
Ms. Edwards	aye	Mayor Claffey	absent
Mr. Campbell	aye		

MATTERS FROM THE CITY MANAGER

Ms. Beauregard presented updates and information on the following items:

- Heavy Trash Collection
- Uniontown Update
- Lewis Street BRITE Lot Update

MATTERS FROM THE PUBLIC

Vice Mayor Darby read the following statement:

"This part of City Council's agenda is entitled matters from the public. It is a time that Council sets aside to hear from citizens and others about a wide variety of subjects. A copy of the Staunton City Council's 'Matters from the Public' rules is available in paper form at the Clerk's desk and online at the City of Staunton webpage. You are asked to familiarize yourself with those rules before commenting. Please come to the podium or begin your call, identify yourself, and complete your remarks within five minutes."

Lincoln Perry 907 West Beverley Street, spoke about street parking issues on West Beverley Street and asked if some sort of resident street parking pass might be considered.

Karen Ress, 220 Biltmore Street, stated that she was pleased to hear that the city is planning the future installation of solar panels on the new courthouse.

There was no one else present wishing to speak.

<u>ADJOURNMENT</u>

There being no further business to come before Council, the meeting adjourned at 8:08 p.m.

____
Kiley A. Kesecker
Clerk of Council

CITY COUNCIL **AGENDA BRIEFING**

Staunton, VA

Meeting Date:	**March 28, 2024**	**John C. Blair, II** **City Attorney**
Item #	**A.2**	
Department:	**City Attorney**	
Alignment with Staunton Plan (Value/Strategic Area):	**Value: Excellence** **Strategic Area: Responsible, Efficient Government**	
Subject:	**Resolution Amending Appointment of Other Post Employment Benefits Finance Board**	

Background: On August 28, 2008, the Staunton City Council enacted an ordinance to become a member of the Other Post Employment Benefits (OPEB) Trust Fund, a statewide organization consisting of local governments that administer OPEB benefits.

Virginia Code Section 15.2-1547 requires the City of Staunton to appoint a three member Finance Board in order to administer an OPEB trust.

The Finance Board is to consist of each locality's Treasurer, Chief Financial Officer, and one citizen member with proven integrity, business ability, and demonstrated experience in cash management and in investments. The Treasurer and Chief Financial Officer terms on the Finance Board are coterminous with the individual occupying the office. The citizen member serves a two-year term.

The last recorded appointment to this Board occurred in 2010 by a Resolution adopted by the Staunton City Council. The Resolution named the specific individuals holding the titles "Treasurer" and "Chief Financial Officer."

The Resolution before you will re-appoint the OPEB Finance Board. Rather than use the names of specific individuals for “Treasurer” and “Chief Financial Officer”, it will use the titles promulgated in Virginia Code Section 15.2-1547. Additionally, the Clerk of Council will begin advertising for the citizen member.

Attachment: Proposed Resolution

City Manager’s Recommendation: Adopt the Resolution, as presented

Suggested Motion: I move that City Council adopt the attached resolution, as presented.

City Manager: Leslie Beauregard

Attachment #1

DRAFT 03.11.2024

RESOLUTION
OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
APPOINTING THE OTHER POST EMPLOYMENT BENEFITS
FINANCE BOARD MEMBERS

Recitals

A. In 2008, the Staunton City Council adopted an ordinance that authorized the City of Staunton to become a member of the "Virginia Pooled Other Post Employment Benefits (OPEB) Trust Fund";

B. Virginia Code Section 15.2-1547 requires the City of Staunton to appoint a Finance Board consisting of three members including the Treasurer and Chief Financial Officer as well as a citizen member "with proven integrity, business ability, and demonstrated experience in cash management and in investments."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA that:

1. It appoints the Treasurer and Chief Financial to the Other Post Employment Benefits Finance Board.

2. It directs the Clerk of Council to work with Council's Nominations Committee to begin the search for a Finance Board member with proven integrity, business ability, and demonstrated experience in cash management and in investments.

