

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
September 24, 2020
6:15 p.m.**

- | | | |
|------------------|-------------------|--|
| 6:15 p.m. | | Mayor's Introductory Remarks |
| 6:20 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 6:25 p.m. | 2. & B | Discussion of Resolution Establishing the Percentage of Relief at 37% for Purposes of the Personal Property Tax Relief Act |
| 6:35 p.m. | 3. & C | Discussion of Grant Application to Augusta Health for Improved Access to Behavioral Health Services for Individuals Involved in the Criminal Justice System |
| 6:40 p.m. | 4. | Presentation of Proposed Measures to Encourage Safe Use of Shared Street in Gypsy Hill Park |
| 6:55 p.m. | 5. & D | Discussion of Uncodified Emergency Ordinance Ratifying, Confirming and Affirming Uncodified Emergency Ordinance 2020-04 |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
September 24, 2020
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Oakes

Mayor's Report

Additional Items by Members of Council

REGULAR MEETING

- A. Consideration of Ordinance to Amend the FY2021 Budget for the City of Staunton by Adding Budget Amendment Number Three**
- B. Consideration of Resolution Establishing the Percentage of Relief at 37% for Purposes of the Personal Property Tax Relief Act**
- C. Consideration of Grant Application to Augusta Health for Improved Access to Behavioral Health Services for Individuals Involved in the Criminal Justice System**
- D. Consideration of Uncodified Emergency Ordinance Ratifying, Confirming and Affirming Uncodified Emergency Ordinance 2020-04**
- E. Consideration of Resolution Ending the Local Emergency Declared August 8, 2020**

Matters from the City Manager

Matters from the Public*

Adjournment

***To participate in the Public Hearing and Matters from the Public portions of the City Council meeting:**

- Dial toll free number: **(844) 854-2222**
- When prompted, enter the access code for the meeting: **619358#**
- You will hear the automated word “Muted”
- At that point, you will have been added to the queue to share your comments with Council
- While you are in the queue, you will hear the audio feed of the meeting
- When you hear the automated word “Unmuted,” share your comments with Council
- Participants are reminded that the Public Hearing and Matters from the Public portions of the meeting are a time for Council simply to listen to your comments
- **While you are in the queue, mute the television, computer or other device on which you are listening to the meeting**

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 24, 2020	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: Steven L. Rosenberg

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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 24, 2020	Maggie Ragon Commissioner of Revenue Rick Johnson Treasurer Phil Trayer Chief Finance Officer
Item #	2 & B	
Ordinance #		
Department:	Commissioner of Revenue Finance Treasurer	
Council Vision:	Responsive, Efficient Government	
Subject:	Resolution Establishing the Percentage of Relief at 37% for Purposes of the Personal Property Tax Relief Act (PPTRA)	

Background: The Personal Property Tax Relief Act of 1998 (PPTRA) was modified by legislative action taken during the 2004 and 2005 General Assembly sessions. The legislative enactments required the City to take affirmative steps to implement changes and to provide for computation and allocation of relief. The legislative enactments also provided for an appropriation to the City, commencing in 2006, for a fixed sum to be used exclusively for the provision of tax relief to owners of vehicles subject to the City's personal property tax, and to provide the opportunity for the City to fashion a program of tax relief that best serves the citizens.

On April 13, 2006, Council adopted an ordinance that defined procedures and responsibilities for implementing the changes to the PPTRA, including the method of computing the tax relief and allocation of tax relief, plus transitional provisions. The ordinance requires that Council shall set the percentage of tax relief at such a level that is anticipated to fully exhaust PPTRA relief funds provided to the City by the Commonwealth. The Commissioner of Revenue recommends the rate of 37 percent for calendar year 2020. The Commissioner of Revenue, the City Treasurer, and the

Chief Financial Officer have worked as a team to bring this matter to Council so as to implement Council's April 13, 2006 ordinance.

Attached is a copy of the April 13, 2006 ordinance, codified as Section 3.10.015 of the Staunton City Code, and a proposed resolution setting the PPTRA rate at 37 percent, as recommended by the Commissioner of Revenue.

