

**Work Session Agenda
Staunton City Council
Caucus Room
November 8, 2018
5:15 p.m.**

Invocation/Moment of Silence—Holmes

- | | | |
|-----------------------------|--------------------------------|--|
| 5:15 p.m.
5 min | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:20 p.m.
30 min | 2. | Update on High School Project |
| 5:50 p.m.
20 min | 3. &
B, C, D, E | Discussion of Nine Ordinances to Amend Various Provisions of the Staunton City Code to Align with Changes to the Code of Virginia and to Formalize in Law Certain Policy Exemptions from Fees |
| 6:10 p.m. | | Break |
| 6:30 p.m.
15 min | 4. & F | Discussion of Resolution Approving the Issuance by the Staunton Redevelopment and Housing Authority of Its Revenue Bonds for the Acquisition, Construction, Renovation, Rehabilitation and Equipping of the Approximately 110 Unit Willow View Townhomes Multifamily Housing Facility Located in the City of Staunton, Virginia |
| 6:45 p.m.
10 min | 5. | Presentation Concerning Gypsy Hill Stream Restoration Project |
| 6:55 p.m.
10 min | 6. | Discussion of 2019 Legislative Program |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Council Chambers
November 8, 2018
7:30 p.m.**

Call to Order

Pledge of Allegiance

Mayor's Report

Proclamation—Veterans Day

Proclamation—Small Business Saturday 2018

Leaders Advancing Democracy (LEAD)-Mongolia Exchange

Additional Items by Members of Council

REGULAR MEETING

- A. Recognition of Jeffrey McCray and William Nuckoles for Years of Service to the City of Staunton**
- B. Public Hearing on Ordinances Concerning Revenue and Finance**
- C. Public Hearing on Ordinances Concerning Business Licenses and Regulations**
- D. Public Hearing on Ordinances Concerning Animals and Fowl**
- E. Public Hearing on Ordinances Concerning Environment and Buildings and Building Regulations**
- F. Consideration of Resolution Approving the Issuance by the Staunton Redevelopment and Housing Authority of Its Revenue Bonds for the Acquisition, Construction, Renovation, Rehabilitation and Equipping of the Approximately 110 Unit Willow View Townhomes Multifamily Housing Facility Located in the City of Staunton, Virginia**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	November 8, 2018	City Council
Item #	1	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
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 Session, the addition/deletion of _____].

City Manager: Stephen F. Owen

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Mayor's Report

Proclamation—Veterans Day

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Leaders Advancing Democracy (LEAD)-Mongolia Exchange

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of October 26, 2018

REGULAR MEETING

- A. Recognition of Jeffrey McCray and William Nuckoles for Years of Service to the City of Staunton**
- B. Public Hearing on Ordinances Concerning Revenue and Finance**
- C. Public Hearing on Ordinances Concerning Business Licenses and Regulations**
- D. Public Hearing on Ordinances Concerning Animals and Fowl**
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Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	November 8, 2018	Dr. Garrett Smith Division Superintendent Staunton City Schools
Item #	2	
Ordinance #		
Department:	Staunton City Schools	
Council Vision:	Education	
Subject:	Update on High School Project	

Background: Dr. Garrett Smith, Division Superintendent of Staunton City Schools, and a representative of Crabtree, Rohrbaugh & Associates Architects, the project architect, will attend Council's work session to provide an update on the high school project.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Stephen F. Owen

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	November 8, 2018	Doug Guynn City Attorney
Item #	3 & B, C, D, E	
Ordinance #		
Department:	City Attorney	
Council Vision:	Responsive, Efficient Government	
Subject:	Nine Ordinances to Amend Various Provisions of the Staunton City Code to Align with Changes to the Code of Virginia and to Formalize in Law Certain Policy Exemptions from Fees	

Background: The Virginia General Assembly has enacted changes at various times to the Code of Virginia which merit amendments to update some aspects of the Staunton City Code. You are presented at this meeting with nine ordinances at this stage to make these amendments. These updates are part of a process, as time permits with the input of departmental directors, to amend the City Code to align with changes to the Code of Virginia.

Two of the proposed ordinances would explicitly have the City Code recognize exemptions for the City of Staunton, the School Board of the City of Staunton, and certain 501(c)(3) organizations from building permit fees, water and sewer connection fees, and facility fees. As a reminder, Council adopted a policy regarding fee exemptions for Habitat for Humanity at its August 12, 1992 meeting (excerpted minutes attached), but the policy appears not to have been codified. The City Attorney suggests that it promotes transparency to have all of these exemptions clearly stated in the City Code.

The other proposed ordinances before you for this meeting concern various additional aspects of the City Code. These proposed ordinances are largely what might be called housekeeping ordinances, reflecting changed provisions of the Virginia Code.

The attached table, entitled City Code Update Ordinances Summary, provides a description regarding the Title, Chapter, Section, and nature of the code changes for each ordinance. In the table, each such draft ordinance is identified for ease of reference by using Roman numerals I through IX.

The proposed amendments will affect Titles 3, 5, 6, 13, and 15 of the City Code. The City Attorney recommends Council conduct four public hearings: one public hearing each for Title 3, 5, and 6 amendments, and one public hearing for the ordinances concerning Titles 13 and 15, as they are related and deal with similar subject matter.

City Council would introduce each group of ordinances and hold a public hearing as to each such group. While this process is a slight deviation from Council Procedure Memorandum 7, it will allow orderly presentation and public input, with complete transparency (especially given that Council publishes its agenda materials in advance online). The City Attorney suggests Council consideration of the ordinances, completing this stage of City Code updates, in December, together with the proposed ordinances expected from the Planning Commission.

Recommendation: Introduce the proposed ordinances by reference to the Roman numerals for each of the nine ordinances; and then open, conduct, and close a public hearing on each group as follows:

Suggested Actions:

- Ordinances I-IV
 - Ask the City Attorney to summarize the ordinance(s).
 - Motion: I move to introduce proposed ordinances designated as ordinances Roman numerals I-IV.
 - Open, conduct, and then close the public hearing.
- Ordinance V
 - Ask the City Attorney to summarize the ordinance(s).
 - Motion: I move to introduce proposed ordinances designated as ordinances Roman numeral V.
 - Open, conduct, and then close the public hearing.
- Ordinances VI-VII
 - Ask the City Attorney to summarize the ordinance(s).
 - Motion: I move to introduce proposed ordinances designated as ordinances Roman numerals VI-VII.
 - Open, conduct, and then close the public hearing.
- Ordinances VIII-IX
 - Ask the City Attorney to summarize the ordinance(s).
 - Motion: I move to introduce proposed ordinances designated as ordinances Roman numerals VIII-IX.
 - Open, conduct, and then close the public hearing.

**STRUCTURES, AND USES OF LAND, SUBSECTION C, BUILDING
VACANCY-NON CONFORMING, OF THE ZONING CODE OF THE
CITY OF STAUNTON, VIRGINIA**

Be it ORDAINED by the Council of the City of Staunton that Article VI, Subsection C is hereby amended to read as follows:

A nonconforming building, structure, or portion thereof, which is or hereafter becomes vacant and remains unoccupied for a continuous period of two (2) years, shall not thereafter be occupied except by the uses which conform to the use regulations of the district in which it is located.

Approved this 12th day of August, 1992.

By: /s/ G. John Avoli
Mayor

Attest: /s/ Deborah L. Sutton
Clerk of Council

VI. CONSIDERATION OF A MOTION FORMALLY APPROVING THE CRITERIA FOR THE WAIVER OF FEES CHARGED BY THE CITY APPLICABLE TO BUILDING RELATED PERMITS AND UTILITY CONNECTION AND FACILITIES FEES.

Mr. Murphy provided an overview of this matter. This matter stems from a request from the Habitat for Humanity to waive building related permit fees and utility connection and facilities fees for a property it was developing. Following Council's decision to grant the waiver, Council directed staff to develop criteria for any potential future requests. Staff recommendation is that Council adopt the following policy:

**POLICY FOR FEE WAIVERS FOR SPECIAL
RESIDENTIAL PROJECTS**

1. The proposed project must provide home ownership to low-and-moderate income individuals as defined by current HUD Section 8 Income Standards.
2. The proposed projects must be administered by a public or non-profit organization as determined by its 501-C3 status.

Staff will not refer anything to Council unless both of these criteria are met. If both are met, the matter will come to Council, at which time it will have the opportunity to determine whether it is in the best interest of the City to grant these waivers on a case-by-case basis.

Mr. Keeling moved to approve the criteria as recommended. Seconded by Mr. Morris, a roll call vote was taken as follows: Mr. Keeling, aye; Mr. Campbell, aye; Mrs. Wilson, aye; Mr. Stephenson, aye; Mr. Avoli, aye; Mr. Wine, aye; Mr. Morris, aye. The motion carried on a 7-0 vote.

VII. APPROVAL FOR THE CITY MANAGER TO ENTER INTO CONTRACTS
WITH SPECIFIC FINANCIAL INSTITUTIONS TO ADMINISTER
ADMINISTER THE ENTERPRISE ZONE LOAN PROGRAM.

Mr. Murphy provided an overview on this matter. Staff is seeking Council's concurrence and authorization to develop a low interest bank loan program, the objective being to further economic revitalization within our Enterprise Zone. Seven banks have agreed to participate, making available up to \$100,000 in loan funds at their prime rate minus 1%. No points or origination fees will be charged.

Mr. Campbell moved to accept the low interest loan program as outlined and to authorize the City Manager to enter into a contract with each of the participating banks for the establishment of this program. The motion was seconded by Mrs. Wilson. Mr. Morris asked the City Attorney if each of the banks involved should be listed in the motion. Mr. Wray replied that it was not necessary. A roll call vote was taken as follows: Mr. Campbell, aye; Mrs. Wilson, aye; Mr. Stephenson, aye; Mr. Avoli, aye; Mr. Wine, aye; Mr. Morris, aye; and Mr. Keeling, aye. The motion carried on a 7-0 vote.

VIII. REAFFIRMATION OF COUNCIL PROCEDURAL MEMORANDUMS.

Mr. Keeling moved to table this matter until a future meeting. Seconded by Mr. Morris, the motion carried 7-0 by acclamation vote.

MATTERS FROM THE CITY MANAGER

The City Manager noted that Thursday, August 13th will be the final moving day for City offices. A formal dedication and reception will be held on September 25th from 2 p.m. to 7 p.m. This will be open to the public.

MATTERS FROM THE PUBLIC

There were no matters from the public.

ADDITIONAL MATTERS FROM COUNCIL

Mayor Avoli announced the following committee and liaison appointments:

City Code Update Ordinances Summary

Ordinance	Title	Chapter	SCC Section(s) Affected	Nature of the Changes
	Title 3 Revenue and Finance			
I		3.10 Taxation Generally	3.10.015 Personal Property Tax Relief	Extends vehicle tax relief to qualified leased vehicles of U.S. military members.
II		3.15 Real Estate Tax Exemption for Elderly and Disabled Persons	3.15.010 Definitions 3.15.030 General Eligibility Requirements	Expands through redefinition of “dwelling” real estate tax relief for elderly or disabled persons, and relaxes the income sources to be included in the eligibility.
III		3.30 Tax on Purchasers of Utility Service	3.30.020 Electric Utility Consumer Tax Exemptions 3.30.030 Local Natural Gas Utility Consumer Exemptions 3.30.050 Consumer Use Tax Upon Telephone Service 3.30.111 Exemptions	Reorganizes in one place the utility tax exemption; and repeals the outdated provisions on the former local consumer tax on telephone service.

Ordinance	Title	Chapter	SCC Section(s) Affected	Nature of the Changes
	Title 3 Revenue and Finance (Con't)			
IV		3.75 Cigarette Tax	3.75.090 Display of Stamps - Seizure	Incorporates provisions requiring the agency seizing property to issue contemporaneously with the seizure, a receipt itemizing the property seized; and prohibits any agency seizing property or any other law enforcement agency to request, require, or induce a property owner to waive his interest in or rights to the property until an information has been filed.
	Title 5 Business Licenses and Regulations			
V		5.05 Business, Professional, Occupation and Other License Taxes	5.05.180 Alcoholic Beverages	Revises annual licensing fees for those engaged in the manufacture, bottling, or selling of alcoholic beverages.
	Title 6 Animals and Fowl			
VI		6.05 In General	6.05.010 Definitions	Expands the definition of “boarding establishment.”
VII		6.25 Hybrid Canines	6.25.010 Definitions 6.25.020 General	Clarifies the definition of “hybrid canine.”

Ordinance	Title	Chapter	SCC Section(s) Affected	Nature of the Changes
	Title 13 Environment			
VIII		13.15 In General 13.40 Connections to City Sewer Systems	13.15.060 Connection Charges-Connection Fees (Water) 13.40.030 Connection and Facility Fees (Sewer)	Provides explicitly an exemption from water connection and facility fees and sewer connection and facility fees for projects of the City of Staunton, the School Board of the City of Staunton, and certain 501(c)(3) exempt organizations. Council adopted a policy at its August 12,1992 regarding exemptions for Habitat for Humanity but the policy was never codified.
	Title 15 Buildings and Building Regulations			
IX		15.10 Building Code	15.10.120 Permit Fees	Provides explicitly an exemption from building permit fees for projects of the City of Staunton, the School Board of the City of Staunton, and certain 501(c)(3) exempt organizations. Council adopted a policy at its August 12,1992 regarding this exemption for Habitat for Humanity but the policy was never codified.

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 3.10.015 PERSONAL PROPERTY TAX RELIEF, CHAPTER 3.10
TAXATION GENERALLY, OF TITLE 3, REVENUE AND FINANCE, OF THE
STAUNTON CITY CODE
TO ALIGN WITH CHANGES TO THE CODE OF VIRGINIA AS ENACTED BY
THE GENERAL ASSEMBLY**

WHEREAS, the General Assembly has enacted certain changes at various times to the Code of Virginia which merit amendments to the Staunton City Code relating to personal property tax relief to align the Staunton City Code with the Code of Virginia; and

WHEREAS, pursuant to Section 58.1-3524 of the Code of Virginia, and Staunton City Charter Section 11, Third, the City Council has the authority to amend Section 3.10.015 of the City Code; and

WHEREAS, the City Council finds that it is in the interest of the City and its citizens to amend the City Code provisions relating to personal property tax relief, consistent with the changes enacted to Section 58.1-3524 of the Code of Virginia; and

WHEREAS, this matter has been properly advertised, heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 3.10.015, Personal Property Tax Relief, Chapter 3.10 Taxation Generally, of Title 3, Revenue and Finance, of the Staunton City Code be and hereby are amended as follows:

3.10.015 Personal property tax relief.

...

(3) Allocation of Relief Among Taxpayers

...

(d) Beginning with tax year 2016 any relief refunds provided to the City by the Commonwealth of Virginia will be applied to ensure that all of the tax attributable to the first \$20,000 of value on each qualifying vehicle leased by an active duty member of the United States military, his spouse, or both, pursuant to a contract requiring him, his spouse, or both to pay the tangible personal property tax on such vehicle. This applies only to a vehicle that would

I

not be taxed in Virginia if the vehicle were owned by such military member, his spouse, or both.

In all other respects, the provisions of Section 3.10.015, Personal Property Tax Relief, Chapter 3.10 Taxation Generally, of Title 3, Revenue and Finance, of the Staunton City Code, remain the same and are hereby restated, confirmed and reordained.

Introduced: , 2018
Adopted: , 2018
Effective Date: , 2018

Carolyn W. Dull, Mayor

ATTEST: _____
Suzanne F. Simmons
Clerk of Council

II

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTIONS 3.15.010, DEFINITIONS, AND 3.15.030, GENERAL ELIGIBILITY
REQUIREMENTS, OF CHAPTER 3.15, REAL ESTATE TAX EXEMPTION FOR
ELDERLY AND DISABLED PERSONS, OF TITLE 3, REVENUE AND
FINANCE, OF THE STAUNTON CITY CODE TO ALIGN WITH CHANGES TO
THE CODE OF VIRGINIA AS ENACTED BY THE GENERAL ASSEMBLY**

WHEREAS, the General Assembly has enacted changes at various times to the Code of Virginia which merit amendments to the Staunton City Code relating to real estate tax exemptions for elderly and disabled persons to align the Staunton City Code with the Code of Virginia;

WHEREAS, pursuant to Sections 58.1-3210 and 58.1-3212 of the Code of Virginia and Staunton City Charter Section 11, Third, the City Council has the authority to enact and change provisions of the Staunton City Code regarding real estate tax exemptions for elderly and disabled persons;

WHEREAS, the City Council finds that it is in the interest of the City and its citizens to amend the City Code provisions relating to real estate tax exemptions for elderly and disabled persons;

WHEREAS, this matter has been properly advertised, heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Sections 3.15.010, Definitions, and Section 3.15.030, General Eligibility Requirements, of the Staunton City Code be and hereby are amended as follows:

3.15.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless another meaning shall clearly appear from the context:

“Affidavit” shall mean the real estate tax exemption affidavit provided for in this chapter.

“Dwelling” shall mean the sole residence of the person or persons claiming exemption under this chapter, and shall include any dwelling: held by an eligible person in conjunction with one or more other people as tenant or tenants for life or joint lives; held in a revocable inter vivos trust over which an eligible person with one or more other people hold the power of revocation; or held in an irrevocable trust under which an eligible person in conjunction with one or more other people possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support.

II

...

3.15.030 General eligibility requirements.

...

(4) The total combined income received from all sources during the preceding calendar year by (a) owners of the dwelling who use it as their principal residence, (b) owners' relatives who live in the dwelling, except for those relatives living in the dwelling and providing bona fide caregiving services to the owner whether such relatives are compensated or not, and (c) nonrelatives of the owner who live in the dwelling except for bona fide tenants or bona fide ~~paid~~-caregivers of the owner, whether compensated or not, does not exceed the sum of \$30,000; provided, however, that the first \$2,500 of income of each relative, other than the spouse of the owner, who is living in such dwelling shall not be included in such total.

(5) The net combined financial worth, including equitable interests, as of December 31st of the immediately preceding calendar year, of the owner and of the spouse of the owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated, does not exceed \$62,500.

