Work Session Agenda
Staunton City Council
Caucus Room
April 11, 2024
5:00 p.m.

5:00 p.m.	**1.**	**Consideration of Work Session and Regular Meeting Agendas**
5:05 p.m.	**2.**	**Joint Work Session—FY 2025 School Board Budget**
5:30 p.m.		**Break (Move to Rita S. Wilson Council Chambers)**

Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers

5:35 p.m.	**3.**	**Discussion of Establishment of Diversity, Equity and Inclusion Commission**
5:55 p.m.	**4.**	**FY 2025 Budget Work Session**
6:35 p.m.		**Break until Regular Meeting at 7:00 p.m.**

Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
April 11, 2024
7:00 p.m.

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence – Arrowood

Mayor's Report

Additional Items by Members of Council

REGULAR MEETING

A. Consent Agenda

A.1. Approval of Minutes
Work Session and Regular Meeting of March 28, 2024

A.2. Consideration of Application and Award of the Emergency Management Program Grant Through the Virginia Department of Emergency Management

A.3. Consideration of a Letter of Support for a License to Operate a Pharmaceutical Processor in Health Service Area 1

A.4. Consideration of Proclamation to be Presented in Council Chambers at the April 25, 2024 City Council Meeting—Stamp Out Hunger Food Drive

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. Public Hearing of Ordinances for Water User Fee, Sewer User Fee and Stormwater Fee and Crediting System Changes, Included in the FY 2025 Budget

C. Public Hearing of an Ordinance to Establish a Budget for FY 2025 (July 1, 2024—June 30, 2025)

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

Meeting Date:	**April 11, 2024**	**City Council**
Item #	**1**	
Department:	**City Council**	
Alignment with Staunton Plan (Value/Strategic Area):	**Values: Integrity Engagement**	
Subject:	**Work Session and Regular Meeting Agendas**	

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, VA

Meeting Date:	**April 11, 2024**	**Dr. Garett Smith** **School Superintendent** **Leslie Beauregard** **City Manager**
Item #	**2**	
Department:	**School Board** **City Council**	
Alignment with Staunton Plan (Value/Strategic Area):	**Value: Excellence** **Strategic Area: Responsive, Efficient Government**	
Subject:	**Joint Work Session—FY 2025 School Board Budget**	

Background: City Council and Staunton City School Board will meet in a joint work session to discuss the proposed FY 2025 Staunton City Schools budget.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	**April 11, 2024**	**Leslie Beauregard** **City Manager**
Item #	**3**	
Department:	**City Manager's Office**	
Alignment with Staunton Plan (Value/Strategic Area):	**Value: Inclusion & Equity** **Strategic Area: Responsive, Efficient Government Inclusion**	
Subject:	**Establishment of Diversity, Equity, and Inclusion Commission**	

Background: On February 24, 2022, City Council adopted a resolution to establish an Equity and Diversity Commission, now known as the Diversity, Equity, and Inclusion (DEI) Commission. The Commission members were appointed on May 26, 2022. At the December 8, 2022 City Council meeting, the Commission provided an update on their work to City Council. At the December 14, 2023 City Council meeting, the Commission presented their final report and recommendations. City Council conducted a public hearing on those recommendations on February 8, 2024.

One of the recommendations presented, Action A-2, is to establish the DEI Commission as a permanent commission. At their retreat on February 9, City Council discussed the recommendations and agreed that the Commission should be permanent.

The attached resolution provides for the establishment of the DEI Commission. The resolution provides, in part, that the assignment of staff support for the committee will be the responsibility of the City Manager's Office; defines their role and activities; establishes the size of the Commission to range from 9-11 (a decrease since the original Commission was 11-14 members); and establishes that terms are for three years but with staggered terms initially.

Also attached is a draft application that the DEI Commission is recommending be utilized when new members apply to be appointed to the Commission. The questions are the same as those when the original Commission was appointed with the addition of two new questions per the recommendation of the DEI Commission:

1. Do you have a religious belief or family spiritual practice that you would like to share?

2. Are you currently or have you ever been affiliated with the United States military (active duty, reserves, veteran, military spouse, etc.)?

Attachments:

Attachment 1—Draft resolution
Attachment 2—Draft application

City Manager's Recommendation: This item is for discussion only; consideration of the resolution will be scheduled for a future City Council meeting.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

Attachment 1

RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA,
TO ESTABLISH A DIVERSITY, EQUITY AND INCLUSION COMMISSION

Recitals

A. The provisions of Virginia Code Section 15.2-1411 and Staunton City Charter, Chapter II, Section 11, Paragraph Twenty-First, authorize the Staunton City Council ("Council") to establish advisory boards and commissions.

B. The Council unanimously adopted a motion at its August 12, 2021 meeting to establish the City of Staunton Equity and Diversity Commission ("Commission").

C. The Equity and Diversity Commission, now known as the Diversity, Equity and Inclusion (DEI) Commission, presented their complete report and recommendations to City Council in December 2023.

D. City Council held a public hearing on the Commission's recommendations in February 2024 and authorized staff to proceed with implementation of the recommendations, including establishment of a permanent DEI Commission, all subject to the City's budget process.

E. City Council now desires to memorialize the establishment of the Commission, as a public body, and outlines the parameters for its membership, function, and expected work that will benefit Council and the City of Staunton as the City seeks to understand and implement policies, programs, and procedures to address social and racial equity within the City.

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia, as follows:

1. The Commission is established and will be composed of 9-11 members, one of whom will be elected by the constituent members as the Chair and another of whom as the Vice Chair to help lead the Commission. The Commission will be a public body subject to the applicable requirements of the Virginia Freedom of Information Act and members of the Commission should be aware of those requirements.

2. Members of the Commission shall serve terms of three years commencing upon the date of their appointment by City Council. For the purposes of establishing staggered terms, initial appointments of two-thirds of commission members may be for terms of one (1) year or two (2) years, if City Council so determines.

   a. The application process shall be designed to ensure that commission membership composition supports diversity and inclusivity.

3. The Commission shall have the following duties:

a. Partner with the City's efforts to move the Commission Report recommendations and strategies forward.
b. Provide expertise and guidance to the City Council and city leaders on the ways in which the City engages with the community.
c. Create a sense of DEI permanence by partnering with the City to better incorporate DEI within City events, language, and interactions.
d. Advise City Council and city leadership about points of impact affecting current and future Commission recommendations and suggest accountability measures to achieve those recommendations.
e. For those recommendations that are outside the role of city government provided services, advise City Council and city leadership about the best path for acting on the recommendations, including ways to coordinate with small businesses, corporations, nonprofit leaders and citizens.
f. Communicate concerns of community members related to Diversity, Equity, and Inclusion to the City Council and city leadership.
g. Conduct periodic reviews of relevant DEI strategies and recommendations based on current research and potential changes in the Staunton community.
h. Provide (at a minimum) an annual written report to City Council.
i. To perform such additional functions or duties as may be so identified as to specific matters by the City Council or City Manager or designee.

4. The City Manager shall be responsible for the assignment of staff support to the commission in the exercise of its functions, powers and duties.

5. All meetings of the Commission shall be open to the public and otherwise held in accordance with the Virginia Freedom of Information Act.

6. Nothing in this resolution shall modify or curtail the functions, duties or authority of other public bodies.

Adopted this __ day of ___, 2024.

____
Stephen W. Claffey, Mayor

Attest: ______________________________________
Kiley Kesecker, Clerk of Council

Diversity, Equity and Inclusion Commission Application

Thank you so much for your interest in the Diversity, Equity and Inclusion Commission.

If selected for the Diversity, Equity and Inclusion Commission, members must be able to participate as follows:

- All meetings will be conducted in-person and will be open to the public. If a member or their family member has a temporary or permanent disability or medical condition which prohibits their ability to attend in-person meetings, they may remotely participate pursuant to the Freedom of Information Act.
- The Commission's regular meetings occur the third Wednesday of the month at 6:00 p.m.
- Other special meetings may be scheduled outside of regular meetings.

These are definitions of key terms used throughout this application:

Diversity describes the myriad ways in which people differ, including the psychological, physical, and social differences that occur among all individuals, such as race, ethnicity, nationality, socioeconomic status, religion, economic class, education, age, gender, sexual orientation, marital status, mental and physical ability, learning styles and the rich dimensions of cognitive differences.

Equity refers to the state, quality, or ideal of being just, impartial and fair. Equity ensures that individuals are provided the resources they need to have proportionate access to the same opportunities as the general population. Equity represents impartiality, i.e. that one's identity has no influence on how one fairs in society. Strategies that advance equity require an analysis of the historical and, in many cases, persistent (systemic) factors that create *unequal* conditions and thus unequal opportunity for certain groups of people.

Inclusion authentically brings in traditionally excluded individuals and/or groups into processes, activities, decisions and policymaking in a way that shares power.

Please provide the following information:

Name:

Address:

Contact Number Daytime:

Contact Number Evening:

Email:

Our goal is to ensure that we assemble a broad and diverse Commission that represents the make-up of the City of Staunton and our surrounding communities.

Please tell us a little about yourself and thank you for participating.