Introduced:
Adopted:
Effective:

____
Stephen W. Claffey, Mayor

ATTEST:__________________________
Kiley A. Kesecker,
Clerk of Council

CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

Meeting Date:	**March 28, 2024**	**Staff Member:** **Captain Chad Kauffman**
Item #	**A.3**	
Department:	**Police Department**	
Alignment with Staunton Plan (Value/Strategic Area):	**Values: Excellence** **Engagement** **Strategic Area: Responsive, Efficient Government**	
Subject:	**Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant- Law Enforcement Equipment**	

Background: The Virginia Department of Criminal Justice Services (DCJS) is offering a grant for local units of government to purchase equipment that improves or enhances the delivery of law enforcement services to the community and/or ensures the safety of citizens and officers. The Police Department intends to purchase a pole camera system, throwable robotic camera systems, and gas mask voice projectors. This equipment is intended to provide officers with additional tools to de-escalate volatile situations, conduct remote searches of buildings, and improve on-scene communications, resulting in decreased risk to officers and others involved. The grant requires localities to contribute 25% matching funds.

	City Share	DCJS Share	Total Compensation
DCJS Byrne/JAG Grant	$15,407.10	$46,221.30	$61,628.40

Fiscal Impact: Because this grant requires a cash match, per City Council Procedure Memorandum No. 5, submitting an application for this grant requires approval by City Council. The city share of the grant will be funded with existing asset forfeiture funds.

City Manager's Recommendation: Recommend that Council authorize staff to apply for the Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant.

Suggested Motion: I move City Council authorize staff to apply for the Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant.

City Manager: Leslie Beauregard

CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

Meeting Date:	**March 28, 2024**	**Staff Member:** **Captain Aaron McFarlane**
Item #	**A.4**	
Department:	**Sheriff's Office**	
Alignment with Staunton Plan (Value/Strategic Area):	**Values: Excellence** **Engagement** **Strategic Area: Responsive, Efficient Government**	
Subject:	**Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant- Law Enforcement Equipment**	

Background: The Virginia Department of Criminal Justice Services (DCJS) is offering a grant for local units of government to purchase equipment that improves or enhances the delivery of law enforcement services to the community and/or ensures the safety of citizens and officers. The Sheriff's Office intends to purchase an ADA compliant walk-through metal detector as well as supplemental hand-held metal detectors, N-ear 360 earpieces to use in maintaining continuous communication capability with dispatch and staff without disrupting court proceedings, Individual First Aid Kits (IFAK) for deputies which they do not currently have, a range trauma kit and range safety equipment to ensure that immediate trauma treatment is available and that eye and ear protection is ensured during live fire range trainings, new flashlights and carry accessories to replace problem lights currently issued or non-existent for issue, new ballistic vests and external carriers for staff, updated replacement cameras (3) to enhance our existing CCTV system, CPR/First Aid training supplies to be utilized by our in-house American Heart certified instructor to ensure our staff is up to date on life-saving trainings and a Promethean board to enhance our training, scheduling and daily communication within the office. This equipment is intended to provide deputies with additional tools to perform their daily assignments, conduct searches of buildings, and improve daily communications and provide life-saving equipment on their person(s) or for training resulting in decreased risk to deputies and others involved. The grant requires localities to contribute 25% matching funds.

	City Share	DCJS Share	Total Compensation
DCJS Byrne/JAG Grant	$7,240.53	$21,721.47	$28,962.00

Fiscal Impact: Because this grant requires a cash match, per City Council Procedure Memorandum No. 5, submitting an application for this grant requires approval by City Council.

City Manager’s Recommendation: Recommend that Council authorize staff to apply for the Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant.

Suggested Motion: I move City Council authorize staff to apply for the Virginia Department of Criminal Justice Services FY 2025 Edward Byrne Memorial Justice Assistance Grant.

City Manager: Leslie Beauregard

CITY COUNCIL **AGENDA BRIEFING**

Staunton, VA

Meeting Date:	**March 28, 2024**	**Leslie Beauregard** **City Manager**
Item #	**B**	
Department:	**City Manager**	
Alignment with Staunton Plan (Value/Strategic Area):	**Values: Integrity** **Excellence** **Strategic Area: Responsive, Efficient Government**	
Subject:	**Retirement Certificate Presentation to Christopher A. Lambert**	

Background: Christopher A. Lambert, former Sanitation Equipment Operator in Public Works, will attend Council's regular meeting to receive recognition of his retirement from the city and over 30 years of service.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL AGENDA BRIEFING