In all other respects, the provisions of Chapter 3.15, Real Estate Tax Exemption for Elderly and Disabled Persons, of Title 3, Revenue and Finance, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: , 2018
Adopted: , 2018
Effective Date: , 2018

Carolyn W. Dull, Mayor

ATTEST:_____
Suzanne F. Simmons, Clerk of Council

III

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING, AND REORDAINING
SECTIONS 3.30.020, ELECTRIC UTILITY CONSUMER TAX EXEMPTIONS,
AND 3.30.030, LOCAL NATURAL GAS UTILITY CONSUMER EXEMPTIONS;
REPEALING SECTIONS 3.30.050, CONSUMER USE TAX UPON TELEPHONE
SERVICE AND 3.30.060, COLLECTION OF TAX;
AND ADDING SECTION 3.30.111, EXEMPTIONS, CHAPTER 3.30, TAX ON
PURCHASERS OF UTILITY SERVICE, OF TITLE 3, REVENUE AND
FINANCE, OF THE STAUNTON CITY CODE
TO ALIGN WITH VARIOUS CHANGES TO THE CODE OF VIRGINIA AS
ENACTED BY THE GENERAL ASSEMBLY**

WHEREAS, the General Assembly has enacted changes at various times to the Code of Virginia which merit amendments to the Staunton City Code relating to consumer taxes to align the Staunton City Code with the Code of Virginia;

WHEREAS, pursuant to Section 58.1-3814 of the Code of Virginia, the City has the authority and has continued to impose various taxes on purchases of utility-related services;

WHEREAS, the City Council finds that it is in the interest of the City and its citizens to amend Sections 3.30.020 and 3.30.030; repeal Sections 3.30.050, and 3.30.060; and to add a new section, 3.30.111, Exemptions, to reflect changes to the Code of Virginia regarding exemptions from taxes on purchases of utility services and the repeal of the consumer use tax upon telecommunications services;

WHEREAS, this matter has been properly advertised, heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Sections 3.30.020 and 3.30.030 be and hereby are amended and restated; Sections 3.30.050, and 3.30.060 are repealed; and Section 3.30.111 is added, of Chapter 3.30, Tax on Purchasers of Utility Service, of the Staunton City Code as follows:

3.30.020 Electric utility consumer tax.

...

~~(2) Exemptions. The following consumers of electricity are exempt from the tax imposed by this section:~~

~~(a) The United States of America, the commonwealth and the political subdivisions thereof, including this jurisdiction.~~

...

3.30.030 Local natural gas utility consumer tax.

III

47 ...

48
49 ~~(2) Exemptions. The following consumers of natural gas shall be exempt from the tax~~
50 ~~imposed by this section:~~

51 ~~(a) The United States of America, the commonwealth and the political subdivisions~~
52 ~~thereof, including this jurisdiction.~~

53 ...

54
55 **3.30.050 Consumer use tax upon telephone service. Repealed.**

56 ~~(1) There is hereby imposed and levied by the city a tax on all taxable purchases by a~~
57 ~~consumer of local telecommunications service, if the consumer's service address is~~
58 ~~located within the city in the amount of 20 percent of the monthly gross charge, exclusive~~
59 ~~of any federal tax thereon, made by the seller or service provider with respect to such~~
60 ~~purchase; provided, however, that such tax shall not exceed \$2.00 per month for~~
61 ~~residential users, or \$20.00 per month for commercial or industrial users.~~

62 ~~(2) There is hereby imposed and levied a tax on all taxable purchases by a consumer of~~
63 ~~local mobile telecommunications service at a rate equal to 10 percent of the monthly~~
64 ~~gross charge, exclusive of any federal tax thereon, to a consumer of local mobile~~
65 ~~telecommunications service and shall not be applicable to any amount so charged in~~
66 ~~excess of \$30.00 per month for each mobile telecommunications service number billed to~~
67 ~~a mobile service consumer, but in no case more than \$3.00 per month.~~

68 ~~(3) Terms used in this section and the succeeding SCC 3.30.060 through and including~~
69 ~~SCC 3.30.090 shall have the meanings ascribed to them by Section 58.1-3812 of the~~
70 ~~Code of Virginia, 1950, as amended. Said definitions shall be applicable unless the~~
71 ~~context of this chapter clearly indicates to the contrary.~~

72 ~~(4) Exemptions. The United States of America, the state and the political subdivisions,~~
73 ~~boards, commissions and authorities thereof are hereby exempted from the payment of~~
74 ~~the tax imposed and levied by this chapter with respect to the purchase of utility services~~
75 ~~used by such governmental agencies.~~

76
77 **3.30.060 Collection of tax. Repealed.**

78 ~~(1) A service provider of local telecommunication services shall collect the tax from the~~
79 ~~consumer by adding the tax to the monthly gross charge for such services. The tax shall,~~
80 ~~when collected, be stated as a distinct item separate and apart from the monthly gross~~
81 ~~charge. Until the consumer pays the tax to the service provider, the tax shall constitute a~~
82 ~~debt of the consumer to the city of Staunton. If any consumer refuses to pay the tax, the~~
83 ~~service provider shall notify the commissioner of the revenue. After the consumer pays~~
84 ~~the tax to the service provider, the taxes collected shall be deemed to be held in trust by~~
85 ~~the service provider until remitted to the commissioner of the revenue.~~

86 ~~(2) The commissioner of the revenue shall be responsible for collecting the tax imposed~~
87 ~~in SCC 3.30.050. The commissioner shall have the authority to adopt appropriate~~
88 ~~regulations and procedures to facilitate and expedite the collection of said taxes. All such~~
89 ~~regulations and procedures shall be consistent with state law and other provisions of this~~
90 ~~code.~~

91
92 **3.30.111 Exemptions.**

III

The taxes authorized by this chapter shall not apply to:

(1) The United States of America, the Commonwealth and the political subdivisions, boards, commissions and authorities thereof are hereby exempted from the payment of the tax imposed and levied by this chapter with respect to the purchase of utility services used by such governmental agencies;

(2) Utility sales of products used as motor vehicle fuels; and

(3) Natural gas used to generate electricity by a public utility as defined in Section 56-265.1 of the Code of Virginia, or an electric cooperative as defined in Section 56-231.15 of the Code of Virginia.

In all other respects, the provisions of Chapter 3.30, Tax on Purchasers of Utility Service, of Title 3, Revenue and Finance, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: , 2018

Adopted: , 2018

Effective Date: , 2018

Carolyn W, Dull, Mayor

ATTEST: _____
Suzanne F. Simmons, Clerk of Council

IV

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 3.75.090, DISPLAY OF STAMPS - SEIZURE, CHAPTER 3.75
CIGARETTE TAX, OF TITLE 3, REVENUE AND FINANCE, OF THE
STAUNTON CITY CODE TO ALIGN WITH CHANGES TO THE CODE OF
VIRGINIA AS ENACTED BY THE GENERAL ASSEMBLY**

WHEREAS, the General Assembly has enacted changes at various times to the Code of Virginia which merit amendments to the Staunton City Code relating to the seizure of property to align the Staunton City Code with the Code of Virginia;

WHEREAS, pursuant to Section 19.2-386.2 of the Code of Virginia, Staunton and City Charter Section 11, Third, the City Council has the authority to amend Section 3.75.090 of the City Code;

WHEREAS, the City Council finds that it is in the interest of the City and its citizens to amend the City Code provisions relating to the seizure of property, consistent with the changes enacted to Section 19.2-386.2 of the Code of Virginia;

WHEREAS, this matter has been properly advertised, heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 3.75.090, Display of Stamps - Seizure, of Chapter 3.75, Cigarette Tax, Title 3, Revenue and Finance, of the Staunton City Code be and hereby are amended as follows:

3.75.090 Display of stamps – Seizure.

...

(9) An inventory of the property seized pursuant to a violation of this section shall be prepared and a copy shall be provided to the owner of the seized property as soon as practicable.

(10) When any property is seized for the purposes of forfeiture and an information naming that property has not been filed, neither the agency seizing the property nor any other law-enforcement agency may request, require, or in any manner induce any person who asserts ownership, lawful possession, or any lawful right to the property to waive his interest in or rights to the property until an information has been filed.

In all other respects, the provisions of Section 3.75.090, Display of Stamps - Seizure, of Chapter 3.75, Cigarette Tax, Title 3, Revenue and Finance, of the Staunton City Code, remain the same and are hereby restated, confirmed and reordained.

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Introduced: , 2018
Adopted: , 2018
Effective Date: , 2018

Carolyn W. Dull, Mayor

ATTEST: _____
Suzanne F. Simmons
Clerk of Council

DRAFT

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 5.05.180, ALCOHOLIC BEVERAGES, CHAPTER 5.05 BUSINESS,
PROFESSIONAL, OCCUPATION AND OTHER LICENSE TAXES, ARTICLE
III, OTHER LICENSES AND TAXES, OF TITLE 5, BUSINESS LICENSES AND
REGULATIONS, OF THE STAUNTON CITY CODE
TO ALIGN WITH CHANGES TO THE CODE OF VIRGINIA AS ENACTED BY
THE GENERAL ASSEMBLY**

WHEREAS, the General Assembly has enacted changes at various times to the Code of Virginia which merit amendments to the Staunton City Code relating to the annual license tax for the manufacturing, bottling or selling of alcohol to align the Staunton City Code with the Code of Virginia;

WHEREAS, pursuant to Section 4.1-233 of the Code of Virginia, Staunton and City Charter Section 11, Third, the City Council has the authority to amend Section 5.05.180 of the City Code;

WHEREAS, the City Council finds that it is in the interest of the City and its citizens to amend the City Code provisions relating to the annual license tax for the manufacturing, bottling or selling of alcohol, pursuant to the changes enacted to Section 4.1-233 of the Code of Virginia;

WHEREAS, this matter has been properly advertised, heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 5.05.180, Alcoholic Beverages, Chapter 5.05 Business, Professional, Occupation and Other License Taxes, Article III, Other Licenses and Taxes, of Title 5, Business Licenses and Regulations, of the Staunton City Code be and hereby are amended as follows:

5.05.180 Alcoholic beverages.

1) Every person engaged in the manufacture, bottling or selling of alcoholic beverages within the city shall pay for the privilege an annual license tax as follows:

(a) Alcoholic Beverages. For each:

(i) Distiller's license: if more than 5,000 gallons but not more than 36,000 gallons manufactured during such year, \$750; if more than 36,000 gallons manufactured during such year, \$1,000; and no local license shall be required for any person who manufactures not more than 5,000 gallons of alcohol or spirits, or both, during such license year;

...

(b) Beer. For each:

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(i) Brewery license: ~~\$250.00; if not more than 500 barrels of beer~~
~~manufactured during the year in which the license is granted, \$250, and if~~
~~more than 500 barrels of beer manufactured during the year in which the~~
~~license is granted, \$1,000;~~

...

(iv) Retail on-premises beer license for a hotel, restaurant, ~~or~~ club or other
person and for each retail off-premises beer license: \$100.00; and

...

(d) Wine and Beer. For each:

...

(vii) Historic cinema house license, \$20;

...

(e) Mixed Beverages. For each:

...

(iii) Mixed beverage caterer's license: ~~\$100.00~~\$500.00;

...

(f) Annual mixed beverage performing arts facility license, \$300.

In all other respects, the provisions of Section 5.05.180, Alcoholic Beverages, of
Chapter 5.05, Business, Professional, Occupation and Other License Taxes, Article 111,
Other Licenses and Taxes, of Title 5, Business Licenses and Regulations, of the Staunton
City Code, remain the same and are hereby restated, confirmed and reordained.

Introduced: , 2018

Adopted: , 2018

Effective Date: , 2018

Carolyn W. Dull, Mayor

ATTEST:_____

Suzanne F. Simmons
Clerk of Council

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 6.05.010, DEFINITIONS, OF CHAPTER 6.05, IN GENERAL, OF
TITLE 6, ANIMALS AND FOWL, OF THE STAUNTON CITY CODE TO ALIGN
WITH CHANGES TO THE CODE OF VIRGINIA AS ENACTED BY THE
GENERAL ASSEMBLY**

WHEREAS, the General Assembly has enacted changes at various times to the Code of Virginia which merit amendments to the Staunton City Code relating to the definitions of “boarding establishment,” to align the Staunton City Code with the Code of Virginia related to companion animals;

WHEREAS, pursuant to Staunton City Charter Section 11, Third, and Section 3.2-6543 of the Code of Virginia, the City Council has the authority to amend provisions of Title 6, Animals and Fowl, of the City Code;

WHEREAS, the City Council finds that it is in the interest of the City and its citizens to amend the Staunton City Code provisions relating to the definitions of “boarding establishment” consistent with the changes enacted to Section 3.2-6500 of the Code of Virginia;

WHEREAS, this matter has been properly heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 6.05.010, Definitions, of the Staunton City Code be and hereby are amended as follows:

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6.05.010 Definitions.

The following words and phrases shall, as used in this title, have the following meanings:

...

“Boarding establishment” means a place or establishment other than a ~~pound or public or~~ private animal shelter where companion animals not owned by the proprietor are sheltered, fed, and watered in exchange for a fee. “Boarding establishment” shall not include any private residential dwelling that shelters, feeds, and waters fewer than five companion animals not owned by the proprietor.

...

In all other respects, the provisions of Chapter 6.05, In General, of Title 6, Animals and Fowl, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: , 2018

Adopted: , 2018

Effective Date: , 2018

Carolyn W. Dull, Mayor

ATTEST: _____
Suzanne F. Simmons, Clerk of Council

VII

Ordinance No. 2018 - __

AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTIONS 6.25.010, DEFINITIONS, OF CHAPTER 6.25, HYBRID CANINES,
OF TITLE 6, ANIMALS AND FOWL, OF THE STAUNTON CITY CODE
TO ALIGN WITH CHANGES TO THE CODE OF VIRGINIA AS ENACTED BY
THE GENERAL ASSEMBLY

WHEREAS, the General Assembly of Virginia has enacted changes at various times to the Code of Virginia which merit amendments to the Staunton City Code relating to hybrid canines to align the City Code with the Code of Virginia;

WHEREAS, pursuant to Section 3.2-6582 of the Code of Virginia and Staunton City Charter Section 11, Third, the City Council has the authority to enact provisions and changes to the Staunton City Code regarding animal control in this regard;

WHEREAS, the City Council finds that it is in the interest of the City and its citizens to amend the City Code provisions relating to hybrid canines consistent with the changes enacted to Section 3.2-6581 of the Code of Virginia in regard to definitions applicable to hybrid canines and their confinement and responsible ownership;

WHEREAS, this matter has been properly heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Sections 6.25.010, Definitions, of the Staunton City Code be and hereby are amended as follows:

6.25.010 Definitions.

As used in this chapter:

(1) "Adequate confinement" means that, while on the property of its owner and not under the direct supervision and control of the owner or custodian, a hybrid canine shall be confined in a humane manner in a securely enclosed and locked structure of sufficient height and design to (a) prevent the animal's escape; or if the hybrid canine is determined to be a dangerous dog pursuant to ~~SCC6.10.26~~ Section 3.2-6540 of the Code of Virginia, the structure shall prevent direct contact with any person or animal not authorized by the owner to be in direct contact with the hybrid canine; and (b) provide a minimum of 100 square feet of floor space for each adult animal. Tethering of a hybrid canine not under the direct supervision and control of the owner or custodian shall not be considered adequate confinement.

(2) "Hybrid canine" means any animal ~~which~~ that is or can be demonstrated to be a hybrid of the domestic dog and any other species of the Canidae family; that at any time

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48 has been permitted, registered, licensed, or advertised as such; or that at any time has
49 been ~~or is permitted, registered, licensed, advertised or otherwise described, represented,~~
50 ~~or represented as a hybrid canine, wolf or coyote reported as such~~ by its owner to a
51 licensed veterinarian, law enforcement officer, animal control officer, humane
52 investigator, official of the Department of Health, or ~~compliance officer who is under the~~
53 ~~direction of the~~ State Veterinarian's representative.

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55 ...

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57 In all other respects, the provisions of Chapter 6.25, Hybrid Canines, of Title 6,
58 Animals and Fowl, of the Staunton City Code remain the same and are hereby restated,
59 confirmed and reordained.

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63 Introduced: , 2018
64 Adopted: , 2018
65 Effective Date: , 2018

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70 Carolyn W. Dull, Mayor

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72 ATTEST: _____
73 Suzanne F. Simmons, Clerk of Council
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VIII

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING, AND REORDAINING
SECTION 13.15.060, CONNECTION CHARGES – CONNECTION FEES, OF
CHAPTER 13.15, IN GENERAL, OF DIVISION II. WATER SUPPLY; AND
SECTION 13.40.030, CONNECTION AND FACILITY FEES, OF CHAPTER
13.40, CONNECTIONS TO CITY SEWER SYSTEMS, OF DIVISION III.
SEWERS AND SEWAGE DISPOSAL, OF TITLE 13, ENVIRONMENT, OF THE
STAUNTON CITY CODE
TO EXEMPT PROJECTS OF THE CITY OF STAUNTON, VIRGINIA AND THE
SCHOOL BOARD OF THE CITY OF STAUNTON, VIRGINIA; AND CERTAIN
501(C)(3) ORGANIZATIONS FROM WATER FACILITY AND CONNECTION
FEES, AND SEWER FACILITY AND CONNECTION FEES**

WHEREAS, it has been ascertained that Sections 13.15.060 and 13.40.030 of the Staunton City Code merit updating to reflect explicitly an exemption from water facility and connection fees, and sewer facility and connection fees imposed by the City of Staunton, respectively, for building and construction projects of the City of Staunton, Virginia, the School Board of the City of Staunton, Virginia, and certain 501(c)(3) organizations;

WHEREAS, pursuant to Section 15.2-2119 of the Code of Virginia, and Staunton City Charter, Section 11, Third, City Council has the authority to enact and change provisions of the Staunton City Code regarding water and sewer facility and connection fees;

WHEREAS, the Public Works Department of the City generally has a policy by practice of not imposing building utility connection and facility fees for any projects of the City of Staunton, Virginia, or of the School Board of the City of Staunton, and City Council has a policy, adopted August 12, 1992 but never codified, to exempt or waive building related permit fees and utility connection and facility fees for property being developed by Habitat for Humanity;

WHEREAS, it would serve the best interest of the City and its citizens to recognize explicitly the fee exemptions;

WHEREAS, this matter has been properly heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Sections 13.15.060 and 13.40.030 of Title 13, Environment, be and are hereby amended as follows:

13.15.060 Water Connection charges – Connection fees.

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...

(1) Connection Fees

...

(c) Projects on property owned and operated by the City of Staunton, Virginia or the School Board of the City of Staunton, Virginia shall be exempt from water connection fees.