1. With which racial or ethnic group do you identify?

- African American
- Asian
- Hispanic, Latinx or Spanish origin
- Indigenous American Indian or Alaska Native
- Middle Eastern or North African
- Multi-racial
- Native Hawaiian or other Pacific Islander
- White (non-Hispanic)
- Other (please specify)
- I choose not to answer

2. With which gender do you identify?

- Agender
- Female
- Gender neutral
- Male
- Non-binary
- Transgender
- I choose not to answer

3. Do you identify as LGBTQ+?

- Yes
- No
- I choose not to answer

4. Do you identify as a person with a disability?

- Yes
- No
- I choose not to answer

5. Please indicate your age range.

- 18-24 years old
- 25-34 years old
- 35-44 years old
- 45-54 years old
- 55-64 years old
- 65 + years old
- I choose not to answer

6. What is your household income?

- Less than $20,000
- $20,000 to $34,999
- $35,000 to $49,999
- $50,000 to $74,999
- $75,000 to $99,999
- Over $100,000
- I choose not to answer

7. What is your education background?

- Attended high school, no diploma
- High School Diploma, GED or alternative credential
- Some college credit, no degree
- Trade/Technical/Vocational
- Associate’s or Bachelor’s Degree
- Advanced Degree (Master’s, PhD, MD)

8. How long have you been a resident or worked in the City of Staunton?

- 1 year or less
- 2-5 years
- 6-10 years
- 10+
- Lifelong Staunton Resident
- I don’t live or work in the City of Staunton

9. What is your current vocation/profession?

10. Do you have a religious belief or family spiritual practice that you would like to share?

11. Are you currently or have you ever been affiliated with the United States military (active duty, reserves, veteran, military spouse, etc.)?

12. Check each experience that applies to you (DEI = Diversity, Equity, Inclusion):

- Background working with DEI issues and priorities
- Experience with DEI grassroots community work
- Participated in previous DEI training
- Comfortable talking to others about inequities
- Comfortable talking with diverse groups
- Supports and believes in civic engagement
- Available to commit time to the Commission
- Business leader
- Minority owned small business
- Social programs leader/community nonprofit leader/board member
- Data expert - skills and experience with data analysis
- Religious leader
- Community and public safety experience
- Experienced housing and/or food instability

13. Please list skills, experiences, expertise, and knowledge you will bring to the Equity and Diversity Commission that will help further its work.

14. Interest/Community Service: tell us about any of your community volunteer experience (organization/your role as a volunteer/length of time).

15. Personal Statement: tell us why serving on the Diversity, Equity and Inclusion Commission is important to you.

16. If you are not selected to serve on the Commission, are you willing to volunteer in support of the Commission's activities?

- o Yes
- o No

CITY COUNCIL **AGENDA BRIEFING**

Staunton, VA

<table>
<tr><td>Meeting Date:</td><td>April 11, 2024</td><td rowspan="3">Leslie Beauregard
City Manager

Jessie Moyers
Chief Finance Officer</td></tr>
<tr><td>Item #</td><td>4 & C</td></tr>
<tr><td>Department:</td><td>City Manager

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">Public Hearing of an Ordinance to Establish a Budget for FY 2025 (July 1, 2024—June 30, 2025)</td></tr>
</table>

Background: The City Manager’s proposed FY 2025 budget was presented at the regular meeting on March 28, 2024. Introduction of the budget ordinance and a public hearing is scheduled for the regular meeting on April 11, 2024. Notice of the public hearing, attached, was advertised in *The News Leader* on April 3, 2024. Prior to the public hearing, there will be a work session on the proposed budget.

Attachments:

Attachment 1—FY 2025 Budget Ordinance
Attachment 2—Notice of Public Hearing

City Manager’s Recommendation: Conduct the public hearing.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

Attachment 1

Ordinance No. 2024-

AN ORDINANCE ESTABLISHING A BUDGET FOR THE CITY OF STAUNTON, VIRGINIA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025, APPROPRIATING FUNDS FOR PUBLIC PURPOSES FOR SUCH FISCAL YEAR, SUBJECT TO FUTURE APPROPRIATION AMENDMENT; ESTABLISHING A TAX RATE ON TAXABLE PERSONAL PROPERTY, REAL ESTATE AND PROPERTY OF PUBLIC SERVICE CORPORATIONS; ESTABLISHING AND IMPOSING A SERVICE CHARGE ON CERTAIN REAL PROPERTY EXEMPT FROM TAXATION; AND CONTINUING IN EFFECT ALL ORDINANCES OF THE CITY OF STAUNTON, VIRGINIA, RELATING TO TAXES, LICENSES, FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND ALL ORDINANCES RELATING TO THE TIME OF PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN SPECIFICALLY MODIFIED

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

SECTION 1. The following budget, annexed and incorporated by reference, totaling **$148,269,045** for the City of Staunton, Virginia for the fiscal year beginning July 1, 2024 and ending June 30, 2025 is hereby proposed, approved and adopted:

(SEE ATTACHED BUDGET, incorporated by reference)

SECTION 2. Public revenues of the City of Staunton, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as set forth in the appropriate Section of such budget.

SECTION 3.

3.1. The tax rate for all real estate, including real estate owned by public service corporations, subject to tax for the calendar year beginning January 1, 2024, shall be and is fixed at $0.89 per $100.00 of assessed value of such property per year, with assessed values being established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January of every odd numbered year.

3.2. The tax rate for all real property and improvements located in the Downtown Service District is subject to an additional tax for the calendar year beginning January 1, 2024, which shall be and is fixed at $0.15 (fifteen cents) per $100.00 of assessed value of such property for calendar year 2024. Assessed values for the Downtown Service District shall be established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January 1 of every odd numbered year. These rates shall continue until modified by action of the Council of the City of Staunton, Virginia.

SECTION 4.

4.1. The tax rate for all personal property, including vehicles owned by public service corporations (but excluding machinery and tools, referenced and defined in Section 58.1-3507 of the Code of Virginia, as amended), subject to tax for the calendar year beginning January 1, 2024, shall be fixed at $2.90 per $100.00 of assessed value per year.

4.2. The tax rate for machinery and tools as defined in Section 58.1-3507 of the Code of Virginia, as amended, subject to tax for the calendar year beginning January 1, 2024 shall be and is fixed at $1.24 per $100.00 of assessed value per year.

SECTION 5. For the period of July 1, 2024, through June 30, 2025, certain categories of property exempted from taxation under Section 58.1-3600 et seq. of the Code of Virginia, as amended, shall be assessed and have imposed a fee or service charge based on the assessed value of the real estate and the amount which the City of Staunton expended in the year preceding for police and fire protection and, in the case of faculty and staff housing of an educational institution, the cost of public school education. The categories of property eligible for such assessment, and the method for calculating the assessment, are prescribed in Section 58.1-3400 et seq. of the Code of Virginia, as amended.

SECTION 6. The rate of service charge or fee imposed for property subject to such charge or fee under Section 5 of this ordinance shall be and is fixed and imposed at $0.19 per annum per $100.00 of assessed value and $0.49 per annum per $100.00 of assessed value for faculty and staff housing of an educational institution for the 2024 calendar year. The service charge shall be and is payable in one installment on December 15, 2024. Any service charge not paid when due shall bear interest computed at the rate of 10% per annum from the due date until paid.

SECTION 7. The real estate lawfully owned by the County of Augusta lying wholly or partly in the corporate limits of the City of Staunton, Virginia, shall be exempt from the service charge imposed by Section 5 of this ordinance.

SECTION 8. It is the intention of Section 5, 6 and 7 of this ordinance to conform to and meet all the requirements of Section 58.1-3400 et seq. of the Code of Virginia, as amended, and shall be read and construed accordingly.

SECTION 9. The annual salary for each member of the Council of the City of Staunton, Virginia, is hereby established as follows and shall remain in effect until formal action is taken to amend this ordinance:

Mayor	$11,000
Vice-Mayor	$10,000
Council Member	$10,000

SECTION 10.

10.1. The City Manager is hereby authorized to transfer funds from one line item to another line item within each Fund of such budget, with the exception of the general contingency account.

10.2. Authorization is hereby given to the City Manager to withhold or postpone the expenditure of any funds appropriated by and in this ordinance when it appears to the City Manager that it would be in the best interests of the City for such expenditure to be withheld; but, this provision shall not in any way limit or restrict the right of the Council of the City of Staunton, Virginia, in its sole discretion to the fullest extent permitted by law, to direct immediate disbursement of any appropriated funds when the Council of the City of Staunton, Virginia, is of the opinion that the funds should be expended regardless of the position or action or inaction of the City Manager.

SECTION 11. Any ordinance in conflict with this ordinance is hereby repealed to the extent and only to the extent that such conflict exists. However, all ordinances not in conflict with this ordinance shall continue in effect, including specifically all ordinances of the City of Staunton, Virginia relating to taxes, licenses, fees, service charges, costs and payment and collection thereof continuing in effect except as herein specifically modified.

SECTION 12. If any part of this ordinance is found to be invalid by competent authority, the remaining portions of this ordinance shall continue in effect to the fullest extent permitted by law.

This ordinance shall be effective ___________________, 2024.