Staunton, VA

<table>
<tr><td>Meeting Date:</td><td>March 28, 2024</td><td rowspan="3">Jessie L. Moyers
Chief Finance Officer

John C. Blair, II
City Attorney</td></tr>
<tr><td>Item #</td><td>C</td></tr>
<tr><td>Department:</td><td>Finance Department

City Attorney</td></tr>
<tr><td>Alignment with Staunton Plan (Value/Strategic Area):</td><td colspan="2">Value: Excellence

Strategic Area: Responsible, Efficient Government</td></tr>
<tr><td>Subject:</td><td colspan="2">Ordinance Amending Section 13.20.090 of the Staunton City Code—Utility Disconnections</td></tr>
</table>

Background: Virginia Code Sections 15.2-2119 and 15.2-2119.4 require that a locality allow thirty days for a utilities customer to pay an overdue bill. After the thirty day period, both Code of Virginia provisions require an additional sixty days to pass before a locality may cease providing utilities. These two separate periods provide a cumulative total of ninety days between failing to pay a utilities bill and the locality's ability to cease providing utilities to the customer.

Staunton City Code Section 13.20.090 provides a forty day period between the time a customer fails to pay a utility bill and cutting off a customer's utility.

The proposed ordinance revision will bring the Staunton City Code into conformance with the Code of Virginia by extending the forty day period to ninety days.

Additionally, the ordinance currently imposes a flat charge of $30.00 when a customer's utilities are disconnected. This charge encompasses the cost of two visits by a Department of Public Works to the customer's residence. One visit is to disconnect the utilities and one visit is to reconnect the utilities.

Some customers do not choose to reconnect the utilities. Therefore, staff is proposing that if a customer does not choose to reinstate utilities within five days of fulfilling all past due charges for utilities, then a $15.00 credit will be applied to the customer's account.

Attachment: Proposed Ordinance Amendment

City Manager's Recommendation: Adopt the ordinance amendment, as presented

Suggested Motion: I move that City Council adopt the ordinance amendment, as presented.

City Manager: Leslie Beauregard

Ordinance No. 2024 - ______

**AN ORDINANCE
AMENDING, RESTATING AND REORDAINING
SECTION 13.20.090, DISCONTINUANCE OF SERVICE FOR FAILURE TO PAY, OF CHAPTER 13.20, USE CHARGES,
OF TITLE 13, ENVIRONMENT,
OF THE STAUNTON CITY CODE**

BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 13.20.090 of the Staunton City Code is hereby amended to read as follows:

13.20.090 Discontinuance of service for failure to pay.
(1) If any water bill remains unpaid for ninety (90) days after the date of the bill, it shall be the duty of the chief finance officer to notify the director of public works, immediately after expiration of such period of ninety (90) days, to at once cause the water to be cut off from the premises of the consumer who is so delinquent and not allow the water to be turned on again at any place for such defaulting consumer until the water bill and the reconnection charge prescribed by this section are paid.

(2) When the chief finance officer notifies the director of public works to cut off the water from the premises as required by subsection (1) of this section, there shall be a disconnection charge of $15.00 applied to the consumer's account. In the event water has been cut off hereunder, the consumer must pay all past-due charges (including penalty and interest, if any) and a reconnection charge of $15.00 at the office of public works in order to schedule the reconnection of water supply, unless special arrangements have been made. If the unpaid water bill and reconnection charge are paid by 3:00 p.m. on the day of disconnection, the disconnected customer's water service shall be reinstated the same day. If payment is received after 3:00 p.m. on the day of disconnection, the disconnected customer's water service shall be reinstated the following day.

(3) It shall be unlawful for any person, other than the director of public works or his agents, to turn on the water into or upon the premises from which it has been cut off for nonpayment of the water bill. Each day the water so unlawfully turned on remains on and the fact of its so remaining shall be regarded as a distinct offense under this section, the same as if there were fresh turning on each day.

(4) In the event the water and/or sewer bill for a particular consumer becomes delinquent and remains unpaid, as set forth in subsection (1) of this section, more than one time in any 12-month period, the water service, or sewer service (if the consumer is a sewer-service-only consumer) shall not be resumed until the requirements of this section are met and the consumer makes a security deposit in an amount equal to the sum determined by the chief financial officer to be an average two-month bill for the consumer so delinquent (based upon the previous 12-month period or such portion thereof if the customer has not been a

consumer for 12 consecutive months). Such security deposit shall be held by the city to ensure the final settlement of the consumer's account when closed. Such deposit shall be applied to the consumer's final account when closed, with any excess refunded (without interest) to the consumer. In the event the deposit is insufficient to cover the final account, the consumer shall be held accountable for the balance.