(d) Single-family residential projects in the City of Staunton that meet all of the following criteria may also be considered for exemption from water connection fees; however, organizations must submit a request for exemption from water connection fees which will then be considered by Staunton City Council on a case-by-case basis using these criteria:

(i) The project is on property in the City of Staunton, is owned by the organization, and the organization has a 501(c)(3) exemption recognized by the Internal Revenue Service;

(ii) The project provides home ownership to residents within the City of Staunton, classified as low-and-moderate income individuals, as defined by current HUD Section 8 Income standards; and

(iii) The organization administering the program requires the homeowner(s) to contribute a minimum of 200 hours in the construction of the subject single-family residence or being constructed by the organization for others.

...

(2) Water Off-Site Facilities Fee.

...

(g) Projects on property owned and operated by the City of Staunton, Virginia or the School Board of the City of Staunton, Virginia shall be exempt from water facility fees.

(h) Single-family residential projects which meet all of the following criteria may also be considered for exemption from water facility fees; however, organizations must submit a request for exemption from water facility fees which will then be considered by Staunton City Council on a case-by-case basis using these criteria:

(i) The project is on property in the City of Staunton, is owned by the organization, and the organization has a 501(c)(3) exemption recognized by the Internal Revenue Service;

(ii) The project provides home ownership to residents within the City of Staunton, classified as low-and-moderate income individuals, as defined by current HUD Section 8 Income standards; and

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(iii) The organization administering the program requires the homeowner(s) to contribute a minimum of 200 hours in the construction of the subject single-family residence or being constructed by the organization for others.

(g) Schedule of Water Facilities Fees.

...

(h) Total Connection and Facilities Fee.

(i) The total fee due by the owner to the city shall be the appropriate facilities fee based on meter size and the connection fee. A connection fee shall be due for new connections only. Facilities fees shall be due for both new structures and additions to existing structures which add one-half equivalent dwelling units (EDU) or more to an existing structure.

The EDU, as set forth herein, shall be considered the same as the equivalent dwelling connection (EDC) as defined and derived in the latest Virginia Health Department Waterworks Regulations.

The facilities fee due shall be determined, first, by establishing the EDU demand on the system, and second, by the meter size set forth in subsection (2)(h) of this section, which will accommodate such demand. Such fee is due regardless of need for change to an existing water meter.

...

13.40.030 Sewer Connection and facilities fees.

(1) Connection Fees.

...

(c) Projects on property owned and operated by the City of Staunton, Virginia or of the School Board of the City of Staunton, Virginia shall be exempt from sewer connection fees.

(d) Single-family residential projects which meet all of the following criteria may also be considered for exemption from sewer connection fees; however, organizations must submit a request for exemption from sewer connection fees which will then be considered by Staunton City Council on a case-by-case basis using these criteria:

(i) The project is on property in the City of Staunton, is owned by the organization, and the organization has a 501(c)(3) exemption recognized by the Internal Revenue Service;

(ii) The project provides home ownership to residents within the City of Staunton, classified as low-and-moderate income individuals, as defined by current HUD Section 8 Income standards; and

(iii) The organization administering the program requires the homeowner(s) to contribute a minimum of 200 hours in the construction of the subject single-family residence or being constructed by the organization for others.

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...

(2) Sewer Off-Site Facilities Fee.

...

(g) Projects on property owned and operated by the City of Staunton, Virginia or of the School Board of the City of Staunton, Virginia shall be exempt from sewer facility fees.

(h) Single-family residential projects which meet all of the following criteria may also be considered for exemption from sewer sewer facility fees; however, organizations must submit a request for exemption from sewer facility fees which will then be considered by Staunton City Council on a case-by-case basis using these criteria:

(i) The project is on property in the City of Staunton, is owned by the organization, and the organization has a 501(c)(3) exemption recognized by the Internal Revenue Service;

(ii) The project provides home ownership to residents within the City of Staunton, classified as low-and-moderate income individuals, as defined by current HUD Section 8 Income standards; and

(iii) The organization administering the program requires the homeowner(s) to contribute a minimum of 200 hours in the construction of the subject single-family residence or being constructed by the organization for others.

(g) Schedule of Sewer Facilities Fees.

...

(i) The total fee due by the owner to the city shall be the appropriate facilities fee and the connection fee. A connection fee shall be due for new connections only. Facilities fees shall be due for both new structures and additions to existing structures which add one-half equivalent dwelling units (EDU) or more to an existing structure.

The EDU, as set forth herein, shall be considered the same as the equivalent dwelling connection (EDC) as defined and derived in the latest Virginia Health Department Waterworks Regulations.

The facilities fee due shall be determined, first, by establishing the EDU demand on the system, and second, by the meter size set forth in subsection (g) of this section, which will accommodate such demand. Such fee is due regardless of need for change to an existing water meter.

...

In all other respects, the provisions of 13.15.060 and 13.40.030 of Title 13, Environment, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced:

Adopted:

Effective Date:

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Carolyn W. Dull, Mayor

ATTEST: _____
Suzanne F. Simmons
Clerk of Council

DRAFT

IX

Ordinance No. 2018 - __

**AN ORDINANCE AMENDING, RESTATING, AND REORDAINING
SECTION 15.10.120, PERMIT FEES,
OF CHAPTER 15.10, BUILDING CODE,
OF TITLE 15, BUILDINGS AND BUILDING REGULATIONS,
OF THE STAUNTON CITY CODE
TO EXEMPT PROJECTS OF THE CITY OF STAUNTON, VIRGINIA AND THE
SCHOOL BOARD OF THE CITY OF STAUNTON, VIRGINIA; AND CERTAIN
501(C)(3) ORGANIZATIONS FROM BUILDING PERMIT FEES**

WHEREAS, it has been ascertained that Section 15.10.120 of the Staunton City Code merits updating to reflect explicitly an exemption from permit fees imposed by the City of Staunton for building and construction projects of the City of Staunton, Virginia and the School Board of the City of Staunton, Virginia, and certain 501(c)(3) organizations;

WHEREAS, pursuant to Virginia Code Section 36-105, local building departments are responsible for the enforcement of the provisions of the Virginia Uniform Statewide Building Code and the issuance of permits;

WHEREAS, the Building Services Division of the Community Development Department of the City generally has a policy by practice of not imposing building permit fees for any projects of the City of Staunton, Virginia, or of the School Board of the City of Staunton, and City Council has a policy, adopted August 12, 1992 but never codified, to exempt or waive building related permit fees and utility connection and facility fees for property being developed by Habitat for Humanity;

WHEREAS, it would serve the best interest of the City and its citizens to recognize explicitly the fee exemptions;

WHEREAS, this matter has been properly heard and considered; and

WHEREAS, these recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 15.10.120 be and is hereby amended as follows:

15.10.120 Permit fees.

...

(2) Projects on property owned and operated by the City of Staunton, Virginia or the School Board of the City of Staunton, Virginia shall be exempt from such building permit fees.

(3) Single-family residential projects which meet all of the following criteria may also be considered for exemption from building permit fees; however, organizations must submit

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a request for exemption from building permit fees which will then be considered by Staunton City Council on a case-by-case basis using these criteria:

(a) The project is on property in the City of Staunton, is owned by the organization, and the organization has a 501(c)(3) exemption recognized by the Internal Revenue Service;

(b) The project provides home ownership to residents within the City of Staunton, classified as low-and-moderate income individuals, as defined by current HUD Section 8 Income standards; and

(c) The organization administering the program requires the homeowner(s) to contribute a minimum of 200 hours in the construction of the subject single-family residence or being constructed by the organization for others.

...

In all other respects, the provisions of Section 15.10.120, Permit fees, of Chapter 15.10, Building Code, of Title 15, Buildings and Building Regulations, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced:

Adopted:

Effective Date:

Carolyn W. Dull, Mayor

ATTEST: _____

Suzanne F. Simmons
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	November 8, 2018	Staff Member: Steve Rosenberg
Item #	4 & F	
Ordinance #		
Department:	City Manager	
Council Vision:	Economic Development	
Subject:	Resolution Approving the Issuance by the Staunton Redevelopment and Housing Authority of Its Revenue Bonds for the Acquisition, Construction, Renovation, Rehabilitation and Equipping of the Approximately 110 Unit Willow View Townhomes Multifamily Housing Facility Located in the City of Staunton, Virginia	

Background: Boyce Brannock of TimberlakeSmith, counsel to the Staunton Redevelopment and Housing Authority (SRHA), requested the addition of an item to Council's agenda for its meeting on November 8, 2018. The item is a resolution of council approving a bond issue by SRHA. Proceeds of the bond issue, in an amount not to exceed \$7,000,000, are proposed to be loaned by SRHA to LRC—Willow View, LP, for the acquisition, construction, renovation, rehabilitation and equipping of Willow View Townhomes, a 110 unit multifamily residential housing projected located near the intersection of Baylor Street and Lincoln Lane. Applicable federal laws and regulations require that Council, as the governing body of the locality in which the project is located, approve the bond issue. The proposed resolution evidences such approval.

Attached are the following documents:

- (i) an executive summary of the project to be funded by the bond proceeds;
- (ii) a draft resolution, to evidence the required approval of the bond issue by Council;

(iii) supporting documentation referenced in the draft resolution; and

(iv) a local support letter to be sent by the City Manager to the Virginia Department of Housing and Community Development, subsequent to the Council's adoption of the resolution.

Mr. Brannock will attend Council's work session to provide an overview of the project and bond issue to Council.

City Manager's Recommendation: Recommend the resolution be adopted as presented.

Suggested Motion: I move to adopt the resolution approving the bond issue by the Staunton Redevelopment and Housing Authority, in an amount not to exceed \$7,000,000, in connection with the acquisition, construction, renovation, rehabilitation and equipping of the Willow View Townhomes.

City Manager: Stephen F. Owen

Executive Summary



Willow View Townhomes

Staunton, Virginia

June 15, 2018

Background

Project Summary

On June 26, 2018, LEDIC Realty Company, LLC (“LRC”) executed a Purchase and Sale Agreement (“LOI”) to acquire the Willow View Townhomes (the “Property”), from Andy Heatwole (the “Seller”). The Property is a 110-unit multi-family townhome community located in Staunton, Virginia. Built in 1979 and updated in 2001, the Property’s townhome-style units total 119,544 of rentable square feet. The Property has a Project-based Section 8 Housing Assistance Payment (HAP) contract covering all 110 units (100%) and is renewed on an annual basis. We expect to receive a 20-year HAP contract extension before the Property closing date.

The purpose of the proposed acquisition is to facilitate the substantial rehabilitation of the Property.



Transaction Details

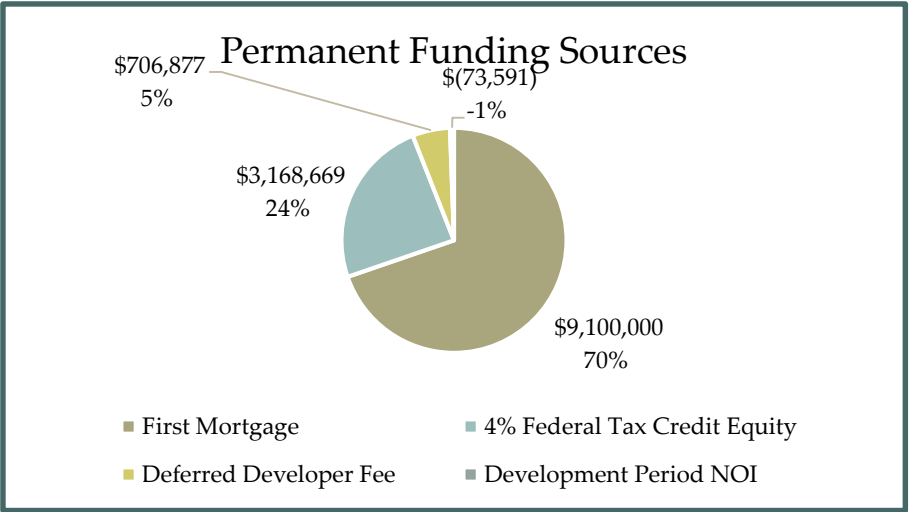
Sources and Uses

The Property will be financed through an equity bridge loan; and permanently financed through the issuance of private activity tax-exempt bonds and enhanced by an FHA 221(d)4 loan. Permanent loan equity will be sourced from the syndication of 4% Federal Tax Credits.

Project Acquisition Funding Sources

First Mortgage: An FHA 221(d)4 loan in the estimated amount of \$9,100,000 will enhance the tax-exempt bonds. The loan is expected to bear interest at a 4.80% fixed interest rate, and fully amortize on a 40-year schedule.

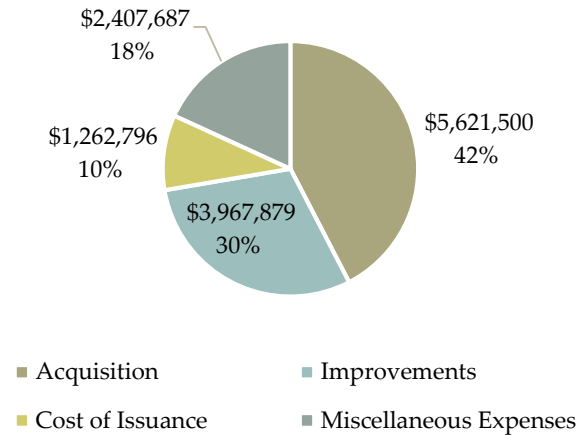
Tax Credit Equity: LRC estimates, at a value of \$.87 per credit, an estimated \$3,168,723 in project equity.



Project Funding Uses

In addition to covering the costs of acquisition and financing, LRC plans to invest \$3,852,310 (\$35,021 per unit) in repairs and upgrades to the Property. A precise scope is now being developed to address outstanding capital needs with an initial expectation that 75% of rehab dollars will be applied to interior unit and amenity upgrades (flooring, cabinets, countertops, appliances, hardware, etc.) and the balance used to address exteriors, common areas, and building systems as needed. The budget rehab amount is more than the required amounts per the expected final Physical Needs Assessment.

Permanent Funding Uses



Funding Uses

Acquisition	\$5,621,500
Improvements	\$3,967,879
Cost of Issuance	\$1,254,165
Miscellaneous Expenses	\$2,407,712
Total	\$13,251,256

Funding Sources

First Mortgage	\$9,100,000
VHDA Standby Fee	\$3,168,723
Deferred Developer Fee	\$706,877
Development Period NOI	\$275,657
Total	\$13,251,256

RESOLUTION APPROVING THE ISSUANCE BY THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY OF ITS REVENUE BONDS FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, REHABILITATION AND EQUIPPING OF THE APPROXIMATELY 110 UNIT WILLOW VIEW TOWNHOMES MULTIFAMILY HOUSING FACILITY LOCATED IN THE CITY OF STAUNTON, VIRGINIA

WHEREAS, the Staunton Redevelopment and Housing Authority (the “Authority”) is authorized to advertise and hold public hearings relative to the issuance of private activity bonds; and

WHEREAS, the Authority has considered the application of LRC – Willow View, LP, a Virginia limited partnership (the “Borrower”), requesting that the Authority issue up to \$7,000,000 of its revenue bonds (the “Bonds”) to assist the Borrower in financing the acquisition, construction, renovation, rehabilitation and equipping of an approximately 110 unit multifamily residential rental housing project known as Willow View Townhomes (the “Project”) and has held a public hearing in connection therewith on October 16, 2018; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the applicable elected representatives of the governmental unit having jurisdiction over the issuer of private activity bonds must approve the issuance of such bonds;

WHEREAS, the Authority issues its bonds on behalf of the City of Staunton, Virginia (the “City”); and

WHEREAS, the Authority, as the issuing governmental unit with respect to the Bonds, has no applicable elected representative, the City constitutes the next highest governmental unit with such a representative, and the members of the City Council of the City (the “Council”) constitute the applicable elected representatives of the City; and

WHEREAS, the Authority has previously held a public hearing regarding the Project and adopted a resolution authorizing in principle the issuance of the Bonds; and

WHEREAS, the Authority has recommended that the Council approve the issuance of the Bonds; and

WHEREAS, a copy of the Authority’s resolution authorizing the issuance of the Bonds, subject to the terms to be agreed upon, a Fiscal Impact Statement complying with the requirements of Section 15.2-4907 of the Virginia Code, as applicable to housing authorities, and a certificate of the public hearing have been filed with the Council.

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

1. The Council approves the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code, Section 15.2-4906, as applicable to housing authorities, of the Code of Virginia of 1950, as amended (the “Virginia

Code”) and, to the extent applicable, Section 36-19(9) of the Virginia Code to permit the Authority to assist in the financing of the Project.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of the Project or the Borrower.

3. The Bonds shall provide that neither the Commonwealth of Virginia, the City nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and monies pledged thereto and that neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the City or the Authority is pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto.

4. In adopting this resolution, the City, including its elected representatives, officers, employees and agents, shall not be liable for, and hereby disclaim all liability for, any damages to any person, direct or consequential, resulting from the Authority’s failure to issue the Bonds for any reason.

5. This resolution shall take effect immediately upon its adoption.

Adopted by the City Council of the City of Staunton, Virginia this 8th day of November, 2018.

CERTIFICATE

Record of the roll-call vote by the City Council of the City of Staunton, Virginia, (the “Council) upon reading on a resolution titled **“RESOLUTION APPROVING THE ISSUANCE BY THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY OF ITS REVENUE BONDS FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, REHABILITATION AND EQUIPPING OF THE APPROXIMATELY 110 UNIT WILLOW VIEW TOWNHOMES MULTIFAMILY HOUSING FACILITY LOCATED IN THE CITY OF STAUNTON, VIRGINIA,”** taken at a meeting of the Council held on November 8, 2018:

	AYE	NAY	ABSTAIN	ABSENT
Carolyn W. Dull, Mayor				
Ophie Kier, Vice Mayor				
Erik D. Curren				
James J. Harrington				
R. Terry Holmes				
Brenda O. Mead				
Andrea Oakes				

The undersigned Clerk of the City Council of the City of Staunton, Virginia, hereby certifies that the foregoing is a true, correct, and complete copy of a resolution adopted by the Council at its meeting duly called and held on November 8, 2018, in accordance with law, and that such resolution has not been repealed, revoked, rescinded, or amended, but is in full force and effect as of the date hereof.

WITNESS my hand and the seal of the City of Staunton, Virginia this 8th day of November, 2018.