____
Stephen W. Claffey, Mayor

ATTEST: __________________________
Kiley A. Kesecker
Clerk of Council

Ordinance No. 2024-

CITY OF STAUNTON, VIRGINIA
FY 2025 PROPOSED BUDGET

GENERAL FUND

ANTICIPATED REVENUE		BUDGET
General Property Taxes	$	34,407,774
Other Local Taxes	$	20,219,522
Commonwealth of Virginia	$	13,256,202
Current Service Charges	$	1,753,889
Federal Revenue	$	1,179,557
Recovered Costs	$	1,282,644
Licenses and Permits	$	269,200
Use of Money and Property	$	615,000
Fines and Forfeitures	$	197,500
Miscellaneous	$	49,000
Total Revenue	$	73,230,288

APPROPRIATIONS		
Transfer to Education Fund	$	17,256,610
Public Safety	$	16,502,849
Health and Welfare	$	7,470,044
Public Works	$	6,905,910
General Government Administration	$	7,863,858
Transfer to Debt Service Sinking Fund	$	5,591,903
Parks, Recreation, Library, and Cultural	$	4,492,840
Judicial Administration	$	3,545,290
Community Development	$	2,998,401
Transfer to the City CIP Fund	$	861,783
Nondepartmental	$	(268,200)
Educational Agency Contributions	$	9,000
Total Appropriations	$	73,230,288

DEBT SERVICE SINKING FUND

ANTICIPATED REVENUE		
Transfer from the General Fund	$	5,591,903
General Revenues	$	1,161,216
Total Revenue	$	6,753,119

APPROPRIATIONS		
Debt	$	6,753,119
Total Appropriations	$	6,753,119

CAPITAL IMPROVEMENTS PROJECT FUND

ANTICIPATED REVENUE		
Transfer from the General Fund	$	861,783
Total Revenue	$	861,783

APPROPRIATIONS		
Capital Improvements	$	861,783
Total Appropriations	$	861,783

BLUE RIDGE COURT SERVICES FUND

ANTICIPATED REVENUE		
Non Capital Grants/ Contributions	$	1,160,474
Miscellaneous		155,500
Charges for Services		140,000
Total Revenue	$	1,455,974

APPROPRIATIONS		
Operations	$	1,455,974
Total Appropriations	$	1,455,974

WATER FUND

ANTICIPATED REVENUE		
Charges for Service	$	4,736,333
General Revenues		185,000
Grant Contributions		-
Total Revenue	$	4,921,333

APPROPRIATIONS		
Operations	$	3,451,936
Debt		943,397
Capital		526,000
Total Appropriations	$	4,921,333

SEWER FUND

ANTICIPATED REVENUE		
Charges for Services	$	4,409,296
General Revenues		1,277,795
Total Revenue	$	5,687,091

APPROPRIATIONS		
Operations	$	3,179,717
Debt		868,034
Capital		1,639,340
Total Appropriations	$	5,687,091

PARKING FUND

ANTICIPATED REVENUE		
Charges for Services	$	274,500
General Revenues		185,989
Total Revenue	$	460,489

APPROPRIATIONS		
Operations	$	283,598
Debt		176,891
Total Appropriations	$	460,489

STORMWATER FUND

ANTICIPATED REVENUE		
Charges for Services	$	1,350,500
General Revenues		30,000
Grant Contributions		-
Total Revenue	$	1,380,500

APPROPRIATIONS		
Operations	$	1,030,500
Capital		350,000
Total Appropriations	$	1,380,500

ENVIRONMENTAL FUND

ANTICIPATED REVENUE		
Charges for Services	$	3,629,900
General Revenues		1,465,329
Non Capital Grants/ Contributions		14,000
Total Revenue	$	5,109,229

APPROPRIATIONS		
Operations	$	3,764,116
Capital		1,345,113
Total Appropriations	$	5,109,229

EDUCATION FUND

ANTICIPATED REVENUE			
Commonwealth of Virginia	$	23,686,599	(1)
Transfer from the General Fund		17,256,610	
Federal Government		1,862,054	
Charges for Services		10,000	
General Revenues		56,292	
Total Revenue	$	42,871,555	

APPROPRIATIONS		
Administration and Operation of Schools	$	42,871,555
Total Appropriations	$	42,871,555

(1) This revenue figure is preliminary and will be finalized once the State adopts their budget.

CAFETERIA FUND

ANTICIPATED REVENUE

Operating Grants	$	1,841,677
Charges for Service		5,350
General Revenues		394,946
Total Revenue	$	2,241,973

APPROPRIATIONS

Operations	$	2,241,973
Total Appropriations	$	2,241,973

SCHOOL TEXTBOOK FUND

ANTICIPATED REVENUE

Commonwealth of Virginia	$	251,534
General Revenues		152,018
Total Revenue	$	403,552

APPROPRIATIONS

Operations	$	403,552
Total Appropriations	$	403,552

SCHOOL CAPITAL IMPROVEMENTS PROJECT FUND

ANTICIPATED REVENUE

General Revenues	$	150,000
Total Revenue	$	150,000

APPROPRIATIONS

Capital Improvements	$	150,000
Total Appropriations	$	150,000

STATE OPERATED PROGRAMS

ANTICIPATED REVENUE

Operating Grants	$	2,742,159
Total Revenue	$	2,742,159

APPROPRIATIONS

Operations	$	2,742,159
Total Appropriations	$	2,742,159

Grand Total Revenues	**$**	**148,269,045**
Grand Total Expenditures	**$**	**148,269,045**
Balance		**$0**

Approved this _____________day of ___2024

Effective Date: ___________________

ATTEST:_________________________
Kiley A. Kesecker
Clerk of Council

CERTIFIED:___________________________
Stephen W. Claffey
Mayor of Council

PLEASE RUN THIS AD: WEDNESDAY, April 3, 2024

Attachment 2

City of Staunton

PROPOSED FISCAL YEAR (FY) 2025 (2024-2025) BUDGET

NOTICE OF PUBLIC HEARING OF STAUNTON CITY COUNCIL ON THE PROPOSED FY 2025 BUDGET FOR THE CITY OF STAUNTON AND STAUNTON CITY PUBLIC SCHOOLS

Pursuant to Virginia Code Section 15.2-2506, the public is hereby given notice of a meeting of the Staunton City Council to conduct a **PUBLIC HEARING** on the proposed FY 2025 budget as presented by the City Manager. The public hearing will be held on Thursday, April 11, 2024, at 7:00 p.m. in the Rita S. Wilson City Council Chambers located at 116 West Beverley Street, Staunton, Virginia 24401.

Following is a brief synopsis of the proposed FY 2025 Budget:

	Revenues	Expenditures
City Government Funds:		
General Fund	$ 73,230,288	$ 73,230,288
Debt Service Sinking Fund	$ 6,753,119	$ 6,753,119
City Capital Improvements Fund	$ 861,783	$ 861,783
Blue Ridge Court Services Fund	$ 1,455,974	$ 1,455,974
City Proprietary Funds:		
Water Fund	$ 4,921,333	$ 4,921,333
Sewer Fund	$ 5,687,091	$ 5,687,091
Environmental Fund	$ 5,109,229	$ 5,109,229
Stormwater Fund	$ 1,380,500	$ 1,380,500
Parking Fund	$ 460,489	$ 460,489
School Operating Funds:		
Education Fund	$ 42,871,555	$ 42,871,555
State Operated Programs	$ 2,742,159	$ 2,742,159
Cafeteria Fund	$ 2,241,973	$ 2,241,973
School Capital Improvements Fun	$ 150,000	$ 150,000
School Textbook Fund	$ 403,552	$ 403,552
Total All Funds	**$ 148,269,045**	**$ 148,269,045**

Proposed Property Tax Rates:

	Current Tax Rates as of January 1, 2023	Proposed Tax Rates for January 1, 2024
Real Estate	$0.89	$0.89
Personal Property – motor vehicles	$2.90	$2.90
Personal Property – business tangible property	$2.90	$2.90
Personal Property – machinery and tools	$1.24	$1.24

After holding its own public hearing, the Staunton School Board approved and proposes to Council, pursuant to Virginia Code Section 22.1-92, a public schools budget totaling $48,409,239. Council is required to prepare and approve an annual budget for educational purposes by May 15 or within thirty days of the receipt by the City of the estimates of state funds, whichever is later, in accordance with Virginia Code Section 22.1-93.

The FY 2025 Budget is available on the City's website at www.staunton.va.us/budget.

The public is strongly encouraged to participate in the budget process. The meeting will be audio streamed live on Cable Channel 7 and on the City's internet site at https://www.ci.staunton.va.us/government/city-council. Specific guidelines for participation, including in-person participation, can be found at https://www.ci.staunton.va.us/government/city-council/access-city-council-meetings. Questions regarding participation may be directed to Clerk of Council, Kiley Kesecker at keseckerka@ci.staunton.va.us or 540-332-3810.

Kiley A. Kesecker
Clerk of Council

CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

Meeting Date:	**April 11, 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:	**April 11, 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 28, 2024

Suggested Motions: I move to approve the work session and regular meeting minutes of March 28, 2024 [as presented] [with the following changes: ____________________________.]

City Manager: Leslie Beauregard

Attachment 1

City Council
WORK SESSION
March 28, 2024
6:00 p.m.

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

Mayor Claffey called the meeting to order: Mayor Claffey 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	absent
Mr. Arrowood	aye	Vice Mayor Darby	aye
Ms. Woods	aye	Mayor Claffey	aye
Mr. Campbell	aye		

*Mr. Robertson arrived at 6:03 p.m.

2. Presentation of the FY 2025 Proposed Budget

City Manager Leslie Beauregard presented details of the FY 2025 Proposed Budget. The presentation marked the beginning of 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.

Mayor Claffey asked if Councilmembers had any questions.

Mr. Robertson asked when the last time the sewer rate was raised. Ms. Beauregard replied 12 years.

Mayor Claffey asked why there is a general government increase of $500,000. Ms. Beauregard stated that $300,000 of that is attrition savings.

Mr. Robertson clarified that 82% of total city debt is incurred by Staunton City Schools. Ms. Beauregard confirmed, noting that the schools cannot borrow funds, so the city does it on their behalf.