In all other respects, the provisions of Chapter 13.20 of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

This ordinance shall be effective ___________, 2024.

Effective: March 28, 2024

____
Stephen W. Claffey, Mayor

ATTEST:________________________
Kiley A. Kesecker
Clerk of Council

CITY COUNCIL **AGENDA BRIEFING**

Staunton, VA

Meeting Date:	**March 28, 2024**	**Jessie Moyers** **Chief Finance Officer**
Item #	**D**	
Department:	**Finance**	
Alignment with Staunton Plan (Value/Strategic Area):	**Value: Excellence; Engagement** **Strategic Areas: Responsive, Efficient Government; West End; Built Environment; Economic Development**	
Subject:	**Consideration of a Resolution to Issue General Obligation Bonds in a Principal Amount Not to Exceed $35.5 Million for the Financing of the New Juvenile and Domestic Relations District Courthouse and Related Facilities**	

Background: The City of Staunton is constructing a new Juvenile and Domestic Relations (J&DR) District Court facility. The facility will be located in the former Chestnut Hills Shopping Center in the city's West End. Currently, Staunton's J&DR District Court shares a facility with the Augusta County J&DR District Court located at 6 East Johnson St. in Staunton. The building is owned by Augusta County. In September 2021, the Commonwealth declared that the shared J&DR court facility was not in compliance with the requirements of Virginia State Code. In November 2022, Augusta County voters approved a referendum to relocate the County's Circuit and District Courts to a new facility to be constructed in Verona. As a result of the referendum, the City of Staunton needed to establish its own separate J&DR District Court.

The proposed debt issuance proceeds will be used to cover construction costs, sitework, furniture, testing and inspections, commissioning services, data and telephone allowances, moving expenses, and costs associated with the debt issuance. The estimated maximum financing need for this project is $35.5 million. The bid closing date for the J&DR Courthouse's construction and site work is scheduled for April 2, 2024. Depending on the bids received, the City can change the amount of the debt to an amount less than $35.5 million.

On March 14, 2024, a public hearing was conducted and council adopted the ordinance authorizing the issuance of general obligation bonds in a maximum amount of $35,500,000. In addition to the general obligation bond financing method, Davenport & Company LLC presented multiple financing options. Davenport & Company LLC recommended that the best financing option, based on the information received and the current market rates, is the Virginia Resource Authority's (VRA) spring 2024 Virginia Pooled Financing Program (VPFP). Staff agrees with this recommendation. The proposed bond resolution that City Council is considering directs staff to pursue this financing path.

The exact principal amount that the city will need to issue in general obligation bonds and the length of term will be determined once the bids are received for this project. Bonds through the spring pool are tentatively scheduled to be sold on May 1, 2024, with a tentative closing date of May 15, 2024.

Attachment: Proposed Bond Resolution

City Manager's Recommendation: Recommend that City Council approve the proposed bond resolution for the Staunton Juvenile and Domestic Relations District Court bond issuance.

Suggested Motion: I move that City Council approve the resolution authorizing the issuance of General Obligation Bonds in the maximum principal amount of $35,500,000 for the construction of the Staunton Juvenile and Domestic Relations District Court, as presented.

City Manager: Leslie Beauregard

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A TAXABLE GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2024, OF THE CITY OF STAUNTON, VIRGINIA, IN A MAXIMUM PRINCIPAL AMOUNT OF $35,500,000, HERETOFORE AUTHORIZED, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, on March 14, 2024, the City Council (the “Council”) of the City of Staunton, Virginia (the “City”), adopted an ordinance (the “Ordinance”) authorizing the issuance of general obligation bonds in a maximum principal amount of $35,500,000, to finance capital improvements for a new juvenile and domestic relations district courthouse and related facilities (collectively, the “Project”);

WHEREAS, the City has determined to issue a single general obligation public improvement bond (the “Bond” as further described in Section 3 herein) to finance the Project;