[SEAL]

Clerk, City Council of the City of
Staunton, Virginia

October 16, 2018

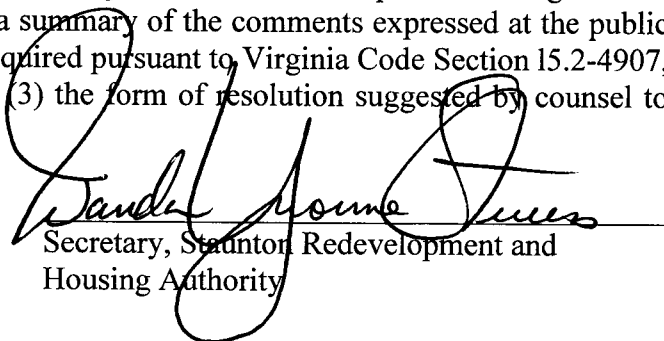
City Council
City of Staunton
Staunton, Virginia

**Staunton Redevelopment and Housing Authority
Proposed Financing for Willow View Townhomes**

LRC – Willow View, LP, a Virginia limited partnership (the “Borrower”), has requested that the Staunton Redevelopment and Housing Authority (the “Authority”), issue up to \$7,000,000 of its revenue bonds (the “Bonds”) to assist the Borrower in financing the acquisition, construction, renovation, rehabilitation and equipping of an approximately 110 unit multifamily residential rental housing project known as Willow View Townhomes (the “Project”) located at 102 Baylor Street in the City of Staunton, Virginia 24401.

As set forth in the resolution of the Authority attached hereto (the “Resolution”), the Authority has agreed to issue the Bonds as requested. The Authority has conducted a public hearing (the “Public Hearing”) on the proposed financing of the Project and has recommended that you approve the issuance of the Bonds as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, Section 15.2-4906, as applicable to housing authorities, of the Code of Virginia of 1950, as amended (the “Virginia Code”) and, to the extent applicable, Section 36-19(9) of the Virginia Code.

Attached hereto is (1) a certificate evidencing the conduct of the public hearing and the action taken by the Authority, including a summary of the comments expressed at the public hearing, (2) the fiscal impact statement required pursuant to Virginia Code Section 15.2-4907, as applicable to housing authorities, and (3) the form of resolution suggested by counsel to evidence your approval.



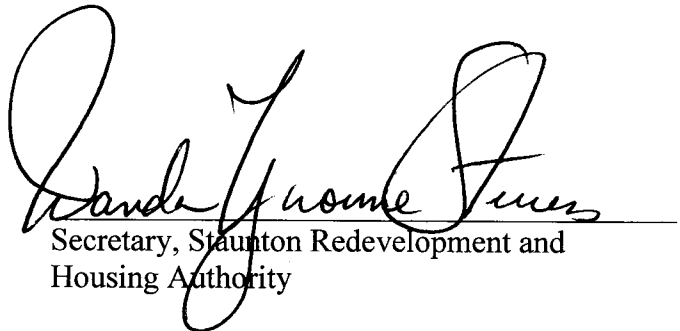
Tandra Young Jones
Secretary, Staunton Redevelopment and
Housing Authority

CERTIFICATE

The undersigned Secretary of the Staunton Redevelopment and Housing Authority (the "Authority") certifies as follows:

1. A meeting of the Board of Commissioners of the Authority (the "Board") was duly called and held at 12:00 o'clock Noon on October 16, 2018 before the Authority at the Authority's offices located at 900 Elizabeth Miller Gardens, Staunton, Virginia 24401, pursuant to proper notice given to each Commissioner of the Authority before such meeting. The meeting was open to the public. The time of the meeting and the place at which the meeting was held provided a reasonable opportunity for persons of differing views to appear and be heard.
2. The Chairman of the Board announced the commencement of a public hearing on the application of LRC – Willow View, LP, and a notice of the hearing was published once a week for two successive weeks in a newspaper having general circulation in the City of Staunton, Virginia (the "Notice"), with the second publication appearing not less than six days nor more than twenty-one days prior to the hearing date. A copy of the Notice has been filed with the records of the Authority and is attached as Exhibit A.
3. A summary of the statements made at the public hearing is attached as Exhibit B.
4. Attached as Exhibit C is a true, correct and complete copy of a resolution ("Resolution") adopted at such meeting of the Authority by a majority of the Commissioners present at such meeting. The Resolution constitutes all formal action taken by the Authority at such meeting relating to the matters referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on this date.

WITNESS my hand and the seal of the Authority, this 16th day of October, 2018.


Secretary, Staunton Redevelopment and
Housing Authority

[SEAL]

Exhibits:

- A – Copy of Certified Notice of Public Hearing
- B – Summary of Statements
- C - Resolution

EXHIBIT A

CERTIFIED NOTICE OF PUBLIC HEARING

[To be attached]

The News Leader

11 N. Central Ave, Staunton, VA24402
Phone: 540-885-7281

MCGUIREWOODS LLP
1750 TYSONS BLVD. SUITE 1800
MC LEAN, VA 22102

PUBLISHING CERTIFICATE

This is to certify that advertising listed below was duly published on the following date(s) indicated.

Customer: MCGUIREWOODS LLP
Product: STA-The News Leader
Columns x Lines: 2 col x 38 lines
Insertion Dates: 10/02/18, 10/09/18
Cost: \$664.36

THE NEWS LEADER

By: Gonna L. Garber

Ad Number: 0003181001

**NOTICE OF PUBLIC HEARING BEFORE THE
STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY
ON PROPOSED PRIVATE ACTIVITY BOND FINANCING FOR
LRC - WILLOW VIEW, LP**

Notice is hereby given that the Staunton Redevelopment and Housing Authority (the "Authority"), whose address is 900 Elizabeth Miller Gardens, Staunton, Virginia 24401, will hold a public hearing on the request of LRC - Willow View, LP, a Virginia limited partnership (the "Borrower"), whose address is 105 Tallapoosa Street, Suite 300, Montgomery, Alabama 36104, for the issuance by the Authority of up to \$7,000,000 of its revenue bonds to finance or refinance a portion of the cost of acquiring, constructing, renovating, rehabilitating and equipping a multifamily residential rental housing project known as Willow View Townhomes (the "Project"), consisting of eighteen two-story townhome buildings containing approximately 110 units, one community building and one office located on approximately 11.7 acres of land at 102 Baylor Street, Staunton, Virginia 24401. The Project will meet the requirements of a qualified residential rental project within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended. The Project will be owned by the Borrower or an entity affiliated with and controlled by or under common ownership with the Borrower. The public hearing, which may be continued or adjourned, will be held at 12:00 o'clock Noon on October 16, 2018 before the Authority at the Authority's offices located at 900 Elizabeth Miller Gardens, Staunton, Virginia 24401.

The proposed private activity bonds will not pledge the credit or the taxing power of the Commonwealth of Virginia, the City of Staunton, Virginia or the Authority but will be payable solely from the revenues derived from the Borrower and pledged therefor.

The public hearing will provide an opportunity for interested persons to be heard and communications and writings to be received and considered. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for the introduction of documentary evidence pertinent to the issuance of the proposed private activity bonds.

**STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY
Published October 2 and October 9, 2018**

0003181901-01

https://www.publicnoticevirginia.com/Details.aspx?SID=6044&NoticeID=271518

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News Leader, The

Publication Name:
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Publication URL:
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Publication City and State:
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Publication County:
Augusta

Notice Popular Keyword Category:

Notice Keywords:
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Notice Authentication Number:
201810151405150148485
1247070210

Notice URL:
[Back](#)

Notice Publish Date:
Tuesday, October 09, 2018

Notice Content

NOTICE OF PUBLIC HEARING BEFORE THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY ON PROPOSED PRIVATE ACTIVITY BOND FINANCING FOR LRC WILLOW VIEW, LP Notice is hereby given that the Staunton Redevelopment and Housing Authority (the "Authority"), whose address is 900 Elizabeth Miller Gardens, Staunton, Virginia 24401, will hold a public hearing on the request of LRC Willow View, LP, a Virginia limited partnership (the "Borrower"), whose address is 105 Tallapoosa Street, Suite 300, Montgomery, Alabama 36104, for the issuance by the Authority of up to \$7,000,000 of its revenue bonds to finance or refinance a portion of the cost of acquiring, constructing, renovating, rehabilitating and equipping a multifamily residential rental housing project known as Willow View Townhomes (the "Project"), consisting of eighteen two-story townhome buildings containing approximately 110 units, one community building and one office located on approximately 11.7 acres of land at 102 Baylor Street, Staunton, Virginia 24401. The Project will meet the requirements of a qualified residential rental project within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended. The Project will be owned by the Borrower or an entity affiliated with and controlled by or under common ownership with the Borrower. The public hearing, which may be continued or adjourned, will be held at 12:00 o'clock noon on October 16, 2018 before the Authority at the Authority's offices located at

https://www.publicnoticevirginia.com/Details.aspx?SID=6044&NoticeID=271518

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PNV Public Notice Virginia

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News Leader, The

Publication Name:
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www.newsleader.com

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Staunton, VA

Publication County:
Augusta

Notice Popular Keyword Category:

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201810151404162341296
1247070210

Notice URL:
[Back](#)

Notice Publish Date:
Tuesday, October 02, 2018

Notice Content

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News Leader, The

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1247070210**

Notice URL:
[Back](#)

Notice Publish Date:
Tuesday, October 02, 2018

Notice Content

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304 PM 10/15/2018

FIVE-DAY FORECAST

AccuWeather DOWNLOAD THE FREE

TODAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
78 64	77 67	75 51	63 41	63 43
Clouds giving way to some sun	Humid with clouds and sun	Heavy rain and a thunderstorm	Cooler with clouds and sun	Plenty of sunshine
RealFeel	RealFeel	RealFeel	RealFeel	RealFeel
81 67	79 66	80 52	65 44	69 46

The patented AccuWeather.com RealFeel Temperature® is an composite index of effective temperature based on eight weather factors.

ALMANAC

Statistics through 3 p.m. Monday

TEMPERATURE	Staunton	Waynesboro
High	82	81
Low	64	64
Normal high	68	
Normal low	45	
Record high	91 in 2007	
Record low	26 in 1988	
PRECIPITATION	Staunton	Waynesboro
24 hours through 3 p.m. Mon.	0.00"	0.00"
Month to date	trace	0.00"
Normal month to date	0.79"	
Year to date	40.65"	36.99"
Normal year to date	31.08"	

POLLEN

Trees	Absent	Weeds	Low
Grasses	Low	Mold	Low

Source: Allergy Partners of Richmond

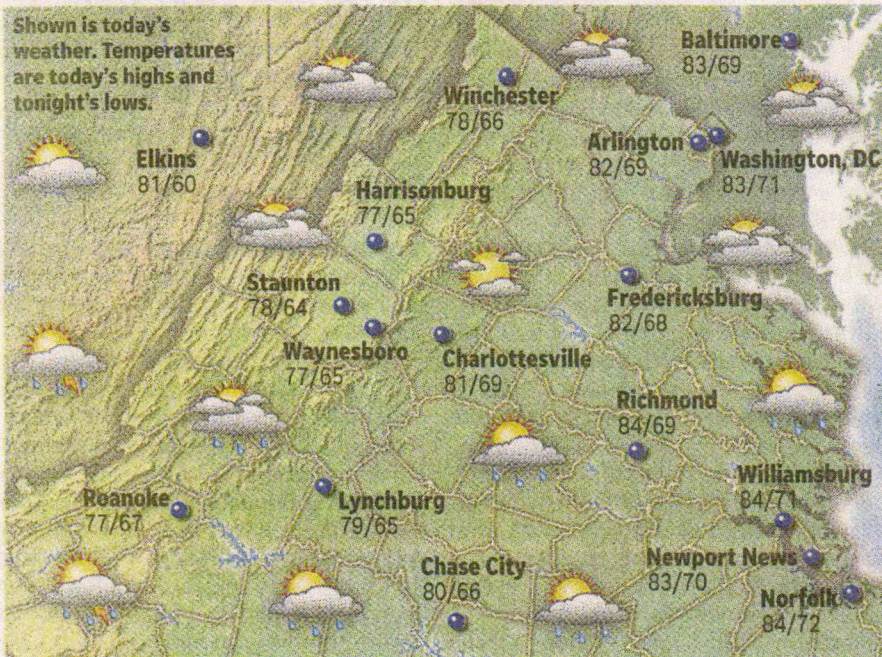
AGRICULTURE FORECAST

Warm and humid today with some sun returning. High 76 to 80. Winds southeast 3-6 mph. Expect less than 2 hours of sunshine with average relative humidity 80% and poor drying conditions. Warm and humid tonight with low clouds. Low 62 to 66. Winds light and variable.

Forecasts and graphics provided by AccuWeather, Inc. ©2018

STAUNTON & WAYNESBORO WEATHER

Shown is today's weather. Temperatures are today's highs and tonight's lows.



REGIONAL FORECAST

Clouds breaking and humid today with showers around. A little rain early tonight, then a shower. Times of sun and clouds tomorrow. Thursday: heavy rain and a thunderstorm. Friday: clouds and sun.

TODAY				WEDNESDAY			
City	Hi	Lo	W	Hi	Lo	W	
Alexandria	82	71	pc	83	74	pc	
Arlington	82	69	pc	82	72	c	
Blacksburg	74	65	sh	71	66	pc	
Bluefield	73	61	pc	71	64	pc	
Charlottesville	81	69	pc	81	69	pc	
Danville	80	67	pc	78	68	c	
Elkins	81	60	pc	81	66	pc	
Fairmont	84	64	pc	82	69	pc	
Fredericksburg	82	68	sh	83	72	c	
Harrisonburg	77	65	pc	76	68	pc	
TODAY				WEDNESDAY			
City	Hi	Lo	W	Hi	Lo	W	
Marion	75	65	pc	73	66	pc	
Martinsburg	82	67	pc	81	66	pc	
Martinsville	77	66	pc	74	70	c	
Moorefield	80	65	pc	78	68	pc	
Newport News	83	70	pc	85	75	pc	
Norfolk	84	72	pc	86	74	pc	
Petersburg	84	67	pc	82	74	pc	
Richmond	84	69	pc	84	72	pc	
Roanoke	77	67	sh	76	69	pc	
Virginia Beach	82	72	pc	83	75	pc	

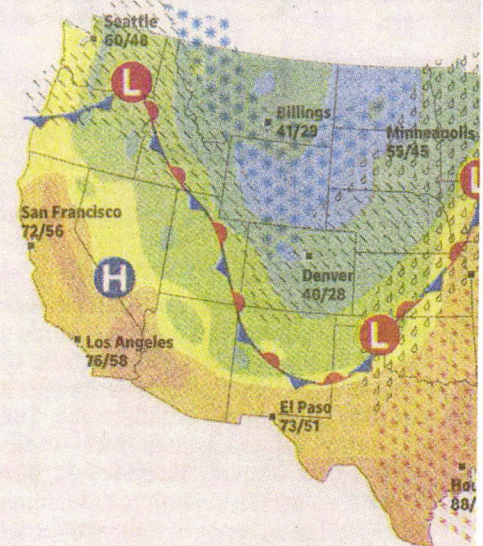
IN THE SKY

Sunrise today	7:19 a.m.
Sunset today	6:47 p.m.
Sunrise Wednesday	7:20 a.m.
Sunset Wednesday	6:46 p.m.
Moonrise today	7:37 a.m.
Moonset today	7:31 p.m.

MOON PHASES

First	Full	Last	New
Oct 16	Oct 24	Oct 31	Nov 7

NATIONAL WEATHER



Shown are noon positions of weather systems and precipitation. Forecast high/low temperatures are for selected cities.

T-storms	Rain	Showers	Snow	Flurries	Ice	Co	
							
-10s	-0s	0s	10s	20s	30s	40s	50s

TODAY				WEDNESDAY			
City	Hi	Lo	W	Hi	Lo	W	City
Albuquerque	61	42	pc	68	45	s	Los
Anchorage	49	44	c	55	46	r	Loui
Atlanta	82	72	pc	82	71	t	Mad
Austin	85	63	t	85	58	s	Men
Baltimore	83	69	pc	80	70	pc	Miar
Birmingham	86	73	pc	86	70	t	Milw
Bismarck	40	28	sn	36	24	sn	Mini
Boston	78	69	pc	81	64	s	Mor
Burlington, VT	79	66	pc	77	60	pc	Nas
Charleston, SC	86	73	t	85	74	t	New
Charleston, WV	85	65	pc	84	68	pc	Nev
Chicago	83	67	pc	72	42	r	Okla
Cincinnati	85	65	s	80	60	t	Om
Cleveland	85	68	pc	82	65	pc	Orla
Dallas	78	58	t	74	54	s	Phil
Denver	40	28	sh	45	30	sf	Pho
Des Moines	72	47	r	51	35	c	Pitt
Detroit	83	65	pc	81	55	t	Rak
Fairbanks	42	29	pc	48	35	c	Sac
Honolulu	87	74	pc	85	74	pc	St.
Indianapolis	85	67	pc	79	49	t	Sal
Kansas City	75	47	r	55	35	c	Sar
Key West	89	80	sh	89	81	t	Sar
Knoxville	85	67	pc	83	68	c	Sea

Manchin faces firestorm after vote for Kavanaugh

Steve Peoples ASSOCIATED PRESS

CHARLESTON, W.Va. — Danielle Walker cried on Joe Manchin's shoulder after she shared her story of sexual assault. She thought he listened.

The 42-year-old Morgantown woman said she was both devastated and furious when Manchin became the only Democrat in the U.S. Senate to support President Donald Trump's Supreme Court nominee, Brett Kavanaugh.

"I feel raped all over again," Walker told The Associated Press.

A day after Manchin broke with his party on what may be the most consequential vote of the Trump era, the vulnerable Democrat is facing a political firestorm back home. While Republicans — including one of the president's sons — are on the attack, the most passionate criticism is coming from Manchin's very own Democratic base, a small but significant portion of the electorate he needs to turn out in force to win re-election next month. A Manchin loss would put his party's hopes of regaining control of the Senate virtually out of reach.

Walker, a first-time Democratic candidate for the state legislature, said she may not vote at all in the state's high-stakes Senate election. Julia Hamilton, a 30-year-old educator who serves on the executive committee of the Monongalia County Democratic Party, vowed to sit out the Senate race as well.

"At some point, you have to draw a line," Hamilton said. "I have heard from many, many people — especially women. They won't be voting for Manchin either."

Manchin defended his vote in a Sunday interview as being based on fact, not emotion. He praised the women who shared their stories of sexual trauma, Walker among them, but said he "could not find any type of link or connection" that Kavanaugh was a rapist.

The woman who testified to the Senate about Kavanaugh, Christine Blasey Ford, accused him of sexual assault but not rape when they were high school students more than 30 years ago. Two other women stepped forward late in the confirmation process to accuse the appeals court judge of sexual misconduct in high school or college. Their stories resonated with women who had suffered sexual trauma and fueled opposition to Kavanaugh's confirmation.