Mr. Arrowood stated that he would like to continue discussing widening the scope of the $600,000 dedicated for Moxie Stadium.

Discussion ensued about the Gypsy Hill Park pool house and bathroom renovations.

Chief Technology Officer Kurt Plowman gave a brief update on the radio project.

Councilmembers had no further questions or comments.

The work session adjourned at 6:43 p.m.

____

Kiley A. Kesecker
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, March 28, 2024
7:00 p.m.
Rita S. Wilson Council Chambers

PRESENT: **Mayor Stephen W. Claffey**
Vice Mayor Amy G. Darby
Brad D. Arrowood
Adam F. Campbell
Michele D. Edwards
Mark A. Robertson
Alice L. Woods

ALSO PRESENT: **Leslie Beauregard, City Manager**
Amanda Kaufman, Assistant City Manager
John Blair, City Attorney
Kiley Kesecker, Clerk of Council

Mayor Claffey called the meeting to order: Mayor Claffey 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 Ms. Woods.

MAYOR'S REPORT

Representatives from the Remote Area Medical (RAM) Clinic gave a brief presentation on this year's clinic in Fishersville.

Mayor Claffey gave the 2024 State of the City Address. (ATTACHMENT A)

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Ms. Woods stated that the DEI Commission will have some openings in the coming weeks as the terms of current commissioners come to an end in May.

Mr. Robertson stated that the Nominations Committee met on March 27, 2024 and would like to make the following motion:

To appoint Joseph Wislar to the Library Advisory Board for a 4-year term beginning April 1, 2024 and ending March 31, 2028.

To appoint Molly Seremet to the Library Advisory Board for a 4-year term beginning April 1, 2024 and ending March 31, 2028.

To appoint Nathaniel Riddle to the Valley Community Services Board to fill the unexpired term of Jeremy Leach ending December 31, 2025.

To appoint Lou Lynch to the Youth Commission for a 3-year term beginning April 1, 2024 and ending March 31, 2027.

To appoint Isaac Grant to the Economic Development Authority to fill the unexpired term of Wilson Fauber ending January 31, 2026.

Needing no second, the motion carried as follows:

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

<u>**REGULAR MEETING**</u>

A. Consent Agenda

Mayor Claffey 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 March 14, 2024

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

A.2 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.2 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

Mayor Claffey 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. Robertson moved to approve the Consent Agenda as presented.

The motion was seconded by Vice Mayor Darby and carried as follows:

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

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: March 28, 2024
Adopted: March 28, 2024
Effective: March 28, 2024

Signed: STEPHEN W. CLAFFEY, MAYOR

Attest: KILEY A. KESECKER
Clerk of Council

B. Retirement Certificate Presentation to Christopher A. Lambert

Christopher A. Lambert, former Sanitation Equipment Operator in Public Works, was presented a certificate of recognition for his retirement from the city after over 30 years of service.

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

Chief Finance Officer Jessie Moyers stated that Virginia Code Sections 15.2-2119 and 15.2-2119.4 require that a locality allow 30 days for a utilities customer to pay an overdue bill. After the 30 day period, both Code of Virginia provisions require an additional 60 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 40 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 40 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.

Mayor Claffey asked if Councilmembers had any questions.

Mayor Claffey clarified the current billing cycle and timing.

Mr. Arrowood asked if the city currently uses any other methods of communication to let people know they are past due. Ms. Moyers stated there is texting or email available through a Munis Module that would be an additional cost.

Mr. Robertson asked how many accounts are delinquent on average per billing cycle. Ms. Moyers replied that it is approximately 60 to 75 every two weeks.

Councilmembers had no further questions.

Ms. Edwards moved that City Council adopt the ordinance amendment, as presented.

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

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

(ATTACHMENT B)

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

Chief Finance Officer Jessie Moyers stated that 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 Street 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.

Mayor Claffey asked if Councilmembers had any questions.

Mayor Claffey asked what the rate is estimated to be. Ms. Moyers stated that they are estimating 3.95% for a 30 year term and 3.76% for 25 years.

Vice Mayor Darby asked how many localities are in the VRA financing pool. Ms. Moyers stated that there are definitely 10, with an 11th as a possibility.

Councilmembers had no further questions.

Vice Mayor Darby moved 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.

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

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

(ATTACHMENT C)

MATTERS FROM THE CITY MANAGER

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

- The third public work shop on the West End Revitalization Strategy Plan will take place on May 7.

- Shop & Dine Out in Downtown on weekends begins on April 5.

MATTERS FROM THE PUBLIC

Mayor Claffey 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.”

Brenda Mead, 342 Sherwood Avenue, highlighted all the APRA funded projects in the city.

Kaitlin Mullen, Virginia Women’s Institute for Leadership cadet at Mary Baldwin University, invited Council to attend the Staunton Military Academy Reunion Parade on April 5.

There was no one else present wishing to speak.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 7:50 p.m.

____
Kiley A. Kesecker
Clerk of Council

ATTACHMENT A

State of the City Address 2024

Delivered by Mayor Stephen Claffey
March 28, 2024

To the citizens of Staunton, it is my privilege to be here tonight to do something we haven't done in a few years.

In the name of transparency and openness I think it's important we bring back this annual tradition, updating everyone on the State of the City.

My fellow councilmembers and I, along with all of the great people of Staunton have had a busy 2023, and we have a lot to look forward to this year. However, it's important to note that tonight, we continue to work.

The state of our city is strong, but it doesn't always come easily or without difficult decisions.

Unemployment rates continue trending downward in the Queen City. For the year, the rate sits at 2.6 percent, which is below the state average and slightly lower than last year.

New businesses continue to open their doors across different parts of Staunton and the economy continues to grow. The East end of Staunton continues to develop on both sides of Route 250. Crossing Way, the connector road through Staunton Crossing to Valley Center Drive, will finally be complete this May. This was a VDOT project costing over $9 million, paid for with State funds. State grants have also been approved for further infrastructure improvements on the property. All of this progress will make the site more attractive and closer to "move-in ready," for the right businesses.

New shops are opening downtown as well, and the fifth season of Shop and Dine Out in Downtown kicks off next Friday.

The growth of restaurants and hotels in the city has also brought in significant revenue from visitors and residents, providing a record more than $7.5 million in meals and lodging taxes.

As we look back on the numerous accomplishments from 2023, I think it's important to note that some of our biggest successes are only just beginning, and will still require much work.

One of the most comprehensive projects in the works is the Uniontown Neighborhood Action Plan. The plan was developed by city staff and a steering committee of residents to bring back the historically neglected neighborhood. This predominantly African American community, with records dating back to the Reconstruction era, sits primarily vacant and disconnected from the city.

During this year's legislative session, a bill proposed by our local delegates passed unanimously and was signed by the governor, allowing the city to waive utility connection fees. The process continues to move forward with a mass rezoning of the area from industrial use to a newly created residential zoning district.

The city continues to address housing issues. Staunton has a new Housing Planner and Grants Coordinator in the Community Development Department. We continue to partner with the Central Shenandoah Planning District Commission with their housing study and the city is working on a more local housing survey to learn what types of assistance the city should offer.

Construction continues on several large projects bringing more than 200 new units to Staunton, many of which are set aside as work-force housing.

We recognize the difficult and important work accomplished by the Diversity, Equity, and Inclusion Commission over the past almost 2 years. At the end of 2023, they presented specific goals and action items to City Council to help make sure Staunton truly lives up to our slogan of, "You belong here." The commission will become a permanent part of the boards and commissions in 2024.

Keeping Staunton residents safe was a top priority in 2023 as well. New creek level monitors and rain gauges that signal flooding were placed around the city and tied to real-time alerts. Every second counts during flash flooding like we saw a few years ago, and instant notifications can save lives and property.

The city rolled out PulsePoint this past year to help save the life of someone in cardiac arrest. Make sure you register for these life-saving apps.

In the next couple years, walking in our beautiful, historic, downtown will be safer and easier than ever. Public Works received official word from VDOT that improvements to 10 downtown intersections are funded, worth more than $1.1 million.

Revitalizing Staunton's West End continues to be a high priority with the West End Revitalization Plan well under way and completed this summer.

I am excited that the construction of the new Juvenile and Domestic Relations District Court in the former Chestnut Hills Shopping Center will help anchor revitalization of the West End. The construction of the new court is a signature project for the city and ground breaking will be within the month.

Many other projects will come online this year.

Stream restoration is underway in Gypsy Hill Park that will help reduce pollution that ultimately makes it to the Chesapeake Bay and help reduce the recurrence of flooding in the park. The people of Staunton should be proud of the continual updates and maintenance in our parks and their facilities. They are such a beloved part of our city, utilized so frequently by residents and visitors.

The Staunton Public Library continues to shine, and now under a new roof. The library will undergo a needs and space assessment to help with modernization and make the library more functional. This year, the lawn outside of the library will see a facelift, too. Thanks to the Friends of the Staunton Library, a patio and terrace project will get underway this year that will provide tiered seating and more accessible space for outdoor programs.

The direction our city is heading is exciting, and it’s not without the hard work of city employees and citizens generous of their time and fundraising for special projects. I would like to thank all of our residents who serve on boards and commissions, guiding the city and helping to make it better and more sustainable for future generations.

Maintaining infrastructure and making sure we have a path forward for the next 10, 20, or 50 years requires work, and in some cases, funding now.

I know our community will rise to the occasion as we can look beyond just what we need right now and anticipate what we’ll need down the road.

This year, I know everyone will see the work being done and will be even more proud to call Staunton home.