Attachments:

Attachment 1—Personal Property Tax Relief Code

Attachment 2—Proposed Resolution

City Manager's Recommendation: I concur with the Commissioner of Revenue's recommendation and also recommend that the percentage be established at 37 percent.

Suggested Motion: I move that a resolution, as proposed, be adopted, establishing the Personal Property Tax Relief Act (PPTRA) percentage at 37 percent.

City Manager: Steven L. Rosenberg

3.10.015 Personal property tax relief.

(1) Purpose – Definitions – Relation to Other Ordinances.

(a) The purpose of this section is to provide for the implementation of the changes to the Personal Property Tax Relief Act of 1998 (PPTRA) effected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia.

(b) Terms used in this section that have defined meanings set forth in PPTRA shall have the same meanings as set forth in the Code of Virginia Section 58.1-3523, as amended.

(c) To the extent that the provisions of this section conflict with any prior ordinance or provision of the city code, this section shall control.

(2) Method of Computing and Reflecting Tax Relief.

(a) For tax years commencing in 2006, the City adopts the provisions of Item 503.E of the 2005 Appropriations Act, providing for the computation of tax relief as a specific dollar amount to be offset against the total taxes that would otherwise be due but for PPTRA and the reporting of such specific dollar relief on the tax bill.

(b) The city council shall, by resolution, set the percentage of tax relief at such level that is anticipated to fully exhaust PPTRA relief funds provided to the city by the Commonwealth of Virginia.

(c) Personal property tax bills shall set forth on their face the specific dollar amount of relief credited with respect to each qualifying vehicle, together with an explanation of the general manner in which relief is allocated.

(3) Allocation of Relief Among Taxpayers.

(a) Allocation of PPTRA relief shall be provided in accordance with the general provisions of this section, as implemented by the specific provisions of a resolution adopted annually, after the personal property tax book is certified by the commissioner of revenue and delivered to the treasurer.

(b) Relief shall be allocated in such a manner as to eliminate personal property taxation of each qualifying vehicle with an assessed value of \$1,000 or less.

(c) Relief with respect to qualifying vehicles with assessed values of more than \$1,000 shall be provided at a percentage, annually fixed and applied to the first \$20,000 in value of each such qualifying vehicle, that is estimated fully to use all available state PPTRA relief.

(4) Transitional Provisions.

(a) Pursuant to authority conferred in Item 503.D of the 2005 Appropriations Act, the city treasurer is authorized to issue a supplemental personal property tax bill, in the amount of 100 percent of tax due without regard to any former entitlement to state PPTRA relief, plus applicable penalties and interest, to any taxpayer whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid on September 1, 2006, or such date as state funds for reimbursement of the state share of such bill have become unavailable, whichever earlier occurs.

(b) Penalty and interest with respect to bills issued pursuant to subsection (4)(a) of this section shall be computed on the entire amount of tax owed. Interest shall be computed at the rate provided in SCC [3.10.040](#). (Ord. 2006-05).

RESOLUTION
IMPLEMENTING ORDINANCE 2006-05, CODIFIED AS SECTION 3.10.015 OF THE
STAUNTON CITY CODE,
TO FURTHER IMPLEMENT THE 2004-2005 CHANGES
TO THE PERSONAL PROPERTY TAX RELIEF ACT OF 1998

WHEREAS, by Ordinance 2006-05, adopted April 13, 2006, and codified as Section 3.10.015 of the Staunton City Code, the Council of the City of Staunton fashioned a local program of tax relief that serves the best interests of the citizenry regarding personal property tax on qualifying use vehicles, pursuant to modifications made by the General Assembly of Virginia to the Personal Property Tax Relief Act of 1998 (PPTRA);

WHEREAS, the City's program of tax relief contemplates the allocation of PPTRA relief provided by the Commonwealth of Virginia pursuant to the provisions of Ordinance 2006-05, codified as Section 3.10.015 of the Staunton City Code, as further implemented by resolution adopted annually after the personal property tax book is certified by the Commissioner of Revenue and delivered to the Treasurer;