"They weren't going to be satisfied, or their healing process, until we convicted this person," Manchin told The Associated Press. "I couldn't do it. You talk about two wrongs trying to make a right. It just wasn't in my heart and soul to do that."

Manchin insisted over and over that his vote wasn't based on politics.

There is little doubt, however, that his vote was in line with the wishes of many West Virginia voters, who gave Trump a victory in 2016 by 42 percentage points. There simply aren't enough Democrats in the state to re-elect Manchin. He needs a significant chunk of Trump's base to win.

One West Virginia Trump supporter, 74-year-old Linda Ferguson, explained the politics bluntly as she watched the parade at Saturday's Mountain State Forest Festival in Elkins.

"If he didn't vote for Kavanaugh, he could have kissed his seat goodbye," Ferguson said.

While he may have represented the majority of his state, Manchin's political challenges are far from over.

The clash over Kavanaugh, who was confirmed by the Senate on Saturday, has injected new energy into each party's political base. While that may help Democrats in their fight for the House majority, which is largely taking place in America's suburbs, there are signs it's hurting vulnerable Democrats in rural Republican-leaning states like North Dakota, Missouri and West Virginia.

For much of the year, Manchin has held a significant lead in public and private polls over his Republican opponent, state Attorney General Patrick Morrisey. Yet Republican operatives familiar with the race report a definite tightening over the last week.

In an interview, Morrisey called Democrats' fight against Kavanaugh a "three-ring circus" that "ener-

gized a lot of people

He acknowledged for the state, but called another swing vote, Morrisey, had already given needed.

Echoing the attack called Manchin "a re-

When asked about Virginia senator said his opinion, he's just justify what he's saying."



Legal Notices

NOTICE OF PUBLIC HEARING BEFORE THE
STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY
ON PROPOSED PRIVATE ACTIVITY BOND FINANCING FOR
LRC — WILLOW VIEW, LP

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STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY
Published October 2 and October 9, 2018

0003181901-01

NOTICE OF TAKING OF PROOF OF DEBTS AND DEMANDS

ESTATE OF MINNIE E. SHAFER

At the request of Union Bank & Trust, Executor of the Estate Of Minnie E. Shaffer, I have fixed November 1, 2018 at 10:00 A.M. o'clock as the time, and at the offices of Timberlake, Smith, Thomas & Moses, P.C., at 25 N. Central Avenue, 2nd Floor, Staunton, Virginia, as the place for receiving Proof of Debts and Demands against the said decedent or such decedent's estate.

Alan F. Garrison
Commissioner of Accounts
Augusta County Circuit Court



THE UNITED STATES AIRMAN

AIRMAN

FREE

Tuesday, November

R.E. L

1200 N

Staunton

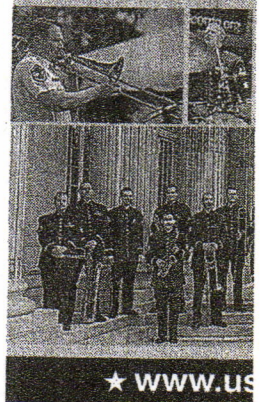
This Perform

new

FREE

Tickets avail

Mrs. Rowe's Verona



★ WWW.US

Reading

Continued from Page 1B

He read the book in one night and has already started on the follow-up books by Reynolds. When he was asked to speak to the Wilson Middle School students, he was more than happy to share his story.

Wilson teachers Tara Breeden and Cindy Lavender spearheaded a committee in the fall of 2017 to pick a book for this project. They reviewed several books as possibilities, but settled on "Ghost."

"We thought this had the best theme and message for our students," Breeden said.

Lavender said the theme of the book involved choices and perseverance, two things that they wanted to emphasize to the students.

Parents were made aware of the book in the back-to-school packet this year and were given the option of opting out. Only two did.

This is not a homework assignment for the students, although there is a pacing guide for students to follow so they can stay on the same pace of reading as fellow students. Language arts teachers at Wilson Middle will be using it as mentor texts.

"We'll have morning trivia questions where the kids can win prizes," Lavender said.

Each of the 650 students at the school were given a copy of the book following the assembly Friday. Peyton helped pass them out as the students left the auditorium. The plan is for the students to finish reading the book before Thanksgiving. In the winter there will be a literacy night.

fore Thanksgiving. In the winter there will be a literacy night.

"Our hope is, since it's the first in a series, they'll want to continue the series," Breeden said.

After choosing the book, the committee started planning Friday's assembly, which was held at the high school because it had more room. Lavender had seen a story on television about Peyton winning both the 400 and 800 this summer at the National Masters Outdoor Championships in Spokane, Washington.

Peyton is currently working to qualify for the 2020 Olympic trials in the 800. He will have from January 2019 until July 2020 to qualify for the trials.

Lavender thought he would be the perfect person to speak to the kids and, as luck would have it, Wilson Memorial High School's girls basketball assistant coach, Becky Burns, had attended Bridgewater College with Peyton. Burns helped connect the Harrisonburg man with Lavender.

"His story is so aligned with the character in this book that these kids will find this out as they read this book," Breeden said. "It is amazing."

Peyton said speaking to middle school students is something new to him, but he was thrilled to get the opportunity.

"You try to get them to understand the message that you always have a choice to make," Peyton said. "I had a choice of whether or not to continue to run after high school or not. I made that choice, and persevering through injuries, disagreement with coaches, just being far away from family, it has led me to be able to do some of the things that I'm doing today."

Golf

Continued from Page 1B

performance improved his overall Ryder Cup record to an impressive 7-4-3 in three competitions. While Brooks Koepka and Rickie Fowler both earned just one point in four matches, there's no reason to doubt what they'll bring to future teams.

World No. 1 Dustin Johnson never had his best stuff in Paris, but he and Webb Simpson still have a handful of years left to contribute and will play a pivotal role in developing the younger players.

While that may all sound like years of American victories, the Europeans aren't slacking in the young talent department, either.

McIlroy, the heartbeat of the Euros, and Tommy Fleetwood will haunt the red, white and blue for as long as they play. Fleetwood, one of five rookies for Thomas Bjorn's European squad, compiled a 4-1 record, with his only loss coming Sunday against a red-hot Finau.

While fellow rookies Jon Rahm, Thorbjorn Olesen and Tyrrell Hatton all have room for improvement, each showed signs of promise. Rahm went toe-to-toe and closed out a match with Tiger Woods. Olesen put a beating on Spieth, winning in just 14 holes. Hatton's 1-2 record may not reflect it, but he played consistently well each time he was called on.

Combine that young talent with veterans Francesco Molinari, who won all five matches he played, Ian Poulter (2-2) and Sergio Garcia (3-1), and you

SCOREBOARD

TUESDAY'S SPORTS ON TV

MLB BASEBALL

8 p.m.
ESPN - NL Wild Card, Colorado-L.A. Dodgers loser at Milwaukee-Chicago Cubs loser (Note: Statcast Edition on ESPN2)

NBA BASKETBALL

8 p.m.
TNT - Preseason, Cleveland at Boston
10:30 p.m.
TNT - Preseason, Denver at L.A. Lakers

SOCCER

12:55 p.m.
TNT - UEFA Champions League, Group F, Hoffenheim vs. Manchester City
3 p.m.
TNT - UEFA Champions League, Group H, Manchester United vs. Valencia

All times EDT

Jacksonville 31, N.Y. Jets 12
Cincinnati 37, Atlanta 36
Tennessee 26, Philadelphia 23, OT
Houston 37, Indianapolis 34, OT
Seattle 20, Arizona 17
New Orleans 33, N.Y. Giants 18
L.A. Chargers 29, San Francisco 27
Oakland 45, Cleveland 42, OT
Baltimore 26, Pittsburgh 14
Open: Washington, Carolina

Monday's Game

Kansas City at Denver, 8:15 p.m.

Thursday, Oct. 4

Indianapolis at New England, 8:20 p.m.

Sunday, Oct. 7

Miami at Cincinnati, 1 p.m.
N.Y. Giants at Carolina, 1 p.m.
Denver at N.Y. Jets, 1 p.m.
Jacksonville at Kansas City, 1 p.m.
Green Bay at Detroit, 1 p.m.
Baltimore at Cleveland, 1 p.m.
Atlanta at Pittsburgh, 1 p.m.
Tennessee at Buffalo, 1 p.m.

Pittsburgh	82	79	.509	13
Cincinnati	67	95	.414	28½
West Division				
z-Colorado	91	71	.562	-
z-Los Angeles	91	71	.562	-
Arizona	82	80	.506	9
San Francisco	73	89	.451	18
San Diego	66	96	.407	25

Sunday's Games

L.A. Dodgers 15, San Francisco 0
Philadelphia 3, Atlanta 1
Colorado 12, Washington 0
Milwaukee 11, Detroit 0
N.Y. Mets 1, Miami 0
Pittsburgh 6, Cincinnati 5, 10 innings
San Diego 4, Arizona 3, 10 innings
Chicago Cubs 10, St. Louis 5
Monday's Games
Milwaukee 3, Chicago Cubs 1

AUTO RACING

NASCAR Monster Energy Cup-Bank of America ROVAL 400 Results

Sunday
At Charlotte Motor Speedway Road Course
Concord, N.C.
Lap length: 2.28 miles
(Start position in parentheses)

- (9) Ryan Blaney, Ford, 109.
- (8) Jamie McMurray, Chevrolet, 109.
- (7) Clint Bowyer, Ford, 109.
- (3) Alex Bowman, Chevrolet, 109.
- (1) Kurt Busch, Ford, 109.
- (4) Chase Elliott, Chevrolet, 109.
- (2) AJ Allmendinger, Chevrolet, 109.
- (6) Jimmie Johnson, Chevrolet, 109.
- (19) Kevin Harvick, Ford, 109.
- (15) Joey Logano, Ford, 109.
- (29) Ryan Newman, Chevrolet, 109.
- (27) Danny Hamlin, Toyota, 109.
- (72) Matt DiBenedetto, Ford, 109.

BETTING

Pregame College Football

Thurs
Favorite
HOUSTON 16.15
TROY 18½ 17

Frid
Favorite
MARSHALL 0 T O
South Florida 11½ 13½
Georgia Tech 2 3½ O
BYU 3 2 O

Satur
Favorite
GA. SOUTHRN 11½ 13½
South Florida 13½ 13½
WAKE FOREST OFF
TEMPLE 14 13
N Illinois 7 5
Syracuse 5 7
UCF 26 26
FAU 15½ 16½
OHIO STATE 28 26

Miami	W	L	T	Pct	PF	PA
New England	3	1	0	.750	82	90
Buffalo	2	2	0	.500	95	84
N.Y. Jets	1	3	0	.250	89	89

Tennessee	W	L	T	Pct	PF	PA
Jacksonville	3	1	0	.750	88	56
Houston	1	3	0	.250	96	108
Indianapolis	1	3	0	.250	94	100

Cincinnati	W	L	T	Pct	PF	PA
Baltimore	3	1	0	.750	126	113
Cleveland	3	1	0	.750	123	65
Pittsburgh	1	2	1	.375	102	104

Kansas City	W	L	T	Pct	PF	PA
Denver	3	0	0	1.000	118	92
L.A. Chargers	2	2	0	.500	111	120
Oakland	1	3	0	.250	97	123

NATIONAL CONFERENCE

Washington	W	L	T	Pct	PF	PA
Dallas	2	1	0	.667	64	44
Philadelphia	2	2	0	.500	82	81
N.Y. Giants	1	3	0	.250	73	95

New Orleans	W	L	T	Pct	PF	PA
Carolina	3	1	0	.750	137	121
Tampa Bay	2	1	0	.667	71	60
Atlanta	2	2	0	.500	112	139

Chicago	W	L	T	Pct	PF	PA
Green Bay	2	1	0	.667	111	65
Minnesota	1	2	1	.375	92	83
Detroit	1	3	0	.250	94	114

L.A. Rams	W	L	T	Pct	PF	PA
Seattle	4	0	0	1.000	140	67
San Francisco	2	2	0	.500	85	81
Arizona	1	3	0	.250	100	118

Thursday's Games
L.A. Rams 38, Minnesota 31

Sunday's Games
New England 38, Miami 7
Dallas 26, Detroit 24
Chicago 48, Tampa Bay 10
Green Bay 22, Buffalo 0

Open Tampa Bay, Chicago
Monday, Oct. 8
Washington at New Orleans, 8:15 p.m.

MLB

American League

East Division

x-Boston	W	L	Pct	GB
y-New York	108	54	.667	—
Tampa Bay	100	62	.617	8
Toronto	90	72	.556	18
Baltimore	73	89	.451	35
	47	115	.290	61

Central Division

x-Cleveland	W	L	Pct	GB
Minnesota	91	71	.562	—
Detroit	78	84	.481	13
Chicago	64	98	.395	27
Kansas City	62	100	.383	29
	58	104	.358	33

West Division

x-Houston	W	L	Pct	GB
y-Oakland	103	59	.636	—
Seattle	97	65	.599	6
Los Angeles	89	73	.549	14
Texas	80	82	.494	23
	67	95	.414	36

Sunday's Games

Baltimore 4, Houston 0
Boston 10, N.Y. Yankees 2
L.A. Angels 5, Oakland 4
Milwaukee 11, Detroit 0
Minnesota 5, Chicago White Sox 4
Seattle 3, Texas 1
Tampa Bay 9, Toronto 4
Cleveland 2, Kansas City 1

National League

East Division

x-Atlanta	W	L	Pct	GB
Washington	90	72	.556	—
Philadelphia	82	80	.506	8
New York	80	82	.494	10
Miami	77	85	.475	13
	63	98	.391	26½

Central Division

x-Milwaukee	W	L	Pct	GB
z-Chicago	96	67	.589	—
St. Louis	95	67	.583	½
	88	74	.543	7½

Tuesday, Oct. 2: Colorado-Los Angeles
loser at Chicago (ESPN)
Wednesday, Oct. 3: Oakland (Hendricks
0-1) at New York (Severino 19-8, Happ 7-0
or Tanaka 12-6) (TBS)

MLS

EASTERN CONFERENCE

Atlanta	W	L	T	Pts	GF	GA
New York	19	6	6	63	65	38
NY City FC	15	9	8	53	55	41
Columbus	13	9	9	48	39	38
Philadelphia	14	12	5	47	43	45
Montreal	12	15	4	40	42	52
D.C. United	10	11	8	38	53	48
New England	8	11	11	35	44	49
Toronto FC	9	15	6	33	54	58
Chicago	8	16	7	31	46	57
Orlando City	7	18	4	25	40	66

WESTERN CONFERENCE

FC Dallas	W	L	T	Pts	GF	GA
Sporting KC	15	6	9	54	49	38
Los Angeles	15	8	7	52	55	37
Portland	14	8	8	50	58	46
Seattle	13	9	9	48	46	45
Salt Lake	14	11	5	47	41	32
LA Galaxy	13	11	7	46	50	50
Vancouver	12	11	8	44	60	59
Minnesota	11	12	7	40	47	59
Houston	11	16	3	36	45	58
Colorado	9	13	8	35	50	45
San Jose	6	18	6	24	32	59
	4	19	8	20	47	66

Sunday, September 30

New York 2, Atlanta United FC 0
Real Salt Lake 1, Sporting KC 1, tie

Saturday, October 6

Columbus at Montreal, 3 p.m.
New England at Atlanta United FC, 3:30 p.m.
Vancouver at Toronto FC, 5 p.m.
Minnesota United at Philadelphia, 7:30 p.m.
Orlando City at FC Dallas, 8 p.m.
LA Galaxy at Sporting KC, 8:30 p.m.
Los Angeles FC at Colorado, 9 p.m.
Portland at Real Salt Lake, 9:30 p.m.
New York at San Jose, 10:30 p.m.

19. (20) Aric Almirola, Ford, 109.
20. (33) Cole Whitt, Chevrolet, 109.
21. (17) Daniel Suarez, Toyota, 109.
22. (26) Ty Dillon, Chevrolet, 109.
23. (11) Daniel Hemric, Chevrolet, 109.
24. (35) Ross Chastain, Chevrolet, 109.
25. (5) Kyle Larson, Chevrolet, 109.
26. (37) Jeffrey Earnhardt, Toyota, 109.
27. (31) Justin Marks, Chevrolet, 108.
28. (36) JJ Yeley, Toyota, 108.
29. (38) Landon Cassill, Chevrolet, 108.
30. (12) Erik Jones, Toyota, 108.
31. (25) Brad Keselowski, Ford, Accident, 103.
32. (14) Kyle Busch, Toyota, Accident, 103.
33. (22) Paul Menard, Ford, Accident, 103.
34. (21) William Byron, Chevrolet, Accident, 103.
35. (16) Trevor Bayne, Ford, Accident, 103.
36. (34) Bubba Wallace, Chevrolet, Accident, 103.
37. (23) Ricky Stenhouse Jr., Ford, Accident, 100.
38. (40) Timmy Hill, Toyota, Axle, 70.
39. (24) Austin Dillon, Chevrolet, Accident, 64.
40. (39) Stanton Barrett, Ford, Accident, 11.

Race Statistics

Average Speed of Race Winner: 82.125 mph.
Time of Race: 3 Hours, 1 Minute, 34 Seconds.
Margin of Victory: 0.792 Seconds.

Caution Flags: 8 for 16 laps.
Lead Changes: 10 among 8 drivers.
Lap Leaders: Kurt Busch 1-6; K. Larson 7-36; R. Blaney 37-51; Kurt Busch 52; K. Larson 53-69; J. McMurray 70; R. Stenhouse Jr. 71-72; P. Menard 73-74; B. Keselowski 75-103; M. Truex Jr. 104-108; R. Blaney 109.
Leaders Summary (Driver, Times Lead, Laps Led): K. Larson 2 times for 47 laps; B. Keselowski 1 time for 29 laps; R. Blaney 2 times for 16 laps; Kurt Busch 2 times for 7 laps; M. Truex Jr. 1 time for 5 laps; R. Stenhouse Jr. 1 time for 2 laps; P. Menard 1 time for 2 laps; J. McMurray 1 time for 1 lap.