I’m inspired by the people and growth I see around me and I thank each one of you for making that a reality.

May Staunton continue to be blessed in 2024.

ATTACHMENT B

Ordinance No. 2024 - 04

**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 ~~40~~ 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 ~~40~~ 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 ~~and the consumer has paid his delinquent bill in full~~, there shall be a disconnection charge of $~~30~~15.00 ~~payable in advance to prevent the cut-off or to reinstate water supply to the customer in the event the supply has been cut off~~ 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 ~~the~~ 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 March 28, 2024.

____
Stephen W. Claffey, Mayor

ATTEST:________________________
Kiley A. Kesecker
Clerk of Council

ATTACHMENT C

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. 2024-04.

ADOPTED by the Council of the City of Staunton on the 28th 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 15^{th} 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]

CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

<table>
<tr><td>Meeting Date:</td><td>April 11, 2024</td><td rowspan="3">Chief Scott Garber
Fire & Rescue</td></tr>
<tr><td>Item #</td><td>A.2</td></tr>
<tr><td>Department:</td><td>Fire & Rescue</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">Consideration of Application and Award of the Emergency Management Program Grant Through the Virginia Department of Emergency Management</td></tr>
</table>

Background: The Virginia Department of Emergency Management (VDEM) announced the awarding of grant funding for the Emergency Management Performance Program Grant (EMPG). The EMPG program is a federally funded, state distributed, grant program. The grant focuses on funding planning, operations, equipment acquisitions, trainings, exercises, construction, and renovation efforts at the local government level.

The EMPG program provides resources to assist state, local, tribal, and territorial governments in preparing for all hazards. Through the grant program, the Federal government provides coordination, guidance, and assistance to support a comprehensive emergency preparedness system. Grant funding for the program is available to cities, counties and those towns recognized as emergency management jurisdictions under Title 44 of the Code of Virginia. Staunton Fire & Rescue applied for and has been awarded a $7,500 EMPG grant allocation with a $7,500 match to purchase new thermal imaging cameras. Staunton Fire & Rescue will be using Aid to Localities (ATL) funding to provide the matching funds.

Attachment: Not applicable.

City Manager Recommendation: Recommend that Council authorize staff to apply for and receive grant funds for the Emergency Management Performance Grant Program through the Virginia Department of Emergency Management.

Suggested Motions: I move City Council authorize staff to apply for and receive grant funds for the for the Virginia Department of Emergency Management Emergency Management Performance Grant Program.

City Manager: Leslie Beauregard

CITY COUNCIL **AGENDA BRIEFING**

Staunton, VA

Meeting Date:	**April 11, 2024**	**Staff Members:** **John Blair** **Billy Vaughn** **Amanda DiMeo**
Item #	**A.3**	
Department:	**Economic Development**	
Alignment with Staunton Plan (Value/Strategic Area):	**Value: Environmentally Conscious** **Strategic Area: Economic Development**	
Subject:	**Consideration of a Letter of Support for a License to Operate a Pharmaceutical Processor in Health Service Area 1**	

Background: On January 1, 2024, the Virginia Cannabis Control Authority (VCCA) assumed regulatory oversight of Virginia's medical cannabis program. VCCA is working with the Virginia Board of Pharmacy, the former medical cannabis regulator, and the program's stakeholders to ensure a seamless transition.

Currently, VCCA is accepting applications for a permit to operate a pharmaceutical processor in Health Service Area (HSA) 1. The permit will allow the selected processor to engage in vertically integrated operations, including the cultivation of cannabis plants, production of cannabis products, and dispensation to qualified patients. HSA 1 covers a number of cities and counties in Virginia, including the Shenandoah Valley, Charlottesville, Fredericksburg, Spotsylvania County, and Stafford County (see attached map). The application deadline is April 30, 2024, with a determination of the entity that will be awarded conditional approval on June 26, 2024. Although not a submission requirement, applicants are requesting a letter of support from the locality where their proposed operation will be located.

To date, only two entities with plans to submit an application to VCCA, have approached the City to obtain letters of support. TheraTrue of Virginia has a lease agreement to occupy an existing building in Green Hills Industry and Technology Center. The other entity, DMA Holdings of Virginia LLC, has an option on another site in Green Hills Industry and Technology Center.

Prior Engagement: Beginning in 2017, Virginia legislators laid the groundwork for the state's medical marijuana industry. Senate Bill 701 directed the Virginia Board of Pharmacy to regulate and monitor the program. The following year, Senate Bill 1027 authorized the Board of Pharmacy to issue permits for the cultivation and processing of cannabis by five providers, one per HSA for the five service areas in Virginia. With only one entity receiving the license, the City provided letters of support to the following companies. The estimated average total investment ranged from $25 to $30 million for each company, creating 50-80 jobs.

Entity	**PharmaCann**	**TheraTrue Virginia**	**Clean Slate Virginia**	**Ascend Wellness Holdings LLC**
Proposed Location	Green Hills Industry and Technology Center	Green Hills Industry and Technology Center	Staunton Crossing	Staunton Crossing
Site Ownership	PharmaCann	Green Hills Investment, LLC	Staunton Economic Development Authority	Staunton Economic Development Authority

On June 8, 2018, the Board of Pharmacy selected five companies, out of 51 applicants, that included PharmaCann, Dalitso, Dharma Pharmaceuticals, Green Leaf Medical of Virginia, and Columbia Care. PharmaCann was awarded the license for Staunton's HSA with a site in Green Hills Industry and Technology Center.

Subsequently, PharmaCann was acquired by MedMen Enterprises, which petitioned the Virginia Board of Pharmacy to approve the transfer of the license. The Board declined their request, and in September 25, 2020 reopened the process for a license for Health Service Area 1, with an application deadline of December 4, 2020. Prior to the application deadline, staff engaged with approximately 10 entities requesting support from the City. Subsequent engagements with company representatives resulted in the selection of three companies. Each company made significant progress towards securing a site in Staunton pending the award of a license.

In November 2020, staff presented three proposals to City Council for consideration of letter of support. Following discussion, Council's full support was given to the Mayor to provide, on behalf of City Council, letters of support for all three companies. While one company selected a site in Green Hills Industry and Technology Center, the other two companies were vying for a site in Staunton Crossing, thereby causing the Economic Development Authority (EDA) to be brought into the discussion. That same month, the EDA was briefed on City Council's decision, and directed staff to continue discussions with the two companies interested in the Staunton Crossing site.

Entity	**TheraTrue Virginia**	**Clean Slate Virginia**	**Ascend Wellness Holdings LLC**
Proposed Location	Green Hills Industry and Technology Center	Staunton Crossing	Staunton Crossing
Site Ownership	Green Hills Investment, LLC	Staunton Economic Development Authority	Staunton Economic Development Authority

During the second week of February 2021, still unaware of a decision by the Board of Pharmacy, staff reached out to all three companies. Company responses were basically the same, with companies stating that several months ago MedMen Enterprises appealed, to the courts, the Board's decision revoking their license. The companies were awaiting resolution of the litigation. Since this matter had not yet been resolved, a Henrico Circuit Court Judge ordered the Board to stop reviewing applications for the issuance of a new license.

Subsequent to the litigation's resolution, the regulatory authority for medical cannabis transferred from the Board of Pharmacy to VCCA. This transfer of authority has reopened the permitting process.

Attachments:

Attachment 1 – Draft Letters of Support
Attachment 2 – Virginia Health Service Area Map

City Manager's Recommendation: Recommend that Council authorize letters of support, over the Mayor's signature, to the Virginia Cannabis Control Authority for TheraTrue of Virginia and DMA Holdings of Virginia LLC, since only one license for HSA 1 will be awarded.

Suggested Motion: Since only one license will be awarded by the Virginia Cannabis Control Authority for our health service area, I move authorize letters of support, over the Mayor's signature, to the Virginia Cannabis Control Authority for TheraTrue of Virginia and DMA Holdings of Virginia LLC, for sites in Green Hill Industry and Technology Center.

City Manager: Leslie M. Beauregard

Attachment 1

April 11, 2024

John F. Keohane, Chair
Virginia Cannabis Control Council
333 E. Franklin Street - Ste. 200
Richmond, VA 23219

Dear Chair Keohane:

On behalf of the City of Staunton ("City"), I am writing to express the City's support for DMA Holdings of Virginia, LLC's ("DMA") application for a conditional pharmaceutical processor permit. DMA intends to operate at 101 Industry Way in the City of Staunton in order to service Health Service Area I. The City's support for the pharmaceutical processor program is unwavering and the City is excited to realize the program's potential through DMA.

It is my pleasure to express my support, and the support of the City of Staunton, including its sheriff, police, fire and rescue services, and all City agencies, for DMA's application. This program offers hope for therapy and relief to patients suffering from chronic illnesses in the Staunton area. It also offers skilled jobs in a community eager to support agriculture and technology.

Staunton offers many unique benefits to support DMA's operations. The City sits at the junction of two major interstates, it has a robust STEM educational program, the community widely supports the medical cannabis program, and the City's industrial park is zoned to support pharmaceutical processor operations. The City was honored when in 2020, the Virginia Board of Pharmacy previously approved a pharmaceutical processor to operate here; DMA has demonstrated to the City that it has the resources necessary to now realize the opportunity.

On behalf of the City of Staunton, I respectfully request that the Virginia Cannabis Control Authority approve DMA's application. DMA has the City's full support.

Please contact me at 540-290-7604 or claffeysw@ci.staunton.va.us should you have any questions during your deliberations.