WHEREAS, the City has applied to the Virginia Resources Authority (“VRA”) for the purchase of the Bond, and VRA has indicated its willingness to purchase such Bond from the proceeds of one or more series of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (collectively, the “VRA Bonds”) in accordance with the terms of a Local Bond Sale and Financing Agreement to be dated as of a date specified by VRA (the “Financing Agreement”), between VRA and the City, the form of which has been made available prior to this meeting;

WHEREAS, the Financing Agreement shall indicate that the sum of $35,000,000 plus an amount for capitalized interest if the City so requests, or such other total amount as requested by the City in writing and approved by VRA prior to the pricing of the VRA Bonds is the amount of proceeds requested (the “Proceeds Requested”) from VRA;

WHEREAS, VRA has advised the City that VRA’s objective is to pay the City a purchase price for the Bond (the “Purchase Price Objective”) that, in VRA’s judgment, reflects its market value, taking into consideration the Proceeds Requested and such factors as the purchase price received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters’ discount and other costs incurred by VRA) (collectively, the “VRA Costs”), and other market conditions relating to the sale of the VRA Bonds;

WHEREAS, such factors are expected to result in the City’s receiving a purchase price other than the par amount of the Bond and consequently (i) the aggregate principal amount of the Bond may be greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Bond set forth in Section 3 of this Resolution does not exceed the Proceeds Requested by at least the amount of the VRA Costs and any original issue discount, the amount to be paid to the City, given the Purchase Price Objective and market conditions, will be less than the Proceeds Requested; and

WHEREAS, the Financing Agreement will provide that the terms of the Bond may not exceed the parameters set forth below in Section 3;

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

1. Issuance of Bond and Use of Proceeds. Pursuant to the Constitution and statutes of the Commonwealth of Virginia (the "Commonwealth"), including the Public Finance Act of 1991 but without regard to the provisions of the City Charter, the Council hereby provides for the issuance and sale of the Bond to VRA and the use of the Bond proceeds to finance the Project and pay the costs of issuing the Bond (including financing costs, such as capitalized interest, on the Bond). The Bond shall be delivered to or upon the order of VRA upon VRA's payment of the purchase price set forth in the Financing Agreement. Subject to the City Manager's determination of what will be in the City's best interest, the Bond may be sold to VRA in connection with any sale date of the VRA Bonds occurring prior to December 31, 2024.

2. Authorization of Financing Agreement. The form of the Financing Agreement made available to the Council prior to this meeting is hereby approved. The City Manager (which term for purposes of this Resolution shall include the Assistant City Manager) is authorized to execute and deliver the Financing Agreement in substantially such form, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the City Manager, whose approval shall be evidenced conclusively by the execution and delivery thereof. The issuance and sale of the Bond to VRA shall be upon the terms and conditions set forth in the Financing Agreement. The proceeds of the Bond shall be applied in the manner set forth in the Financing Agreement. All capitalized terms used but not otherwise defined herein shall have the same meanings as set forth in the Financing Agreement.

3. Bond Details. The Bond shall be issued as a single, registered bond, shall be designated "Taxable General Obligation Public Improvement Bond, Series 2024," shall be numbered R-1 and shall be dated the date that is 30 days prior to the closing date of the VRA Bonds. The Council authorizes the issuance and sale of the Bond to VRA on such terms as shall be determined by VRA, subject to VRA's Purchase Price Objective and market conditions described in the Recitals hereof; provided, however, that the Bond (i) shall be issued in a principal amount not to exceed $35,500,000, (ii) shall be payable in principal installments ending no later than October 1, 2054, (iii) shall have a "true" interest cost not to exceed 5.500% (exclusive of "Supplemental Interest" as provided in the Financing Agreement), (iv) shall be sold to VRA at a price that is substantially equal to the Proceeds Requested, and (v) shall be subject to prepayment upon the terms set forth in the Financing Agreement. Subject to the preceding terms, the Council further authorizes the City Manager to accept the final terms presented by VRA, including (a) the final principal amount of the Bond, (b) the amortization schedule (including the principal installment dates and amounts) for the Bond and (c) the optional and extraordinary redemption provisions, if any, of the Bond.