W MICH
Buffalo
AKRON
Notre D
RUTGER
BOISE S
COLOR
Liberty
UTEP
Washin
STANFC
Fresno
Wash. S
ARIZON
UNLV
MICH S
W. VIRG
Alabam
LA. TEC
TEXAS S
OKLA S
GEORGI
Iowa
TOLEDC
AUBURN
AIR FOR
MISSIS
Oklahoi
MEMPH
La-Laf
UTSA
BAYLOF
MIAMI
WISCON
Colorac
HAWAII

Favorite
Kansas

Favorite
NEW E

Favorite
Baltimc
KANSA
Tennes
CAROLI
NY JET
PITTSBI
Green E
CINCINI
LA CHA
SAN FR
PHILAD
LA Ram

Legal Notices

NOTICE OF PUBLIC HEARING BEFORE THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY ON PROPOSED PRIVATE ACTIVITY BOND FINANCING FOR LRC - WILLOW VIEW, LP

Notice is hereby given that the Staunton Redevelopment and Housing Authority (the "Authority"), whose address is 900 Elizabeth Miller Gardens, Staunton, Virginia 24401, will hold a public hearing on the request of LRC - Willow View, LP, a Virginia limited partnership (the "Borrower"), whose address is 105 Tallapoosa Street, Suite 300, Montgomery, Alabama 36104, for the issuance by the Authority of up to \$7,000,000 of its revenue bonds to finance or refinance a portion of the cost of acquiring, constructing, renovating, rehabilitating and equipping a multifamily residential rental housing project known as Willow View Townhomes (the "Project"), consisting of eighteen two-story townhome buildings containing approximately 110 units, one community building and one office located on approximately 11.7 acres of land at 102 Baylor Street, Staunton, Virginia 24401. The Project will meet the requirements of a qualified residential rental project within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended. The Project will be owned by the Borrower or an entity affiliated with and controlled by or under common ownership with the Borrower. The public hearing, which may be continued or adjourned, will be held at 12:00 o'clock Noon on October 16, 2018 before the Authority at the Authority's offices located at 900 Elizabeth Miller Gardens, Staunton, Virginia 24401.

The proposed private activity bonds will not pledge the credit or the taxing power of the Commonwealth of Virginia, the City of Staunton, Virginia or the Authority but will be payable solely from the revenues derived from the Borrower and pledged therefor.

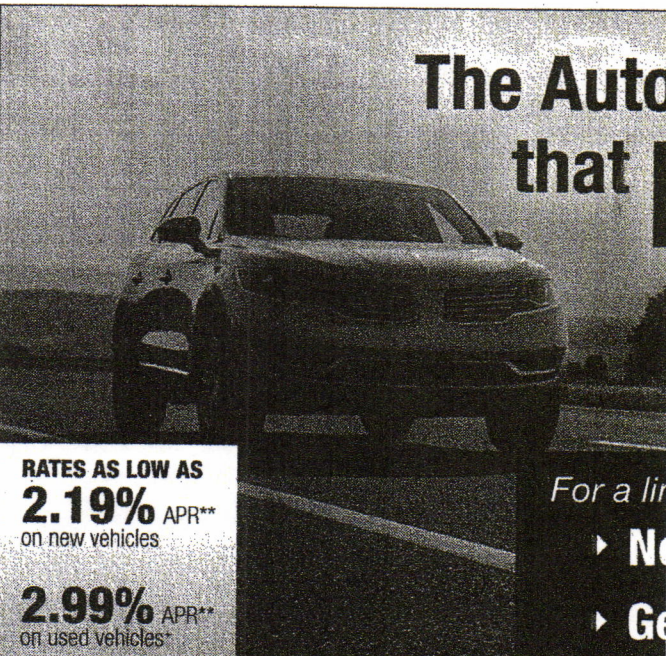
The public hearing will provide an opportunity for interested persons to be heard and communications and writings to be received and considered. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for the introduction of documentary evidence pertinent to the issuance of the proposed private activity bonds.

STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY
Published October 2 and October 9, 2018

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*Payments cannot be deferred more than 90 days from the day of loan closing day of loan closing, which will be reportable as taxable income. Offer valid on November 30, 2018. **Rate, terms, and conditions are subject to change and offers of credit subject to approval. Membership required. *2010 and newer

EXHIBIT B

SUMMARY OF STATEMENTS

Representatives of LRC – Willow View, LP and McGuireWoods LLP, bond counsel, appeared before the Authority to explain the proposed plan of financing. No one appeared in opposition to the proposed bond issue.

EXHIBIT C

INDUCEMENT RESOLUTION

[To be attached]

**INDUCEMENT RESOLUTION
REGARDING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE
BONDS FOR THE ACQUISITION AND REHABILITATION OF
WILLOW VIEW TOWNHOMES
LOCATED IN THE CITY OF STAUNTON, VIRGINIA**

WHEREAS, there have been described to the Staunton Redevelopment and Housing Authority (the "Authority") the plans by LRC – Willow View, LP, a Virginia limited partnership, or an affiliated entity (the "Borrower") to acquire and rehabilitate a multifamily residential housing project consisting of eighteen two-story townhome buildings containing approximately 110 units, one community building and one office located on approximately 11.7 acres of land at 102 Baylor Street, Staunton, Virginia 24401 to be known, collectively, as Willow View Townhomes (the "Project"); and

WHEREAS, the Project shall be established and maintained as a "qualified residential rental project" within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Authority is empowered, pursuant to the Virginia Housing Authorities Law, Chapter 1, Title 36 (the "Act") of the Code of Virginia of 1950, as amended (the "Virginia Code"), to issue its bonds for the purpose, among others, of financing the acquisition, construction, rehabilitation and equipping of multifamily residential rental apartment projects such as the Project; and

WHEREAS, the Borrower has requested the Authority to agree to issue its multifamily residential rental housing revenue bonds under the Act in an amount not to exceed \$7,000,000 (the "Bonds"), the proceeds of which will be used to finance costs to be incurred in acquiring and rehabilitating the Project as permitted under the Act; and

WHEREAS, a public hearing (the "Public Hearing") has been held on October 16, 2018 with respect to the Project and the Bonds in accordance with Section 147(f) of the Code and Section 15.2-4906, as applicable to housing authorities, of the Virginia Code.

NOW, THEREFORE, BE IT RESOLVED BY THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY THAT:

1. The foregoing recitals are approved by the Authority and are incorporated in, and deemed a part of, this resolution.
2. It is hereby found and determined that the acquisition and rehabilitation of the Project by the Borrower will further the public purposes of the Act by assisting in providing housing to "persons of low income" and "persons of moderate income" (as each such term is defined in the Act).
3. It is hereby found and determined that the Project will constitute a "housing project" as that term is defined in the Act.

4. To induce the Borrower to acquire and rehabilitate the Project and maintain the Project as a "qualified residential rental project" within the meaning of Section 142(d) of the Code, the Authority hereby agrees, subject to approvals required by applicable law, to assist the Borrower in financing the acquisition and rehabilitation of the Project, including any necessary reserve funds and costs of issuance of the Bonds, in each case only as permitted by applicable law, by undertaking the issuance of (and hereby declares its official intent to issue) its tax-exempt multifamily housing revenue bonds therefor in the maximum principal amount not to exceed \$7,000,000 upon the terms and conditions to be mutually agreed upon between the Authority and the Borrower. The Bonds shall be issued in form and pursuant to terms to be set by the Authority.

5. It having been represented to the Authority that it is necessary to proceed with the acquisition and rehabilitation of the Project, the Authority hereby agrees that the Borrower may proceed with the plans for the Project, enter into contracts related to the acquisition, construction, renovation, rehabilitation and equipping and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Borrower to obligate the Authority without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Project.

6. The Authority hereby designates McGuireWoods LLP, Tysons, Virginia, to serve as bond counsel and hereby appoints such firm to supervise the proceedings and approve the issuance of the Bonds.

7. The Authority hereby agrees, if requested, to accept the recommendation of the Borrower with respect to the appointment of a placement agent or underwriter for the sale of Bonds or a purchaser for the Bonds, pursuant to terms to be mutually agreed upon.

8. The Borrower has represented to the Authority that interest on the Bonds is intended to be generally excluded from the gross income of the holders thereof for federal and state income tax purposes, and that the Borrower will pay to the Authority an origination fee equal to one-half of one percent (0.5%) of the principal amount of the Bonds on the date of issuance of the Bonds.

9. All costs and expenses in connection with the Bonds, including but not limited to the fees and expenses of the Authority, bond counsel, and counsel for the Authority, shall be paid from the proceeds of the Bonds (but only to the extent permitted by applicable law) or by the Borrower. If for any reason such Bonds are not issued, it is understood that all such expenses shall be paid by the Borrower and that the Authority shall have no responsibility therefor.

10. In adopting this resolution, the Authority intends to evidence its "official intent" to reimburse the Project expenditures with proceeds from the issuance of the Bonds within the meaning of Treasury Regulations Section 1.150-2, including, without limitation,

such expenditures with respect to the Project as are incurred prior to the issuance of the Bonds but not more than sixty (60) days before the date of this Resolution.

11. The Bonds shall be limited obligations of the Authority and shall be payable solely out of revenues, receipts and payments specifically pledged therefor. Neither the commissioners, officers, agents or employees of the Authority, past, present and future, nor any person executing the Bonds, shall be liable personally on the Bonds by reason of the issuance thereof. The Bonds shall not be deemed to constitute a general obligation debt or a pledge of the faith and credit of the Commonwealth of Virginia or any political subdivision thereof, including the Authority or the City of Staunton (the "City") (and the Bonds shall so state on their face), and neither the Commonwealth of Virginia nor any such political subdivision thereof shall be personally liable thereon, nor in any event shall the Bonds be payable out of any funds or properties other than the special funds and sources provided therefor. Neither the faith and credit nor the taxing power of the Commonwealth of Virginia, or any political subdivision thereof, shall be pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto. The Bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

12. The Authority (including its officers, commissioners, employees and agents) shall not be liable and hereby disclaims all liability to the Borrower and all other persons or entities for any damages, direct or consequential, resulting from the issuance of the Bonds or failure of the Authority to issue the Bonds for any reason. Any obligation of the Authority to exercise its powers to issue the Bonds as requested by the Borrower is contingent upon the satisfaction of all legal requirements and the Authority shall not be liable and hereby disclaims all liability to the Borrower for any damages, direct or consequential, resulting from the Authority's failure to issue Bonds for the Project for any reason, including but not limited to, the failure of the City Council of the City (the "City Council") to approve the issuance of the Bonds.

13. The Borrower agrees to indemnify and save harmless the Authority and its officers, commissioners, directors, employees and agents (hereinafter the "Indemnitees") jointly and severally from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses (hereinafter referred to as "Damages"), including but not limited to the following:

a. All amounts paid in settlement of any litigation commenced or threatened against any of the Indemnitees, if such settlement is effected with the written consent of the Borrower;

b. All expenses reasonably incurred in the investigation of, preparation for or defense of any litigation, proceeding or investigation of any nature whatsoever, commenced or threatened against the Borrower, the Project or any of the Indemnitees;

c. Any judgments, penalties, fines, damages, assessments, indemnities or contributions; and

d. The reasonable fees of legal counsel, auditors, and consultants;

provided that the damages arise out of:

(i) Failure by the Borrower, or its officers or agents, to comply with the terms of the documents related to the Bonds and any agreements, covenants, obligations or prohibitions set forth therein;

(ii) Any action, suit, claim or demand contesting or affecting the title of the Project;

(iii) Any action, suit, claim, proceeding or investigation of a judicial, legislative, administrative or regulatory nature arising from or in connection with the construction, acquisition, ownership, operation, occupation or use of the Project; or

(iv) Any suit, action, administrative proceeding, enforcement action or governmental or private action of any kind whatsoever commenced against the Borrower, the Project or any of the Indemnitees which might adversely affect the validity or enforceability of the Bonds, the documents related to the Bonds or the performance by the Borrower or any Indemnitee of any of their respective obligations thereunder.

14. The Authority recommends that the City Council approve the issuance of the Bonds and hereby directs the Chairperson or the Vice Chairperson of the Authority to submit to the City Council of the City a reasonably detailed summary of the comments, if any, expressed at the public hearing, the fiscal impact statement required by Virginia law, and a copy of this Resolution.

15. The Authority hereby authorizes the Chairperson or the Vice Chairperson of the Authority to request an allocation or allocations of the State Ceiling (as defined in Section 15.2-5000 of the Virginia Code) in accordance with the applicable provisions of the Virginia Code and any regulations or executive orders issued thereunder. All costs incurred by the Authority, if any, in connection with such proceeding shall be paid for by the Borrower.

16. No Bonds may be issued pursuant to this resolution until such time as (a) the issuance of the Bonds has been approved by the City Council, (b) the Bonds have received an allocation or allocations of the State Ceiling in accordance with the applicable provisions of the Virginia Code and any regulations or executive orders issued thereunder and (c) the final terms and details of the Bonds have been approved by subsequent resolution of the Authority.

17. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of the Project or the Borrower.

18. All other acts of the officers of the Authority, which are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance of the Bonds, are hereby approved and confirmed.

19. This resolution shall take effect immediately upon its adoption.

Adopted: October 16, 2018

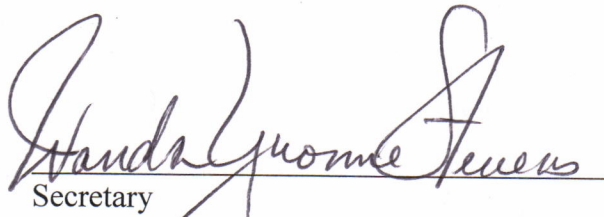
CERTIFICATE OF VOTES

Record of the roll-call vote by the Staunton Redevelopment and Housing Authority, upon reading on a resolution titled **"INDUCEMENT RESOLUTION REGARDING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE ACQUISITION AND REHABILITATION OF WILLOW VIEW TOWNHOMES LOCATED IN THE CITY OF STAUNTON, VIRGINIA"** taken at a meeting of the Authority held on October 16, 2018:

	AYE	NAY	ABSTAIN	ABSENT
Anita Jackson	✓			
Alphonso Hamilton				✓
Vickie Painter	✓			
James R. Printy	✓			
Shannon Harrington				✓
Terry Holmes (Not Voting)				✓

Dated: October 16, 2018

(SEAL)


Secretary
Staunton Redevelopment and Housing Authority

FISCAL IMPACT STATEMENT
FOR PROPOSED BOND FINANCING

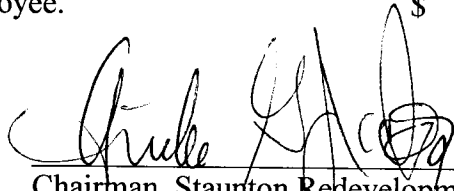
Date: October 16, 2018

To the Mayor and City Council
of the City of Staunton, Virginia

Applicant: LRC – Willow View, LP

Facility: Multifamily Housing Facility known as Willow View Townhomes

1.	Maximum amount of financing sought.	\$	7,000,000.00
2.	Estimated taxable value of the facility's real property to be constructed in the locality.	\$	9,200,000.00
3.	Estimated real property tax per year using present tax rates.	\$	55,000.00
4.	Estimated personal property tax per year using present tax rates.	\$	N/A
5.	Estimated merchants' capital tax per year using present tax rates.	\$	N/A
6.	(a) Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality.	\$	54,000.00
	(b) Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality.	\$	0.00
	(c) Estimated dollar value per year of services that will be purchased from Virginia companies within the locality.	\$	146,000.00
	(d) Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality.	\$	0.00
7.	Estimated number of regular employees on year round basis.		4
8.	Average annual salary per employee.	\$	\$45,000.00



Chairman, Staunton Redevelopment and Housing
Authority

RESOLUTION APPROVING THE ISSUANCE BY THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY OF ITS REVENUE BONDS FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, REHABILITATION AND EQUIPPING OF THE APPROXIMATELY 110 UNIT WILLOW VIEW TOWNHOMES MULTIFAMILY HOUSING FACILITY LOCATED IN THE CITY OF STAUNTON, VIRGINIA

WHEREAS, the Staunton Redevelopment and Housing Authority (the “Authority”) is authorized to advertise and hold public hearings relative to the issuance of private activity bonds; and

WHEREAS, the Authority has considered the application of LRC – Willow View, LP, a Virginia limited partnership (the “Borrower”), requesting that the Authority issue up to \$7,000,000 of its revenue bonds (the “Bonds”) to assist the Borrower in financing the acquisition, construction, renovation, rehabilitation and equipping of an approximately 110 unit multifamily residential rental housing project known as Willow View Townhomes (the “Project”) and has held a public hearing in connection therewith on October 16, 2018; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the applicable elected representatives of the governmental unit having jurisdiction over the issuer of private activity bonds must approve the issuance of such bonds;

WHEREAS, the Authority issues its bonds on behalf of the City of Staunton, Virginia (the “City”); and

WHEREAS, the Authority, as the issuing governmental unit with respect to the Bonds, has no applicable elected representative, the City constitutes the next highest governmental unit with such a representative, and the members of the City Council of the City (the “Council”) constitute the applicable elected representatives of the City; and

WHEREAS, the Authority has previously held a public hearing regarding the Project and adopted a resolution authorizing in principle the issuance of the Bonds; and

WHEREAS, the Authority has recommended that the Council approve the issuance of the Bonds; and

WHEREAS, a copy of the Authority’s resolution authorizing the issuance of the Bonds, subject to the terms to be agreed upon, a Fiscal Impact Statement complying with the requirements of Section 15.2-4907 of the Virginia Code, as applicable to housing authorities, and a certificate of the public hearing have been filed with the Council.

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

1. The Council approves the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code, Section 15.2-4906, as applicable to housing authorities, of the Code of Virginia of 1950, as amended (the “Virginia

Code”) and, to the extent applicable, Section 36-19(9) of the Virginia Code to permit the Authority to assist in the financing of the Project.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of the Project or the Borrower.

3. The Bonds shall provide that neither the Commonwealth of Virginia, the City nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and monies pledged thereto and that neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the City or the Authority is pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto.

4. In adopting this resolution, the City, including its elected representatives, officers, employees and agents, shall not be liable for, and hereby disclaim all liability for, any damages to any person, direct or consequential, resulting from the Authority’s failure to issue the Bonds for any reason.

5. This resolution shall take effect immediately upon its adoption.

Adopted by the City Council of the City of Staunton, Virginia this 8th day of November, 2018.

CERTIFICATE

Record of the roll-call vote by the City Council of the City of Staunton, Virginia, (the “Council) upon reading on a resolution titled **“RESOLUTION APPROVING THE ISSUANCE BY THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY OF ITS REVENUE BONDS FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, REHABILITATION AND EQUIPPING OF THE APPROXIMATELY 110 UNIT WILLOW VIEW TOWNHOMES MULTIFAMILY HOUSING FACILITY LOCATED IN THE CITY OF STAUNTON, VIRGINIA,”** taken at a meeting of the Council held on November 8, 2018:

	AYE	NAY	ABSTAIN	ABSENT
Carolyn W. Dull, Mayor				
Ophie Kier, Vice Mayor				
Erik D. Curren				
James J. Harrington				
R. Terry Holmes				
Brenda O. Mead				
Andrea Oakes				

The undersigned Clerk of the City Council of the City of Staunton, Virginia, hereby certifies that the foregoing is a true, correct, and complete copy of a resolution adopted by the Council at its meeting duly called and held on November 8, 2018, in accordance with law, and that such resolution has not been repealed, revoked, rescinded, or amended, but is in full force and effect as of the date hereof.