Respectfully,

Steven W. Claffey
Mayor
City of Staunton, VA

April 11, 2024

John F. Keohane, Chair
Virginia Cannabis Control Council
333 E. Franklin Street - Ste. 200
Richmond, VA 23219

Dear Chair Keohane:

On behalf of the City of Staunton ("City"), I am writing to express the City's support for TheraTrue Virginia, LLC's ("TheraTrue") application for a conditional pharmaceutical processor permit. TheraTrue intends to operate at 101 Industry Way in the City of Staunton in order to service Health Service Area I. The City's support for the pharmaceutical processor program is unwavering and the City is excited to realize the program's potential through TheraTrue.

It is my pleasure to express my support, and the support of the City of Staunton, including its sheriff, police, fire and rescue services, and all City agencies, for TheraTrue, Inc.'s application. This program offers hope for therapy and relief to patients suffering from chronic illnesses in the Staunton area. It also offers skilled jobs in a community eager to support agriculture and technology.

Staunton offers many unique benefits to support TheraTrue's operations. The City sits at the junction of two major interstates, it has a robust STEM educational program, the community widely supports the medical cannabis program, and the City's industrial park is zoned to support pharmaceutical processor operations. The City was honored when in 2020, the Virginia Board of Pharmacy previously approved a pharmaceutical processor to operate here; TheraTrue has demonstrated to the City that it has the resources necessary to now realize the opportunity.

On behalf of the City of Staunton, I respectfully request that the Virginia Cannabis Control Authority approve TheraTrue's application. TheraTrue has the City's full support.

Please contact me at 540-290-7604 or claffeysw@ci.staunton.va.us should you have any questions during your deliberations.

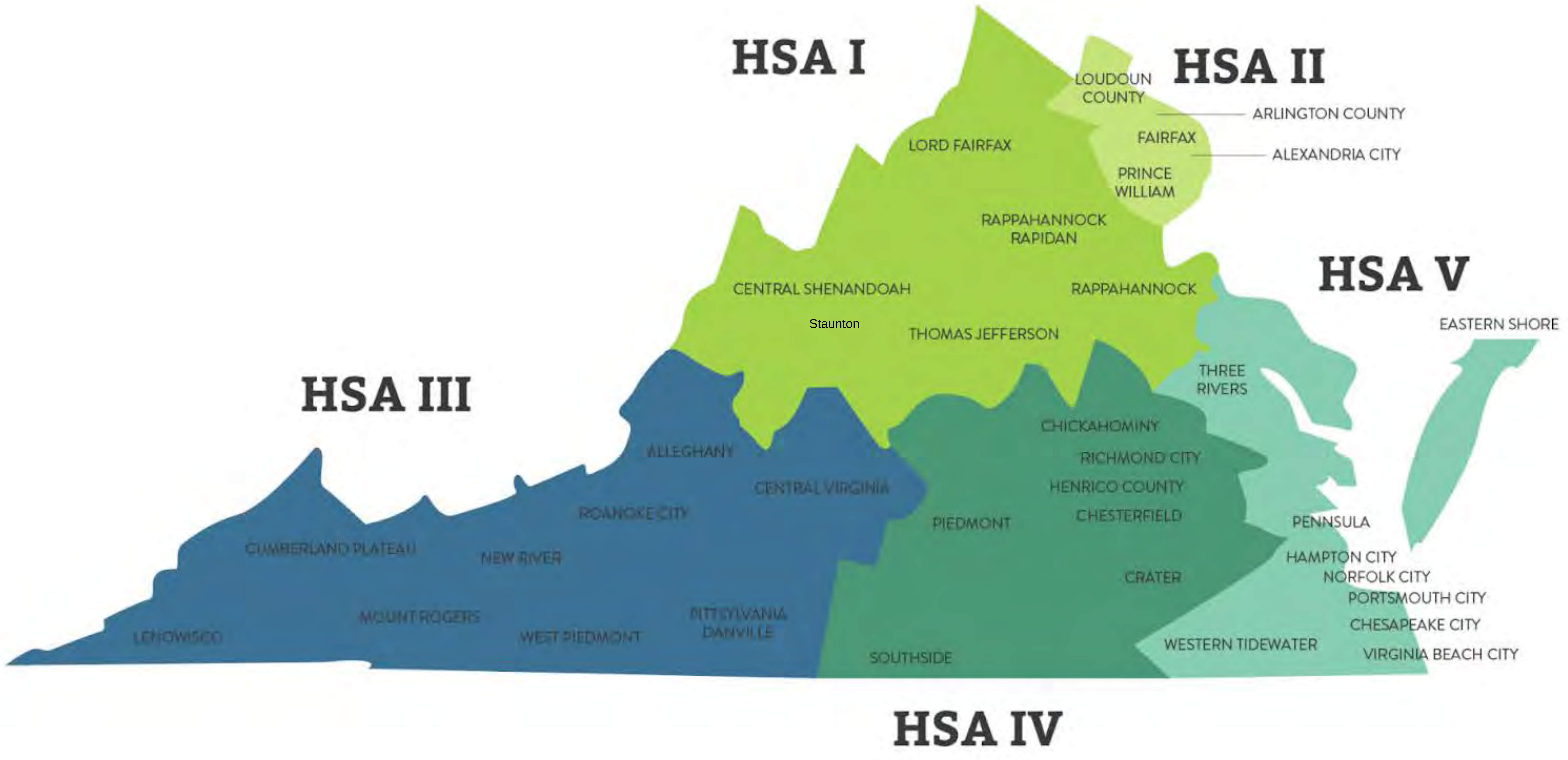
Respectfully,

Steven W. Claffey
Mayor
City of Staunton, VA

Attachment 2

Details

VIRGINIA MEDICAL CANNABIS LICENSE REGIONS



CITY COUNCIL **AGENDA BRIEFING**

Staunton, Virginia

Meeting Date:	**April 11, 2024**	**City Council**
Item #	**A.4**	
Department:	**City Council**	
Alignment with Staunton Plan (Value/Strategic Area):	**Value: Engagement** **Strategic Area: Responsive, Efficient Government**	
Subject:	**Consideration of Proclamation to be Presented in Council Chambers at the April 25, 2024 City Council Meeting—Stamp Out Hunger Food Drive**	

Background: Per City Council Procedure Memorandum No. 19, all proclamations presented in Council Chambers must be approved by City Council at the preceding regular meeting.

The item before City Council is the approval of a request for a proclamation to be presented in Council Chambers at the April 25, 2024 Council meeting. The proclamation is in recognition of **The Letter Carriers' Stamp Out Hunger Food Drive.** Should City Council approve this proclamation, it will be prepared for presentation at the beginning of the Regular Meeting on April 25.

Attachment: Not applicable

City Manager's Recommendation: Not applicable

Suggested Motion: I move to approve the requested proclamation in recognition of the Letter Carriers' Food Drive for presentation at the April 25, 2024 City Council meeting.

City Manager: Leslie Beauregard

CITY COUNCIL AGENDA BRIEFING

Staunton, Virginia

<table>
<tr><td>Meeting Date:</td><td>April 11, 2024</td><td rowspan="3">Leslie Beauregard
City Manager

Jessie Moyers
Chief Financial Officer</td></tr>
<tr><td>Item #</td><td>B</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; Environmental Consciousness

Strategic Areas: Infrastructure; Economic Development; Responsive, Efficient Government; West End; Built Environment</td></tr>
<tr><td>Subject:</td><td colspan="2">Public Hearing of Ordinances for Water User Fee, Sewer User Fee and Stormwater Fee and Crediting System Changes Included in the FY2025 Budget</td></tr>
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Background

The FY2025 budget proposes fee increases in three areas in order to fund critical infrastructure projects now and in the future: Water Fund, Sewer Fund and the Stormwater Fund. These fees have not been increased for many years and the capital needs to take care of our most important and foundational infrastructure continues to grow. Details of each of these proposals are below:

Proposed Changes to the Water Usage Fee

The FY2025 budget proposal includes a 5% water rate increase, effective July 1, 2024, for water consumption. Residential bi-monthly customers will be billed at the new rate beginning with utility bills issued on September 10. Monthly customers will be impacted with the new rate beginning with the July utility bills. The increase will generate $155,187 in additional water user fee revenue over the current revenue level of $3,077,976. The rate is proposed to increase to $4.06/100 cubic feet from $3.86/100 cubic feet. The minimum charge per two months by each regular user of City water is proposed to increase from $19.30 to $20.30. The bulk water rate is also proposed to increase from $10.00 to $10.50 per 750 gallons of water purchased in bulk quantities from the treatment plant. The minimum charge for bulk water purchases of less than 1,500 gallons during a month is proposed to increase from $20.00 to $21.00. Rates were last increased effective July 1, 2020, for fiscal year 2021.

The proposed increase would cost a family of four an additional $2.80 per bi-monthly billing cycle, based on an average bi-monthly consumption of 14/100 cubic feet, or $16.80 annually.

The increase is necessary to cover the increasing operating costs and capital costs to replace/ repair major water system infrastructure assets. Even the 5% rate increase does not generate sufficient revenue to cover the total expense of depreciation of $1,020,000 for the Water Fund. The FY2025 Water Fund budget only funds $167,954 of depreciation expense. Funding depreciation, a non-cash expenditure, allows cash reserves to build in a fund for capital projects and annual debt expenditures.

The Water Fund does have cash reserves of $3.16 million for the Facility Fee Reserves as required by the City Code. This reserve will be used to partially fund major upcoming water projects as listed in the FY2025-FY2029 Capital Improvements Plan.