If the limitation on the maximum aggregate principal amount of the Bond set forth in this Section 3 restricts VRA's ability to generate the Proceeds Requested, taking into account the VRA Costs, the Purchase Price Objective and the market conditions described above, the City Manager is authorized to accept a purchase price for the Bond at an amount less than the Proceeds Requested. The actions of the City Manager in determining the final terms of the Bond shall be conclusive, and no further action shall be necessary on the part of the City Council.

As set forth in the Financing Agreement, the City agrees to pay such "Supplemental Interest" and other charges as provided therein, including such amounts as may be necessary to maintain or replenish the VRA Reserve. The principal of and premium, if any, and interest on the Bond shall be payable in lawful money of the United States of America.

4. Payment and Redemption Provisions of the Bond. The principal of and premium, if any, and interest on the Bond shall be payable as set forth in the Bond and the Financing Agreement. The City may, at its option, redeem, prepay or refund the Bond upon the terms set forth in the Financing Agreement.

5. Execution and Form of Bond. The Bond shall be signed by the manual or facsimile signatures of the Mayor or Vice Mayor, and the City's seal shall be affixed thereon and attested by the manual or facsimile signature of the City Clerk. If the Bond bears facsimile signatures, it shall be authenticated by the City Manager prior to delivery to or upon the order of VRA. The Bond shall be issued initially as a typewritten bond in substantially the form of Exhibit A attached hereto, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the Mayor or Vice Mayor, whose approval shall be evidenced conclusively by the execution and delivery of the Bond.

6. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bond. Unless other funds are lawfully available and appropriated for timely payment of the Bond, the Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bond.

7. Preparation of Printed Bond. Upon request of the registered owner and upon presentation of the Bond at the office of the Registrar (as hereinafter defined), the City shall arrange to have prepared, executed and delivered in exchange as soon as practicable the Bond in printed form in an aggregate principal amount equal to the unpaid principal of the Bond in typewritten form, in denominations of $5,000 and multiples thereof (except that one Bond may be issued in an odd denomination of less than $5,000), of the same form and maturity and registered in such names as requested by the registered owners or their duly authorized attorneys or legal representatives. The printed Bond may be executed by manual or facsimile signature of the Mayor or Vice Mayor and the City's seal is to be affixed thereto and attested by the manual or facsimile signature of the City Clerk; provided, however, that if both such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of the Registrar and the date of authentication noted thereon. The typewritten Bond surrendered in any such exchange shall be canceled.

8. Registration, Transfer and Owner of Bond. The City hereby appoints the Chief Financial Officer as paying agent and registrar (the "Registrar") for the Bond. If deemed to be in the City's best interest, the City Manager may at any time appoint a qualified bank or trust company as successor Registrar. Upon surrender of the Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rates and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner of the Bond as the person or entity exclusively entitled to payment of principal thereof and premium, if any, and interest thereon, and the exercise of all other rights and powers of the owner of the Bond, except that regular installments of principal and interest shall be paid to the person or entity shown as owner on the registration books on the 15th day of the month preceding each payment date.

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

10. Preparation and Delivery of Bond. The officers of the City are authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver it to VRA as the purchaser thereof upon receipt of the Purchase Price from VRA as set forth in the Financing Agreement.

11. Arbitrage Covenants. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the VRA Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the VRA Bonds to be includable in the gross income of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of the Tax Compliance Agreement (as hereinafter defined) that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bond, unless the City receives an opinion of nationally recognized bond counsel that compliance with any such covenant is not required to prevent interest on the VRA Bonds from being included in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from legally available funds.

12. Tax Compliance Agreement. Such officers of the City as may be requested by VRA are authorized and directed to execute and deliver a nonarbitrage certificate and tax compliance agreement (the "Tax Compliance Agreement") in a form not inconsistent with this Resolution as may be approved by the officers of the City executing such document, whose approval shall be evidenced conclusively by the execution and delivery thereof.

13. Private Activity Bond Covenant. The City covenants that it shall not permit the proceeds of the Bond or the facilities financed therewith to be used in any manner that would result in (a) 5% or more of such proceeds or such facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or such facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that compliance with any such covenants is not required to prevent the interest on the VRA Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants to the extent provided in such opinion.

14. Official Statement. The City authorizes and consents to the inclusion of information with respect to the City contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds. The City Manager is authorized and directed to take actions the City Manager deems necessary or appropriate to aid VRA in complying with Securities and Exchange Commission Rule 15c2-12.