WITNESS my hand and the seal of the City of Staunton, Virginia this 8th day of November, 2018.

[SEAL]

Clerk, City Council of the City of
Staunton, Virginia

[LETTERHEAD OF CITY MANAGER]

November ___, 2018

Virginia Department of Housing and Community Development
600 East Main Street, Suite 300
Richmond, VA 23219
Attention: Kyle Flanders

RE: Formal Letter of Support for Willow View Townhomes Project

Dear Mr. Flanders:

I am writing in regard to the planned financing and construction of a multifamily residential rental housing facility (the “Project”) located in the City of Staunton, Virginia (the “City”). The Project will consist of approximately 110 rental units and will be located at 102 Baylor Street, Staunton, Virginia. On October 16, 2018, the Board of Commissioners of the Staunton Redevelopment and Housing Authority (the “Housing Authority”) approved an inducement resolution to issue its revenue bonds in the amount of up to \$7,000,000 to assist LRC – Willow View, LP, a Virginia limited partnership (the “Borrower”), in financing certain costs of the acquisition and rehabilitation of the Project. The City Council of the City resolved to authorize the Housing Authority to issue the bonds at their meeting on November 8, 2018.

The Borrower and the Housing Authority will submit a Local Housing Authority Application for Housing Bond Allocation. Among the required attachments to such Application is a letter from the chief appointed official of the locality in which the project is located, endorsing the project and stating that the project is in conformity with any Consolidated Plan covering the locality. ***There is no Consolidated Plan of the locality, so this letter covers endorsement only.*** In my capacity as chief appointed official of the City of Staunton, I communicate the City’s endorsement of the allocation of private activity bonds requested by the Borrower for the Project, subject to the limitations of the Housing Authority’s resolution dated October 16, 2018, and the City Council’s resolution dated November 8, 2018.

If you need any additional information, please feel free to contact Wanda Yvonne Stevens, Executive Director of the Housing Authority, at (540) 886-3413.

Sincerely,

Stephen F. Owen
City Manager

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	November 8, 2018	Staff Members: Nickie Mills Patrick Wilkins
Item #	5	
Ordinance #		
Department:	Community Development—Engineering	
Council Vision:	Responsive, Efficient Government Built Environment	
Subject:	Gypsy Hill Stream Restoration Project	

Background: The City is continuing efforts to comply with the Phase II Municipal Separate Storm Sewer System (MS4) General Permit issued by the Virginia Department of Environmental Quality (DEQ) for the City's stormwater program. One of the projects identified in the planning process for permit compliance was the restoration of the stream in Gypsy Hill Park.

The stream has been identified as having erosion issues and having a portion of the stream buried in a culvert that would benefit from "daylighting," or removal of the culvert and restoration of a natural channel. The DEQ permit requires that the City remove specified amounts of nitrogen, phosphorus and total suspended solids from City streams and waterways as part of the MS4 permit. This stream restoration project is expected to significantly contribute to the nutrient removal that is required. The stream restoration project is also expected to include removal of some of the "rip-rap" slope protection along the stream, making it more aesthetically pleasing, and enhancing nutrient removal. Where feasible, the final design may provide some stream "benching" to slow runoff through the park, provide some flooding reduction benefit for areas downstream from the park, and allow for aquatic or wetland plants that provide nutrient removal benefits.

Engineering surveys and feasibility studies are just beginning for the project. Engineering Division staff desired to inform and involve the public at an early stage of the project due to the high-profile nature of the park. To this end, "listening sessions" were scheduled for October 25, 2018, and November 8, 2018, to introduce the project and give citizens a chance to offer feedback on the need for the project and the expected benefits.

Staff will attend Council's work session on November 8, 2018, to share some of the project details, including results of the listening sessions, and to answer any questions members of Council may have.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Stephen F. Owen

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	November 8, 2018	Staff Member: Steve Owen
Item #	6	
Ordinance #		
Department:	City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	2019 Legislative Program	

Background: Each year, City Council adopts a legislative program which is transmitted to the Governor, local General Assembly members, the Virginia Municipal League (VML), and Virginia First Cities. Council discussed the City's legislative program for 2019, at its work session on October 25, 2018. During Council's work session on November 8, 2018, there will be a continued discussion of the program. A draft resolution setting forth the program, with proposed changes to last year's program highlighted, is attached for Council's consideration (with proposed deletions stricken and proposed additions underlined.) Also attached, for Council's reference, are a draft of the same document, without highlighted changes (which may be easier to read) and VML's 2019 legislative program.

City Manager's Recommendation: Review and discuss the draft 2019 Legislative Program. If it is in an acceptable form, Council may adopt the program during its regular meeting on November 8. Alternatively, if Council desires to provide further input on the draft, staff can revise the program and schedule it for Council consideration on December 13. A suggested motion is included below in the event Council desires to proceed with adoption on November 8.

Suggested Motion: I move that City Council adopt the resolution establishing the City of Staunton's 2019 Legislative Program.

City Manager: Stephen F. Owen

**RESOLUTION ESTABLISHING THE
CITY OF STAUNTON'S
~~2018~~2019 LEGISLATIVE PROGRAM**

The Mayor and City Council of the City of Staunton, Virginia, governing from a position closest to the City's citizens and desiring to make City government more responsive to Staunton citizens, believe it is important to advise the City's representatives in the Virginia General Assembly of the City's legislative positions.

THEREFORE, BE IT RESOLVED by the Council of the City of Staunton that the legislative principles adopted by the Virginia Municipal League (VML) are hereby endorsed:

The Governor and General Assembly should not:

- Restrict further local revenue authority or sources.
- Impose new funding requirements or expand existing ones on services delivered by local governments.
- Shift state funding responsibilities onto local governments.
- Impose state fees, taxes or surcharges on local government services.
- Place additional unfunded mandates and other administrative burdens on local governments.

BE IT FURTHER RESOLVED that City Council respectfully requests that the General Assembly **support** legislation regarding the following issues:

A. Education

1. The General Assembly should fully fund public education—funding all mandated programs and services of education on the basis of realistic costs; increasing Standards of Quality funding, coming from general fund revenues, appropriated to elementary and secondary education; providing for flexibility in the use of those funds to meet unique local needs; and supporting specialized training, professional development and extended contracts for staff in challenged schools.
2. ~~The General Assembly should fully fund the Virginia Preschool Initiative, removing and/or significantly reducing the required local share, demonstrating its commitment and investment in arguably the greatest resource we have—our children.~~
3. The General Assembly should continue to support the revisions of the system of accountability to encompass balanced assessments and expand the implementation of problem-based assessments for greater validity, and more cost-effective sampling techniques, and continue the

implementation of expedited test retakes to more accurately reflect student achievement, sense of inquiry, and love of learning.

4. The General Assembly should enact legislation to double the sales and use tax revenue distribution statewide to provide funding for capital for new or renovated school building projects, using the same formula for sales and use tax distribution as is used currently for distribution for Standards of Quality funding.
5. The General Assembly should provide new avenues for funding public school construction and renovation costs, including the creation of a pilot program of competitive grants using funds from the Virginia Public Building Authority to offset new construction costs for publicly owned and operated K-12 schools.

B. Pediatric Cancer Research

~~City Council is appalled by the lack of cancer research coordination, the glacially slow FDA new treatment approval process, and the totally inadequate level of federal funding for pediatric cancer research. Less than 4% of all cancer research spending is for pediatric cancer and only two treatments are currently approved by the FDA.~~ Council requests that the Virginia General Assembly petition the federal government to make pediatric cancer a real priority in order to save the lives of countless children who cannot speak for themselves or vote.

C. ~~Certificate~~Certificates of Public Need

Council supports Virginia's Certificate of Public Need (COPN) program as an important component of the Commonwealth's health care system and encourages the General Assembly to retain COPN in its current form ~~with process reforms similar to those recommended by the state work group led by the Secretary of Health and Human Services in 2015. Any legislation to deregulate COPN must be coupled with policies to promote access to care, ensure provision of essential human services, fund graduate medical education and maintain the fiscal stability of Virginia's community hospitals.~~

.

~~D. Stormwater Local Assistance Funding~~

~~D. The Commonwealth of Virginia and its MS4 communities are required under the Chesapeake Bay TMDL to meet specific reductions in stormwater pollution. Recent cost estimates for such compliance exceed \$10 billion, with the majority of the costs falling on local governments. Last year, the Virginia Department of Environmental~~**Water Quality** ~~(DEQ) granted only \$8.5 million in Stormwater Local Assistance Fund (SLAF) funding to local governments, to~~

~~defray their costs of compliance. This year, DEQ states that only \$20 million will be granted through the SLAF program.~~

City Council requests that the Commonwealth increase SLAF Stormwater Legal Assistance Fund (SLAF) funding to at least \$50 million and Agricultural BMP Cost-Share Program funding to at least \$~~50~~100 million.

E. Transportation

1. City Council supports improvements to railroad infrastructure to increase freight shipment capacity and reduce truck traffic and impacts on Interstate 81.
2. City Council supports a Primary Seatbelt Law, ~~which research and other states' experiences have proven will save lives.~~
3. City Council supports a ban on handheld cell phone use by operators of moving motor vehicles.
4. City Council supports the use of non-motorized transportation, including trails, pathways and green corridors, for health, energy conservation and cost reasons for all Virginians, ~~including trails, pathways and green corridors as an essential element of Virginia's transportation system.~~
5. City Council supports increased federal and state funding for public transit; policies that allow for the equitable distribution of such funding; and dedicated sources for such funding, ~~all to avoid the impending fiscal cliff in 2019.~~

F. Libraries

~~State Library Aid is only funded at 58% of the amount mandated by the Code of Virginia. Funding currently falls about \$12 million short statewide, with Staunton's portion of the shortfall amounting to \$61,000.~~ City Council supports efforts to maintain and increase State Aid to Public Libraries as mandated by the Code of Virginia to strengthen funding for public library materials and programs that target childhood literacy and STEM instruction.

G. Virginia State Parks

City Council encourages the Governor and General Assembly to support additional land acquisition for state parks, outdoor recreation and natural areas. ~~Towards that end, should the federal government expand the authorization of offshore energy exploration, City Council supports a plan to reinvest a portion of the royalties in the conservation of land for public access for outdoor recreation.~~

H. Broadband Expansion

City Council supports the expansion of broadband to all areas of the Commonwealth ~~to make Virginia more competitive in the new global economy in which it competes on a daily basis.~~

~~I. Regional Greenhouse Gas Initiative and Commonwealth Resilience Fund~~

~~Staunton City Council joins VML in supporting the Commonwealth of Virginia's application for membership to the Regional Greenhouse Gas Inventory (RGGI) to cap and trade CO2 emissions from power plants to specifically address the impacts of sea-level rise and climate change using an estimated \$200 million in annual auction revenues through 2030, and to comply with the EPA's Clean Power Plan.~~

~~J.I. Solar Tax Incentives~~

City Council supports state tax incentives for private homeowners, businesses and the solar energy industry to incentivize an increase in the use of clean solar energy systems, to reduce dependence on extractive fossil fuels and emissions and increase energy independence.

~~K.J. Predatory Lending~~

~~The City of Staunton has been joined in its seven-year long fight against predatory lending by VML, Virginia Association of Counties and Virginia First Cities, as well as 98 individual city, town and county governments. The payday lending industry's lobbying efforts are better funded, however, with money extorted from some of the most vulnerable citizens in the Commonwealth whose interests have been totally ignored since 2002. Despite the efforts of countless civil rights organizations, hundreds of churches, and dozens of newspaper editorial boards, legal aid societies, and senior advocates, the protection the City seeks for its citizens is ignored. In spite of a Virginia Supreme Court ruling that called these practices "a vicious cycle of debt" and produced evidence that an estimated 9 million illegal loans had been made in the Commonwealth between 2002 and 2009, the General Assembly has steadfastly refused to act to provide protections to Virginia families that the federal government provides for military members and their families.~~

~~City Council continues its eight-year long fight against predatory lending. Council supports:~~

~~The cost to the Commonwealth is staggering. The capital flight from Virginia is estimated to be well over \$150 million every year. Allowing lenders to charge fees and interest amounting to 200%-680% APR is crippling the~~

~~efforts of charities and social services trying to get people back on their feet. The damage to the economy of Virginia is incalculable.~~

~~City Council asks now for three things:~~

- A return to the usury law (36% interest rate cap inclusive of all fees) that Virginia had prior to 2002.
- Vigorous enforcement by the Attorney General of the ban on illegal internet loans.
- If the Senate and the House refuse to act, swift approval by the General Assembly of a statewide referendum on an interest rate cap.

K. Equal Rights Amendment

City Council supports passage of the Equal Rights Amendment (ERA) and urges the General Assembly to take the necessary steps to put this matter before the citizens of the Commonwealth of Virginia.

L. Opioids

City Council supports any efforts to curb opioid use and abuse, including state programs that partner with local governments to deal with the effects of this growing epidemic.

M. Fair Elections

Like many of our citizens, members of City Council regard with concern the reports received from other states and regions of apparent attempts on the part of government officials to suppress voter turnout. Reductions in voting locations, malfunctioning voting machines, preemptory removal of citizens' names from voting rolls, and other such strategies for unfairly influencing the outcome of an election reflect an abandonment of the democratic principles upon which our nation and commonwealth were founded.

Council urges our representatives in the General Assembly to make every effort to ensure that Virginia elections are fair, secure, accurate, accessible, and transparent. Further, Council urges the General Assembly to explore and implement additional strategies for encouraging voter turn-out, including:

- automatic registration
 - expanded voting hours
 - establishment of election day as a state holiday
-

N. Public Notice, Public Hearing and Public Procurement

The General Assembly should support legislation to reduce required, expensive newspaper advertising for public notices, public hearings and public procurement including legislation to give localities the option to use electronic or other forms of notification as an alternative to newspaper advertising.

O. Behavioral Health and Development Disability

- The General Assembly should provide full funding for the System Transformation Excellence and Performance (STEP-VA) initiative of the Virginia Department of Behavioral Health & Developmental Services during the 2018-2020 biennial budget.
- The General Assembly should increase the Medicaid Early Intervention case management reimbursement rate to its data-determined adequacy.
- The General Assembly should fund 800 additional Family and Individual Supports (FIS) Waivers and 250 Community Living (CL) Waivers.

P. State Aid to Localities for Law Enforcement - HB599

The City of Staunton requests the General Assembly fully fund HB599 for law enforcement as mandated by the Code of Virginia.

Q. Jail Staffing/Compensation Board

The City of Staunton requests the General Assembly fund the required staffing positions based on the Average Daily Population (ADP) for regional jails, which would result in 70 more positions for Middle River Regional Jail based on ADP for 2017.

BE IT ALSO RESOLVED that City Council respectfully requests that the General Assembly **oppose** the following legislation:

A. Short Term Rentals

~~The General Assembly in the 2017 session provided for localities to create a registry for short term rental or homestay operators. The City of Staunton will have a registry in place by January 2018. Concerning taxation, it is expected that legislation will once again be proposed to allow short term rental operators to collect and remit transient occupancy tax to the online platform, and for the online platform to transmit the transient occupancy tax directly to the Virginia Department of Taxation in a lump sum payment, with no detail offered to the localities as to the genesis of the tax. The City of Staunton strongly opposes having the Virginia Department of Taxation collect this tax on behalf of localities. The~~

~~transient occupancy tax is a local tax which should be collected locally. Furthermore, City Council opposes any legislation that works to conceal the identity of the operators from the local tax and zoning authorities.~~

B.A. Eminent Domain by Private Utilities for Surveying

City Council opposes the eminent domain rights extended to Dominion Virginia Power and other private utilities to enter onto private property without the consent of the landowner for the purpose of surveying for proposed projects before agreements have been reached with such property owners.

C.B. Stormwater Utility Exemptions

City Council opposes legislation which would exempt any property owner from the payment of local stormwater utility fees. ~~Passage of a bill for one or more classes of property owners would certainly result in exemption requests from other classes of property owners (e.g., non-profit organizations and the federal and state governments). If considered favorably, those requests would further diminish fee collections. Council believes that all property owners should be required to pay fees for stormwater utility service, just as they pay for other utility services (including telephone, cable television, electric, gas, water and sewer services). As noted above, localities in Virginia already have limited financial resources available to comply with significant federal and state stormwater requirements. Any state-mandated reductions to stormwater utility fee collections—a limited source of funds for local governments to finance costly, mandated projects—will subject localities to additional financial burdens.~~

The Clerk of Council shall mail or deliver a copy of this Resolution to the Governor, the City's representatives in the General Assembly, other selected members of the General Assembly and area local governments; to the Virginia Municipal League, Virginia Association of Counties and Virginia First Cities and to other interested persons, as appropriate.

Adopted this 14th day of December, 2017, 2018.

_____/s/_____

 _____ Carolyn W. ~~Dull~~
 _____ ~~Carolyn W.~~ Dull, Mayor

ATTEST: /s/ Deborah A. Lane
Deborah A. Lane Suzanne F. Simmons
 Acting Clerk of Council

**RESOLUTION ESTABLISHING THE
CITY OF STAUNTON'S
2019 LEGISLATIVE PROGRAM**

The Mayor and City Council of the City of Staunton, Virginia, governing from a position closest to the City's citizens and desiring to make City government more responsive to Staunton citizens, believe it is important to advise the City's representatives in the Virginia General Assembly of the City's legislative positions.

THEREFORE, BE IT RESOLVED by the Council of the City of Staunton that the legislative principles adopted by the Virginia Municipal League (VML) are hereby endorsed:

The Governor and General Assembly should not:

- Restrict further local revenue authority or sources.
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- Impose state fees, taxes or surcharges on local government services.
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BE IT FURTHER RESOLVED that City Council respectfully requests that the General Assembly **support** legislation regarding the following issues:

A. Education

1. The General Assembly should fully fund public education—funding all mandated programs and services of education on the basis of realistic costs; increasing Standards of Quality funding, coming from general fund revenues, appropriated to elementary and secondary education; providing for flexibility in the use of those funds to meet unique local needs; and supporting specialized training, professional development and extended contracts for staff in challenged schools.
2. The General Assembly should fully fund the Virginia Preschool Initiative.
3. The General Assembly should continue to support the revisions of the system of accountability to encompass balanced assessments and expand the implementation of problem-based assessments for greater validity and more cost-effective sampling techniques, and continue the implementation of expedited test retakes to more accurately reflect student achievement, sense of inquiry, and love of learning.