The total FY2025 Water Fund budget is $4,921,333, a decrease of $7,803,784 over the FY2024 adopted budget. The FY2024 budget included capital projects that totaled $8,334,000. The FY2025 budget includes capital expenditures of $400,000 for water line replacements and $126,000 to paint the Franklin Hills water storage tank.

Additional future water user rate increases will be needed in order to future the five-year CIP plan of $19,272,000. The five-year amount does not currently include the North River Pipeline construction or the Uniontown water extension project.

Proposed Changes to the Sewer Usage Fee

The FY2025 budget proposal includes a 15% sewer rate increase, effective July 1, 2024, for sewage disposal services. Residential bi-monthly customers will be billed at the new rate beginning with utility bills issued on September 10. Monthly customers will be impacted with the new rate beginning with the July utility bills. The increase will generate $554,647 in additional water user fee revenue over the current revenue level of $3,697,649. The rate is proposed to increase to $5.60/100 cubic feet from $4.88/100 cubic feet. The minimum charge per two months by each regular user of City water is proposed to increase from $24.40 to $28.00. Rates were last increased effective July 1, 2012, for fiscal year 2013.

The proposed increase would cost a family of four an additional $10.08 per bi-monthly billing cycle, based on an average bi-monthly consumption of 14/100 cubic feet, or $60.48 annually.

The increase is necessary to cover the increasing operating costs and capital costs to replace/ repair major sewer system infrastructure assets. Even the 15% rate increase does not generate sufficient revenue to cover the total cash expense of $5,687,091, nor does it cover any of the depreciation of $1,390,000 for the Sewer Fund. Funding depreciation, a non-cash expenditure, allows cash reserves to build in a fund for capital projects and annual debt expenditures.

The proposed 15% fee increase in FY2025 will allow the sewer fund to cover its operating expenses, debt service payments, and approximately $500,000 of capital expenditures. The current five-year CIP for the sewer fund, including the Middle River Wastewater Treatment Plant, is $8,242,000. Future sewer user rate increases will be needed to fund important infrastructure improvements in the five-year CIP. In addition to the five year CIP, the Uniontown sewer extension project and the Crossing sewer project funding above the grant amount received by the city are critical infrastructure needs in the sewer fund.

The Sewer Fund does have cash reserves of $4.5 million for the Facility Fee Reserves as required by the City Code. This reserve will be used to partially fund major upcoming sewer projects as listed in the FY2025-FY2029 Capital Improvements Plan.

The total FY2025 Sewer Fund budget is $5,689,591, a decrease of $2,911,909 over the FY2024 adopted budget. The FY2024 budget included capital projects that totaled $4,863,620. The FY2025 budget includes capital expenditures of $250,000 for sewer line replacements, $150,000 for Lewis Creek PER, $650,000 for the New Hope Rd evaluation and study, $200,000 for design of Commerce Rd Phase II upgrade, and $389,340 for plant machinery at the Middle River Waste Water Treatment Plant.

Proposed Changes to the Stormwater Fees and Crediting System

The FY2025 budget proposal includes an increase in the minimum stormwater control fee from $3.20 to $5.00 up to 3,400 of impervious area. The other tiers will increase proportionately. In addition, it is proposed that the quality and quantity credits are reduced from 3 tiers each to 1 tier each.

In 2023, a study was initiated by the city and completed by Wiley|Wilson that quantified expenses over the next five-year permit cycle, determined the appropriate rates to complete the program and offered structural modifications to the current program. And in December 2023, the consultant walked City Council through the study and a series of possible fee changes that would help sustain the fund and provide a source to accomplish the five-year cycle of projects that must occur in order for the city to achieve its goals to minimize the discharge of pollutants into surface waters and to comply with mandates set forth by the Virginia Department of Environmental Quality. The city's stormwater fee has not been changed since FY 2011.

In summary

The attached draft ordinances to adjust the water user fee, sewer user fee and the stormwater fee and crediting system, effective July 1, 2024, will be presented at City Council's regular meeting on April 11, 2024. A public hearing is also scheduled during Council's regular meeting on April 11, 2024. The public hearing was properly advertised on March 27 and April 3, 2024. The ordinances are scheduled for Council's consideration during the meeting on April 25, 2024.

Attachments:

Attachment 1 - Draft FY 2025 Water User Fee Ordinance
Attachment 2 - Draft FY 2025 Sewer Use Fee Ordinance
Attachment 3 - Draft FY 2025 Stormwater Fee and Crediting System Ordinance
Attachment 4 - Notice of Public Hearing

City Manager's Recommendation: Conduct the public hearing.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

Ordinance No. 2024 - ______

AN ORDINANCE
AMENDING, RESTATING AND REORDAINING
SECTION 13.20.020, RATES GENERALLY,
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 13.20.020 of the Staunton City Code is hereby amended to read as follows:

13.20.020 Rates generally.

(1) Except as hereinafter set forth, for the use of water through a connection with meter attachment, the rate and method of assessment shall be according to meter measurement, as follows:

The user fee shall be $4.06 per 100 cubic feet of metered water entering the premises.

(2) There shall be paid each two months, as prescribed, by each regular user of city water a minimum charge per two months of $20.30.

(3) For a fractional part of a two-month period, a bill will be rendered for the actual consumption of water, as indicated by the meter. Where deemed necessary by the chief finance officer, rates may be computed on a monthly basis equal to one-half of the above rates.

(4) The rate at which water will be sold outside the corporate limits of the city shall be one and one-half times the rate at which water is sold inside the corporate limits, with the exception of any contracts in effect specifying a different rate.

(5) The bulk water rate to miscellaneous water customers will be $10.50 per 750 gallons of water purchased.

(6) There shall be paid a minimum charge of $21.00 for bulk water purchases during the month of less than 1,500 gallons for the month.

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.

Public Hearing Advertisement Dates: March 28, 2024 and April 4, 2024

Introduction and Public Hearing: April 11, 2024

Proposed Adoption: April 25, 2024

Effective: July 1, 2024

____
Stephen W. Claffey, Mayor

ATTEST:_______________________
Kiley A. Kesecker
Clerk of Council

Ordinance No. 2024 - ______

AN ORDINANCE
AMENDING, RESTATING AND REORDAINING
SECTION 13.45.030, AMOUNT,
OF CHAPTER 13.45, SEWER USER FEE,
OF TITLE 13, ENVIRONMENT,
OF THE STAUNTON CITY CODE

BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 13.45.030 of the Staunton City Code is hereby amended to read as follows:

13.45.030 Amount.

(1) The user fee shall be $5.60 per each 100 cubic feet of metered water entering the premises. The owner of any premises may, at his option and expense, install a separate meter designed to measure the wastewater actually entering the city system of sanitary sewers. Subject to the inspection and approval of the separate meter by the city, the rate of $5.60 per 100 cubic feet will be applied to the metered flow of wastewater into the sewer system. There shall be paid each two months, as prescribed, by each user of the city sewer system a minimum charge per two months of $28.00.

(2) Users of the city sewer system within the corporate limits of the city who do not have city water service shall be charged a flat rate of $56.00 each two months, with the exception of any existing contracts in effect specifying a different rate.

(3) The rate at which wastewater disposal services will be provided outside the corporate limits of the city shall be one and one-half the regular city rate, with the exception of any existing contracts in effect specifying a different rate.

(4) No sewer user fee will be charged for metered water supplies through an outside and separate water service which has been installed at the owner's expense for the exclusive use of construction, lawn irrigation, and plant watering, and from which water cannot be reasonably expected to enter the sanitary sewer system. Refer to SCC 13.15.040(3).

(5) No sewer user fee will be charged for a portion of metered water entering the premises under the following conditions:

(a) Whenever the owner or occupant of a lot or premises is installing a new lawn or a new landscaping scheme upon the lot or premises and watering of the same is necessary for the initial gestation and growth of the same, the owner or occupant may obtain relief from the sewer user fee under the following conditions:

(i) The project must be the establishment of a new lawn of at least 1,800 square feet, the cost of which exceeds $1,500; or

(ii) The complete renovation of a previously established lawn of at least 1,800 square feet, the cost of which exceeds $1,500; or

(iii) A new landscaping plan or a renovation of an existing landscaping plan, the cost of which exceeds $2,000.

(b) An owner or occupant seeking relief under this section shall make application therefor at the water billing department of the city of Staunton and present to the water billing department such evidence, including receipts for seeding, plantings, etc., as requested by the water billing department to determine whether or not the applicant qualifies for relief. Upon approval by the water billing department of the request, the water used during the time concerned, to the extent that it exceeds the average amount of water used by the premises for the immediate past 12 months (or such lesser period of time that the premises were used or occupied), shall not be used in computing the sewer user fee set forth herein. In the event there is no past history available with regard to water usage for the subject premises, the water billing department shall determine an average water bill for the subject premises based on estimations for similarly sized dwellings or buildings in making its computations hereunder.

(c) No such relief shall be issued for the watering of vegetable gardens or for any other use except as set forth herein, and the relief granted hereunder shall be granted only for a period of time not to exceed 60 days and such relief shall not be granted with respect to the same premises more than once in each calendar year.

(6) For any premises used exclusively as an industrial laundry for which it is impractical to separately measure the wastewater by meter, as determined by the city manager or designee, the user fee charge for an account shall be reduced by credit equal to 15 percent of the charge otherwise applicable. For purposes solely of this provision, an “industrial laundry” shall mean an establishment engaged on a non-retail contract basis in operating a mechanical laundry, with steam as a significant processing byproduct, for cleaning by washing with water various clothing, fabrics, and other similar items, when during a bimonthly billing period metered water on the premises for the particular account exceeds 1,000 hundred cubic feet.