15. SNAP Investment Authorization. The Council has heretofore received and reviewed the Information Statement describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool (the "Contract"), and the Council has determined to authorize the Chief Financial Officer to utilize SNAP in connection with the investment of the proceeds of the Bond. The Council acknowledges the Treasury Board of the Commonwealth is not, and shall not be, in any way liable to the City in connection with SNAP, except as otherwise provided in the Contract.

16. Other Actions. All other actions of the City Manager, the City Clerk, the Chief Financial Officer and other officers of the City that have been taken in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bond are hereby ratified, approved and confirmed. The City Manager, the City Clerk, the Chief Financial Officer and such other officers of the City as may be requested by VRA or the City's bond counsel are authorized and directed to execute and deliver all certificates and other instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bond pursuant to this Resolution and the Financing Agreement.

17. Repeal of Conflicting Resolutions. All resolutions or parts of resolutions in conflict with the provisions of this Resolution are repealed.

18. Effective Date. This Resolution shall take effect immediately upon adoption.

Resolution No. 2024-____.

ADOPTED by the Council of the City of Staunton on the ____ day of March, 2024.

Witness my hand and the seal of the City of Staunton, Virginia.

____

City Clerk

EXHIBIT A - Form of Bond

Interest on this bond is intended by the issuer thereof to be included in gross income for federal income tax purposes.

REGISTERED **REGISTERED**

R-1 **_________, 2024**

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

CITY OF STAUNTON

Taxable General Obligation Public Improvement Bond
Series 2024

The **City of Staunton, Virginia** (the "City"), a political subdivision of the Commonwealth of Virginia (the "Commonwealth"), for value received, acknowledges itself in debt and promises to pay to Virginia Resources Authority, or its registered assigns or legal representative ("VRA"), solely from the sources hereinafter described and pledged to the payment of this bond the principal sum of ___________________________ DOLLARS ($_________). Principal of this bond shall be payable in annual installments in the amounts and on the dates set forth in Schedule I attached hereto. Interest on this bond shall be payable on each April 1 and October 1, commencing [October 1, 2024], computed on the basis of a 360-day year of twelve 30-day months at the rates set forth in Schedule I.

If any installment of principal of or interest on this bond is not paid to the registered owner of this bond within five days after its due date, the City shall pay to VRA a late payment charge in an amount equal to five percent (5.0%) of the overdue installment.

Subject to the provisions of the Local Bond Sale and Financing Agreement dated as of _______, 2024 (the "Financing Agreement"), between VRA and the City, so long as this bond is held by or for the account of VRA or its registered assigns or legal representative, interest is payable by (i) check or draft mailed to the registered owner of this bond at the address that appears on the 15th day of the month preceding each interest payment date on the registration books kept by the Chief Financial Officer, who has been appointed registrar and paying agent, or any successor bank or trust company (the "Registrar") or (ii) wire transfer pursuant to the most recent wire instructions received by the Registrar from such registered owner, except that the final payment is payable upon presentation and surrender of this bond at the office of the Registrar. Principal of and premium, if any, and interest on this bond shall be payable in lawful money of the United States of America. In case any payment date on this bond shall not be a Business Day (as defined below), then payment of principal, premium, if any, and interest need not be made on such date, but may be made on the next succeeding Business Day, and, if made on such next succeeding Business Day, no additional interest shall accrue for the period after such payment date. "Business Day" means any Monday, Tuesday, Wednesday, Thursday or Friday on which commercial banking institutions generally are open for business in New York and Virginia.

This bond has been authorized by an ordinance adopted by the Council of the City on March 14, 2024 (the "Ordinance"), and is issued pursuant to the Constitution and statutes of the Commonwealth, including the Public Finance Act of 1991 but without respect to the provisions of the City Charter, a resolution adopted by the Council of the City on March 28, 2024 (such resolution together with the Ordinance, the "Resolution"), and the Financing Agreement. Proceeds of this bond will be used to provide funds to (a) finance capital improvements for a new juvenile and domestic relations district courthouse and related facilities and (b) pay the costs of issuing this bond (including financing costs, such as capitalized interest, on this bond).