4. The General Assembly should enact legislation to double the sales and use tax revenue distribution statewide to provide funding for capital for new or renovated school building projects, using the same formula for sales and use tax distribution as is used currently for distribution for Standards of Quality funding.
5. The General Assembly should provide new avenues for funding public school construction and renovation costs, including the creation of a pilot program of competitive grants using funds from the Virginia Public Building Authority to offset new construction costs for publicly owned and operated K-12 schools.

B. Pediatric Cancer Research

Council requests that the Virginia General Assembly petition the federal government to make pediatric cancer a real priority in order to save the lives of countless children who cannot speak for themselves or vote.

C. Certificates of Public Need

Council supports Virginia's Certificate of Public Need (COPN) program as an important component of the Commonwealth's health care system and encourages the General Assembly to retain COPN in its current form.

D. Chesapeake Bay Water Quality

City Council requests that the Commonwealth increase Stormwater Legal Assistance Fund (SLAF) funding to at least \$50 million and Agricultural BMP Cost-Share Program funding to at least \$100 million.

E. Transportation

1. City Council supports improvements to railroad infrastructure to increase freight shipment capacity and reduce truck traffic and impacts on Interstate 81.
2. City Council supports a Primary Seatbelt Law.
3. City Council supports a ban on handheld cell phone use by operators of moving motor vehicles.
4. City Council supports the use of non-motorized transportation, including trails, pathways and green corridors, for health, energy conservation and cost reasons for all Virginians.

5. City Council supports increased federal and state funding for public transit; policies that allow for the equitable distribution of such funding; and dedicated sources for such funding.

F. Libraries

City Council supports efforts to maintain and increase State Aid to Public Libraries as mandated by the Code of Virginia to strengthen funding for public library materials and programs that target childhood literacy and STEM instruction.

G. Virginia State Parks

City Council encourages the Governor and General Assembly to support additional land acquisition for state parks, outdoor recreation and natural areas.

H. Broadband Expansion

City Council supports the expansion of broadband to all areas of the Commonwealth.

I. Solar Tax Incentives

City Council supports state tax incentives for private homeowners, businesses and the solar energy industry to incentivize an increase in the use of clean solar energy systems, to reduce dependence on extractive fossil fuels and emissions and increase energy independence.

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City Council continues its eight-year long fight against predatory lending. Council supports:

- A return to the usury law (36% interest rate cap inclusive of all fees) that Virginia had prior to 2002.
- Vigorous enforcement by the Attorney General of the ban on illegal internet loans.
- If the Senate and the House refuse to act, swift approval by the General Assembly of a statewide referendum on an interest rate cap.

K. Equal Rights Amendment

City Council supports passage of the Equal Rights Amendment (ERA) and urges the General Assembly to take the necessary steps to put this matter before the citizens of the Commonwealth of Virginia.

L. Opioids

City Council supports any efforts to curb opioid use and abuse, including state programs that partner with local governments to deal with the effects of this growing epidemic.

M. Fair Elections

Like many of our citizens, members of City Council regard with concern the reports received from other states and regions of apparent attempts on the part of government officials to suppress voter turnout. Reductions in voting locations, malfunctioning voting machines, preemptory removal of citizens' names from voting rolls, and other such strategies for unfairly influencing the outcome of an election reflect an abandonment of the democratic principles upon which our nation and commonwealth were founded.

Council urges our representatives in the General Assembly to make every effort to ensure that Virginia elections are fair, secure, accurate, accessible, and transparent. Further, Council urges the General Assembly to explore and implement additional strategies for encouraging voter turn-out, including:

- automatic registration
- expanded voting hours
- establishment of election day as a state holiday

N. Public Notice, Public Hearing and Public Procurement

The General Assembly should support legislation to reduce required, expensive newspaper advertising for public notices, public hearings and public procurement including legislation to give localities the option to use electronic or other forms of notification as an alternative to newspaper advertising.

O. Behavioral Health and Development Disability

- The General Assembly should provide full funding for the System Transformation Excellence and Performance (STEP-VA) initiative of the Virginia Department of Behavioral Health & Developmental Services during the 2018-2020 biennial budget.

- The General Assembly should increase the Medicaid Early Intervention case management reimbursement rate to its data-determined adequacy.
- The General Assembly should fund 800 additional Family and Individual Supports (FIS) Waivers and 250 Community Living (CL) Waivers.

P. State Aid to Localities for Law Enforcement - HB599

The City of Staunton requests the General Assembly fully fund HB599 for law enforcement as mandated by the Code of Virginia.

Q. Jail Staffing/Compensation Board

The City of Staunton requests the General Assembly fund the required staffing positions based on the Average Daily Population (ADP) for regional jails, which would result in 70 more positions for Middle River Regional Jail based on ADP for 2017.

BE IT ALSO RESOLVED that City Council respectfully requests that the General Assembly **oppose** the following legislation:

A. Eminent Domain by Private Utilities for Surveying

City Council opposes the eminent domain rights extended to Dominion Virginia Power and other private utilities to enter onto private property without the consent of the landowner for the purpose of surveying for proposed projects before agreements have been reached with such property owners.

B. Stormwater Utility Exemptions

City Council opposes legislation which would exempt any property owner from the payment of local stormwater utility fees.

The Clerk of Council shall mail or deliver a copy of this Resolution to the Governor, the City's representatives in the General Assembly, other selected members of the General Assembly and area local governments; to the Virginia Municipal League, Virginia Association of Counties and Virginia First Cities and to other interested persons, as appropriate.

Adopted this ____ day of _____, 2018.

Carolyn W. Dull, Mayor

ATTEST: _____
Suzanne F. Simmons
Clerk of Council

Virginia Municipal League 2019 Legislative Program

Priorities

State Assistance to Local Police Departments (HB 599)

Almost 70 percent of Virginians live in communities served by police departments. The state created a program of financial assistance to local police departments (HB599) when it imposed an annexation moratorium on cities more than 30 years ago. It has increasingly de-emphasized this funding obligation as a priority but has never compromised on the annexation moratorium. VML calls for the state to honor its commitment to local governments and public safety by funding the program as stipulated in the Code of Virginia or lift the moratorium on annexation.

Funding the Real Cost of Education

The state funding formula for education operating costs breaks down on a statewide level as 55 percent state/45 percent local funding. However, the Standards of Quality do not recognize the true costs of education, including pupil transportation, school support staff, providing and updating broadband and other technology, and instructional staff salaries. Neither does it recognize most construction and renovation costs.

Local governments match more than is required for basic state education dollars, pay the majority of public school capital costs and struggle to find scarce local tax dollars to keep up with the demands for meeting additional and expanding state requirements and for creating 21st century learning environments for our children to master the challenges of tomorrow's workplace.

VML supports actions for the Commonwealth to recognize and fund the true costs of public education, including new avenues for funding public school construction and renovation cost such as the creation of a pilot program of competitive grants using funds from the Virginia Public Building Authority to offset new construction or renovation costs for publicly-owned and operated K-12 schools.

Mental Health Alternative Transportation and Access to Beds

VML supports stable, sustained state funding and adequate safety standards for the use of alternative transportation for individuals experiencing a mental health crisis who need evaluation and potentially in-patient services. VML supports the goal of creating more ready access to short-term, in-patient crisis services, including the use of public-private partnerships, to end the need to transport adults and children long distances to receive needed services and support.

Restoring Reductions to Community Services Boards

Community services boards are slated for substantial state general fund reductions in fiscal years 2019 (\$11 million) and 2020 (\$25 million). Health care expansion through Medicaid may eventually make up for these reductions, but the timing of implementation leaves the boards with six months to make up for a year's worth of reductions in fiscal year 2019 and puts them at risk of service and staffing disruptions. VML supports the restoration of funding to

community services boards in fiscal year 2019. VML also supports the revisiting of slated reductions in fiscal year 2020 and beyond, specifically to ensure that the state's goal of providing more services at the community level, including new STEP-VA service requirements, can be achieved without shifting funding burdens to local governments.

State and Federal Funding for Public Transit

VML supports increased federal and state funding for public transit; policies that allow for the equitable distribution of such funding; and dedicated sources for such funding to ensure the state of good repair of transit equipment and facilities as well as service expansion.

Legislative Program Items (in alphabetical order)

Closure of State Facilities

VML supports the development and implementation of a process by which the Commonwealth would provide ample notice and work with a community when a state facility located in or adjacent to that community is slated for significant downsizing or closure that would affect jobs, utility agreements or have an impact on the surrounding communities.

Communications Sales and Use Tax

The Virginia Communications Sales and Use Tax was enacted to establish a statewide tax rate and to pre-empt local taxes on communications sales and services. VML supports setting the tax rate at the same level as the state sales tax rate and broadening the coverage of the tax to include audio and video streaming services and prepaid calling cards. VML opposes transfers of these revenues to the state general fund for purposes other than those stipulated in the Code of Virginia.

Distracted & Inattentive Driving

VML supports legislative efforts to protect the public and prevent private property damage resulting from individuals who are distracted and inattentive while driving, regardless of the causes of distraction. Local governments should be authorized to enforce state laws and local ordinances dealing with this problem.

Education Funding

A strong public school system is essential to economic development and prosperity. The state must be a reliable funding partner in accordance with the Virginia Constitution and state statutes. The Standards of Quality should recognize the resources, including positions, required for a high-quality public education system. VML opposes changes in methodology and changes in the division of financial responsibility that result in a shift of funding responsibility from the state to localities.

Further, VML opposes policies that lower state contributions but do nothing to address the cost of meeting the requirements of the Standards of Accreditation and Standards of Learning.

Any approach to improving low-performing schools must include adequate state financial support. VML supports increased state funding for the Virginia Preschool Initiative, the K-3

reduced class size program and Early Reading Intervention program. VML also supports increased state stipends for highly effective teachers in high-poverty schools, and other innovative programs for teachers and students.

Equal Rights Amendment

VML supports the passage of the Equal Rights Amendment (ERA) and urges the General Assembly to take the necessary steps to put this matter before the citizens of the Commonwealth of Virginia.

Local and Regional Taxing Authority for Transit Capital Needs

Public transportation is critical to the economy and quality of life of all Virginians. VML supports legislation that would allow localities to adopt additional regional or local taxes to provide needed capital funds.

Local Option Regulation of Disposable Plastic Bags

VML supports legislation to allow local option authority to develop incentives or regulations to decrease or otherwise regulate the distribution, sale, or offer of disposable plastic bags.

Proffers

The authority to impose impact fees should include calculations for the cost of all public infrastructure, including local transportation, transit, and school construction costs, caused by growth. Until a comprehensive impact fee system is authorized, the state code should extend to all localities full authority for conditional zoning to meet the needs to new citizens for public infrastructure.

Removing Barriers to Distributed Solar

The Grid Transformation and Security Act approved by the 2018 General Assembly authorizes and encourages many clean power production activities, but Virginia law still restricts the ability of local governments, businesses, and others from installing solar facilities for their own use. VML supports legislation to remove barriers and allow for creation of stronger markets for distributed solar goals, to include the following components:

- Lifting the one percent cap on the total amount of solar that can be net metered in a utility territory to five percent; and
- Allowing local government entities to install solar facilities of up to 5 MW on government-owned property and use the electricity for schools or other government-owned buildings located nearby, even if not contiguous.

Sidewalks

VML supports the General Assembly granting local governments the authority to enter into agreements with developers to have a payment in-lieu-of option for sidewalk installation. These agreements would include language allowing the locality to install a sidewalk somewhere else that is beneficial to the community.

State and Local Government Fiscal Relationship

Governance at the local level becomes ever more challenging as the Commonwealth and the Federal government add new programs, or modify existing program guidelines, and promulgate complex regulations and higher standards for local governments to implement. It is not uncommon for the state and federal governments to either underfund their share of the costs or to ignore them altogether.

To that end, the Virginia Municipal League holds as essential these principles on local taxing and budget authority.

- Specific local revenue authority and sources cannot be further restricted without first granting and providing alternative revenue authority with reliable, sustainable revenue sources. This includes, without limitation, the BPOL and M&T taxes.
- Local governments should be involved in any discussions relating to local taxing authority including legislation that exempts specific industries from local taxes and fees.
- Local general fund revenue and special funds cannot be confiscated or re-directed to the state treasury.
- Placing additional administrative burdens on local governments without sufficient resources or administrative flexibility jeopardizes the quality of services delivered at the local level. Local governments cannot be expected to bear the expenses related to the imposition of new funding requirements or the expansion of existing ones on services delivered at the local level without a commensurate increase of state financial assistance or new local taxing authority.
- Shifting traditional state funding responsibilities onto local governments for services including public education, law enforcement, and public safety activities and any core services affecting local government, is bad fiscal policy, resulting in stress on local finances without reductions in overall program costs.
- Imposing state fees, taxes or surcharges on local government services impedes transparency at both the state and local level.
- Any efforts at tax reform must begin with a thorough examination of state tax reform and the financing of state services. The State should reform its own tax structure before taking on the topic of local taxes. State and/or local tax changes should not negatively affect local revenues.
- State budget cuts to state mandated and other high priority programs should specify the programs to be affected by the cuts.

The Commonwealth should:

- Enter a dialogue with local governments to examine state requirements and service expansions that can be suspended or modified to alleviate to the degree possible the financial burden on state and local taxpayers.
- Examine models in other states that allow for modernizing state and local taxing authority.

- Develop spending and revenue priorities that support economic development, public safety, education and other public goals. State tax credits, tax deductions and tax relief policies must receive the same scrutiny as spending programs as part of the prioritization process.
- In times of revenue crises, review ways to increase revenues to meet constitutional and statutory obligations to Virginia citizens after all other actions have been taken.
- Include local government representatives on any “blue ribbon” commission or other body established by the state that has as its purpose changes to local revenue authority or governance.

Stormwater Local Assistance

VML supports continued investment in the Stormwater Local Assistance Fund to assist localities with critical stormwater projects to meet federal and state clean-water requirements.

Taxing, Licensing, and Regulating Internet-based Businesses and Services

In taking state action to regulate private enterprises employing a business model that emphasizes the use of the Internet to either provide retail or facilities or ride-sharing services, local government interests should be acknowledged, and localities should be included in the decision-making.

As general principles, VML believes state and local policies should (1) encourage a level playing field for competing services in the market place; (2) not provide a tax preference or tax policy advantage for one group at the expense of another group in the same competitive field; (3) seek to preserve and/or replace local and state tax revenues; (4) ensure safety, reliability, and access for consumers, providers, and the public; and (5) protect local government’s ability to regulate businesses whether they are traditional, electronic, Internet-based, virtual or otherwise.

VML also believes that the state should not prohibit the sharing of financial information between the Commonwealth and appropriate local authorities that is normally treated as part of the public domain. VML further believes that the state should not prohibit a locality from exercising its authority to enter into voluntary collection agreements provided that such agreements include provisions to protect the public’s interest.

Use of Locally-owned Rights-of-Way

Private use of public rights-of-way significantly increase management responsibilities and maintenance costs. VML supports fair market value funding for private use of locally owned rights-of-way. These costs should not be disproportionately borne by local taxpayers.



CITY OF STAUNTON, VIRGINIA

Proclamation

Veterans Day November 11, 2018

- WHEREAS,** Veterans Day has its origins in the November 11, 1918, armistice which brought World War I to a conclusion; and
- WHEREAS,** the Allied victory in World War I affirmed the strength of great nations acting together for high purposes; and
- WHEREAS,** the people of the United States caused through their elected representatives the designation of November 11, as a federal legal holiday which in 1954 became officially known thereafter as Veterans Day; and
- WHEREAS,** Veterans Day continues to be celebrated and commemorated with solemn observances in honor of all Americans who have served their country in times of war and conflict; and
- WHEREAS,** Veterans Day has become a significant part of our American heritage as we recognize millions of our citizens whose military service has had a profound effect on history; and
- WHEREAS,** the courage, honor, sacrifice and dedication which veterans of the United States Armed Forces have displayed in the cause of justice, freedom and democracy are most worthy of recognition.

NOW, THEREFORE, BE IT PROCLAIMED by Staunton City Council that November 11, 2018, is hereby designated as

Veterans Day

in the City of Staunton, and Staunton City Council urges our community and communities across the country, to observe the day with appropriate ceremonies in honor of those who have served.

Adopted this 8th day of November, 2018.

CAROLYN W. DULL, MAYOR

ATTEST:

CLERK OF COUNCIL



CITY OF STAUNTON, VIRGINIA

Proclamation

Small Business Saturday November 24, 2018

- WHEREAS,** the government of Staunton, Virginia, celebrates our local small businesses and the contributions they make to our local economy and community; and
- WHEREAS,** according to the United States Small Business Administration, there are currently 30.2 million small businesses in the United States, which represent 99.7% of all businesses with employees in the United States and are responsible for 65.9% of the net new jobs created from 2000 to 2017; and
- WHEREAS,** small businesses employ 47.5% of the employees in the private sector in the United States; and
- WHEREAS,** 90% of consumers in the United States say Small Business Saturday has had a positive impact on their community; and
- WHEREAS,** 89% of consumers who are aware of Small Business Saturday said the day encourages them to “shop small” all year long; and
- WHEREAS,** 73% of consumers who reportedly “shopped small” at independently-owned retailers and restaurants on Small Business Saturday did so with friends or family; and
- WHEREAS,** the reason reported by the most consumers aware of the day to shop and dine at small, independently-owned businesses was to support their community, cited by 64% of consumers; and
- WHEREAS,** Staunton, Virginia supports our local businesses that create jobs, boost our local economy and preserve our communities; and
- WHEREAS,** advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, BE IT PROCLAIMED by Staunton City Council that November 24, 2018, is hereby designated as

Small Business Saturday

in the City of Staunton, and Staunton City Council urges the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Adopted this 8th day of November, 2018.

CAROLYN W. DULL, MAYOR

ATTEST: _____
CLERK OF COUNCIL

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	November 8, 2018	Staff Member: Steve Owen
Item #	A	
Ordinance #		
Department:	City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	Staff Recognition	

Background: Retired staff members Jeffrey McCray and William Nuckoles, both Sanitation Equipment Operators, will attend Council's regular meeting to receive recognition on the occasion of their recent retirement from City service.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Stephen F. Owen