(7) Upon prior written request and certification submitted by the owner to the city’s finance department, for a period of 90 days after connection of service or until the issuance of a certificate of occupancy, whichever is earlier, no sewer user fee shall be charged as to any premises on which a new dwelling is being constructed on an unimproved lot.

In all other respects, the provisions of Chapter 13.45 of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

This ordinance shall be effective __________, 2024.

Public Hearing Advertisement: March 28, 2024 and April 4, 2024

Introduction and Public Hearing: April 11, 2024

Proposed Adoption: April 25, 2024

Effective: July 1, 2024

____
Stephen W. Claffey, Mayor

ATTEST:_______________________
Kiley A. Kesecker
Clerk of Council

Ordinance No. 2024 - ______

AN ORDINANCE
AMENDING, RESTATING AND REORDAINING
SECTION 13.05.055, STORMWATER PROGRAM FEE,
OF CHAPTER 13.05, IN GENERAL,
OF TITLE 13, ENVIRONMENT,
OF THE STAUNTON CITY CODE

BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 13.05.055 of the Staunton City Code is hereby amended to read as follows:

13.05.055 Stormwater control program fee.

(1) Each owner of property, including but not limited to condominium or unit owners' associations, homeowners' associations and townhouse associations, or condominium unit owners or leaseholders, within the corporate limits of the city shall be charged a monthly stormwater control program fee as provided in this section, and such funds derived shall be used only to pay or recover costs as authorized by law for the city's stormwater control program, including but not limited to:

(a) The cost of administration of such programs;

(b) Acquisition of real and personal property, and interest therein, necessary to construct, operate and maintain stormwater control facilities;

(c) Engineering and design;

(d) Debt retirement;

(e) Construction costs for new facilities and enlargement or improvement of existing facilities;

(f) Facility maintenance, enlargement or improvement of existing facilities;

(g) Monitoring of stormwater control devices;

(h) Pollution control and abatement, consistent with state and federal regulations for water pollution control and abatement; and

(i) Planning, design, land acquisition, construction, operation and maintenance activities.

(2) Each owner of property, except as provided otherwise, within the corporate limits of the city shall be charged a monthly stormwater control program fee based on an

equivalent residential unit (ERU) equal to $5.00 per ERU and square footage (sq. ft.) of impervious area deemed attributable to the property as follows for each applicable tier:

Tier	**Impervious Area (sq. ft.)**		**Charge**
1	<	3,400	$5.00
2	3,401	6,800	$9.80
3	6,801	10,000	$16.16
4	10,001	20,000	$28.84
5	20,001	30,000	$48.08
6	30,001	40,000	$67.30
7	40,001	50,000	$86.52
8	50,001	60,000	$105.76
9	60,001	70,000	$125.00
10	70,001	80,000	$144.22
11	80,001	90,000	$163.46
12	90,001	100,000	$182.68
13	100,001	200,000	$288.46
14	200,001	300,000	$480.76
15	300,001	400,000	$673.08
16	400,001	500,000	$865.38
17	500,001	1,000,000	$1,442.30
18	>	1,000,000	$1,923.08

(3) To encourage the proper maintenance of private storm drainage and stormwater control facilities that would reduce the polluting and other adverse effects of stormwater, the stormwater control program fee tier credit specified in subsection (3)(f) of this section shall apply to qualifying property as follows:

(a) The owner shall apply for and demonstrate to the satisfaction of the city engineer or designee that a credit is warranted.

(b) The total fee, after credits, shall not be less than the applicable fee for Tier 1.

(c) The storm drainage and stormwater control facilities must be privately constructed, owned, operated and maintained.

(d) The storm drainage and stormwater control facilities shall be continuously operated in strict accordance with a documented private inspection and maintenance program approved by the city engineer or designee.

(e) The storm drainage and stormwater control facilities shall have been designed to meet or exceed the minimum written criteria established by the city engineer or designee, including a requirement to treat all stormwater from all impervious surfaces on the parcel.

(f) The following tier credit reduction, not to exceed six tier credits as a reduction to the stormwater utility fee otherwise applicable, shall apply annually upon approval by the city engineer or designee:

Facility	**Annual Tier Reduction Credit**
Storm drainage and stormwater quantity controls (detention with controlled outfall)	One tier
Storm drainage and stormwater quality controls (low impact development and bioretention)	One tier

(g) Such credit is subject to annual review by the city engineer or designee to ensure that the facility is in continuous operation, and that it is being properly operated and maintained consistent with the intent of the stormwater control program.

(4) Should any owner of property dispute the impervious area deemed attributable to a parcel, such owner may appeal by filing a written appeal in the office of the city engineer no later than 10 calendar days after the date of the first billing of the stormwater control program fee. If the city engineer or designee denies the appeal, at the owner's sole expense, the owner may retain a Virginia-licensed land surveyor or professional engineer to perform and render an on-site, certified field measurement of the impervious area, and such certified descriptive and platted measurement filed with the office of the city engineer shall constitute the deemed impervious area for purposes of the stormwater control program fee and shall remain in effect until other physical changes occur as to any impervious area on the property.

(5) Exceptions – Waivers – Contiguous Lots.

(a) Exceptions. Solely for the purpose of this section, "property" shall include only property which has been altered from its natural state by the addition of impervious area in a manner reducing the rate of infiltration of stormwater into the earth.

(b) Waivers. The stormwater control program fee shall be waived for the following:

(i) Federal, state, or local government agencies when the agency owns and provides for maintenance of storm drainage and stormwater control facilities or is a unit of the locality administering the program;

(ii) Roads and public street rights-of-way that are owned and maintained by state or local agencies; and

(iii) Cemeteries, which shall solely include any land or structure used or intended to be used for the interment of human remains.

(c) Contiguous Lots. As to any two contiguous lots over which a single-family residential structure is erected as of June 1, 2010, such lots shall be deemed one property and only one stormwater control program fee shall be charged and collected.

(6) To the fullest extent permitted by law, the stormwater control program fee shall be charged to owners of property including those as defined and as referenced in subsection (1) of this section and collected as part of the bimonthly city user fees billing for water, sewer, and refuse, or charged and collected not less than every six months, with interest to accrue for any amounts remaining unpaid for 30 days after the date of the bill, or the final date on which it becomes payable, to equal to an annual rate of 10 percent, or such other maximum rate allowed by law, of the outstanding amounts, including accrued interest, or $1.50, whichever is greater, and with discontinuance and/or denial of city water and/or sewer service at any location of property of the owner after such charges and accrued interest have been delinquent after two months, with the charges and interest to constitute a lien against the property, ranking on a parity with liens for unpaid taxes.

In all other respects, the provisions of Chapter 13.05 of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

This ordinance shall be effective __________, 2024.

Public Hearing Advertisement : March 28, 2024 and April 4, 2024

Introduction and Public Hearing: April 11, 2024

Proposed Adopttion: April 25, 2024

Effective: July 1, 2024

____
Stephen W. Claffey, Mayor

ATTEST:________________________
Kiley A. Kesecker
Clerk of Council

Attachment 4

NOTICE OF PUBLIC HEARING

On Thursday, the 11th day of April 2024, the Council of the City of Staunton, Virginia (the "City"), will hold a public hearing to receive comments on the following proposed rate changes pursuant to Virginia Code Sections 15.2-107 and 15.2-2109 et seq.:

Water User Fee – from $3.86 per 100 cubic feet to $4.06 per 100 cubic feet

City Water Minimum Charge – from $19.30 per two months to $20.30 per two months

Bulk Water Rate –from $10.00 per 750 gallons to $10.50 per 750 gallons

Bulk Water Minimum Charge – from $19.30 per month to $21.00 per month

Sewer User Fee – from $4.88 per 100 cubic feet to $5.60 per 100 cubic feet

City Sewer Minimum Charge – from $24.40 per two months to $28.00 per two months

Flat City Sewer Rate (no water service) – from $48.80 for two months to $56.00 for two months

Monthly Stormwater Control Program Fee – from $3.20 per equivalent residential unit to $5.00 per equivalent residential unit with each tier of impervious area increasing proportionately.

Annual Tier Reduction Credit for quantity controls – from three tiers to one tier

Annual Tier Reduction Credit for quality controls – from three tiers to one tier

The public hearing, which may be continued or adjourned, will be conducted during the regular meeting of the Council beginning at 7:00 p.m. in the Rita S. Wilson Council Chambers of City Hall, 116 West Beverley Street, first floor, Staunton, Virginia 24401.

All persons wishing to be heard at the public hearings are invited to attend. The public may also participate in the public hearings by Zoom, or by phone. Specific instructions to participate by Zoom or by phone can be found at: https://www.ci.staunton.va.us/government/city-council.

Those interested in listening to the meeting may do so via live stream from the City's website or by listening to the public access television Channel (Comcast Channel 7). Hearing impaired persons desiring to participate in the public hearings should contact the Clerk of Council by email at keseckerka@ci.staunton.va.us, to request an interpreter.

Copies of the proposed ordinances are available for inspection during normal working hours at the office of the Clerk of Council and at the office of the City Manager. The ordinances are also available online at https://www.ci.staunton.va.us/agendas-minutes.

Kiley Kesecker
Clerk of Council, City of Staunton, Virginia

********Please run this advertisement in newspaper of local circulation twice – Wednesday, March 27, and Wednesday, April 3, 2024.**