The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond. Unless other funds are lawfully available and appropriated for timely payment of this bond, the Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all taxable property within the City sufficient to pay when due the principal of and premium, if any, and interest on this bond.

If any failure of the City to pay all or any portion of any required payment of the principal of or premium, if any, or interest on this bond results in a withdrawal from or drawing on any VRA Reserve (as defined in the Financing Agreement), the interest rates applicable to this bond shall be increased to interest rates sufficient to reimburse the VRA Reserve for any foregone investment earnings on the funds withdrawn therefrom and pay any interest, fees or penalties assessed as a result of the withdrawal from or the drawing on the VRA Reserve. The increment of interest payable pursuant to the increase in rates shall be referred to as "Supplemental Interest." The term "interest" as used in this bond shall include Supplemental Interest, when and if payable. The City's obligation to pay Supplemental Interest shall commence on the date of the withdrawal or drawing of funds from the VRA Reserve occasioned by the City's failure to pay a required payment or portion thereof as described above (the "Supplemental Interest Commencement Date"). The City's obligation to pay Supplemental Interest shall terminate on the date on which the City makes all payments required but outstanding since the date of the initial failure to pay (the "Supplemental Interest Termination Date"). From the Supplemental Interest Commencement Date to the Supplemental Interest Termination Date, Supplemental Interest shall be due and payable on the regularly scheduled interest payment dates provided for in this bond. As soon as reasonably possible after the Supplemental Interest Commencement Date and before the next regularly scheduled interest payment date provided for in this bond, VRA shall deliver to the City a certificate as to the increase in interest rates and the amount of Supplemental Interest. The certificate shall set forth in reasonable detail the basis for the increase in interest rates and the manner of calculation of the increase and the amount of Supplemental Interest. Such certificate shall be conclusive (absent manifest error) as to the interest rate increase and amount of Supplemental Interest set forth therein. In determining the interest rate increase and the amount of Supplemental Interest, VRA may use any reasonable averaging and attribution methods.

This bond may be redeemed, prepaid or refunded at the option of the City upon the terms set forth in the Financing Agreement and the Resolution.

This bond is issuable as a fully registered bond. Upon surrender of this bond at the Registrar's office, together with an assignment duly executed by the registered owner or such owner's duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate and deliver in exchange, a new bond or bonds in the manner and subject to the limitations and conditions provided in the

Resolution, having an equal aggregate principal amount, in authorized denominations, of the same series, form and maturity, bearing interest at the same rates and in the same manner, and registered in such names as requested by the then registered owner of this bond or such owner's duly authorized attorney or legal representative. Any such exchange shall be at the City's expense, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect to it.

The Registrar shall treat the registered owner of this bond as the person exclusively entitled to payment of principal hereof and premium, if any, and interest hereon and the exercise of all other rights and powers of the owner hereof, except that regular installment payments of principal and interest shall be made to the person shown as the owner on the registration books as of the 15th day of the month preceding each payment date.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth to happen, exist or be performed precedent to and in connection with the issuance of this bond have happened, exist and have been performed, and this bond, together with all other indebtedness of the City, is within every debt and other limitation prescribed by the Constitution and statutes of the Commonwealth.

IN WITNESS WHEREOF, the City of Staunton, Virginia, has caused this bond to be signed by the Mayor, its seal to be affixed hereto and attested by the City Clerk, and this bond to be dated the date first above written.

(SEAL)

____
Mayor, City of Staunton, Virginia

ATTEST:

____
City Clerk, City of Staunton, Virginia

ASSIGNMENT

FOR VALUE RECEIVED the undersigned sell(s), assign(s) and transfer(s) unto

____

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE:

____

:   :
:   :
:____:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing ____, Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: ________________

Signature Guaranteed

____

NOTICE: Signature(s) must be guaranteed by an Eligible Guarantor Institution such as a Commercial Bank, Trust Company, Securities Broker/Dealer, Credit Union or Savings Association who is a member of a medallion program approved by The Securities Transfer Association, Inc.

____

(Signature of Registered Owner)

NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular, without alteration or enlargement or any change whatsoever.

SCHEDULE I TO
CITY OF STAUNTON, VIRGINIA
TAXABLE GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND
SERIES 2024

Principal Installment Number	Principal Installment Amount	Principal Installment Due Date	Interest Rate

[to be completed after pricing of VRA Bonds]