WHEREAS, on September 1, 2020, the Commissioner of Revenue delivered to the Treasurer a certified personal property tax book; and

WHEREAS, the Commissioner of Revenue has recommended to the Council of the City of Staunton, Virginia, that with respect to qualifying vehicles with assessed values of more than \$1,000 the percentage of relief to be applied to the first \$20,000 in value of each such qualifying vehicle should be 37%, which the Commissioner of Revenue estimates will fully use all available state PPTRA relief.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia, that 37% shall be the percentage of relief to be applied to the first \$20,000 in value of each qualifying vehicle with an assessed value of more than \$1,000, pursuant to and in accordance with the provisions of Section 3.10.015 of the Staunton City Code.

Adopted this 24th day of September, 2020.

Approved: _____
Mayor

Attest: _____
Suzanne F. Simmons
Clerk of Council

CITY COUNCIL**AGENDA BRIEFING**

Staunton, VA

Meeting Date:	September 24, 2020	Staff Member: Megan Roane
Item #	3 & C	
Ordinance #		
Department:	Blue Ridge Court Services	
Council Vision:	Responsive, Efficient Government Inclusiveness	
Subject:	Grant Application to Augusta Health for Improved Access to Behavioral Health Services for Individuals Involved in the Criminal Justice System	

Background: Blue Ridge Court Services is a public non-profit organization established under the Comprehensive Community Corrections Act. The City of Staunton serves as the fiscal agent for the organization, which provides services in the cities of Staunton, Waynesboro, Lexington and Buena Vista and the counties of Augusta, Rockbridge and Highland. The mission of Blue Ridge Court Services is to provide research proven sentencing alternatives for the local criminal justice system in an effort to reduce jail overcrowding, enhance public safety and to offer rehabilitative opportunities to local offender and pretrial populations. The agency relies on grants to provide these services. Blue Ridge Court Services proposes to apply for a grant from Augusta Health to fund a licensed clinician to facilitate weekly group and individual therapy sessions at Blue Ridge Court Services. The deadline for grant applications was September 17, 2020.

Based on the proposed grant amount, costs would be shared as follows:

	City Share	Total	Approximate Due Dates	
Augusta Health (Groups & Individual Therapy Sessions)	\$0	\$25,000.00	September 17, 2020	No match required

Fiscal Impact: None.

Attachment:

Augusta Health Grant Application

City Manager's Recommendation: Recommend that Council authorize staff to apply for a grant from Augusta Health to fund a clinician to facilitate weekly group and individual therapy sessions.

Suggested Motion: I move that City Council authorize staff to apply for to Augusta Health for a grant to fund a clinician to facilitate weekly group and individual therapy sessions at Blue Ridge Court Services, retroactively to September 17, 2020, as proposed.

City Manager: Steven L. Rosenberg

2020 Grant Funding Application

Deadline : September 17 2020 at 11:59 PM EDT (Midnight)

Applicant Information

Name: Megan Roane
Email: roanems@ci.staunton.va.us
App ID: 02858267
Status: Incomplete
Cycle: None
Last Modified: Sep 11 2020 12:40 EDT by roanems@ci.staunton.va.us
App Submitted:
App Created: Aug 20 2020 10:59 EDT by roanems@ci.staunton.va.us
Last IP Address: 34.98.67.249
Unique Apps:

2020 Grant Funding Application

Introduction

Primary Contact

First Name	Tasha
Last Name	Harner
Title	Assistant Director
Organization Name	Blue Ridge Court Services
Mailing Address	125 S. New Street
Physical Address (optional, if same as mailing address)	
City	Staunton
State/Province	VA
ZIP/Postal Code	24401
Phone Number	540-886-1008

Emailharnerte@ci.staunton.va.us

Work Website

Organizational Website<https://www.ci.staunton.va.us/departments/court-services>

Organizational Background

Is your organization a 501c3 or public agency?Yes

If no, does your organization have a fiscal sponsor?

If so, who?

United States Tax ID Number546001631

Your organization's mission

The mission of Blue Ridge Court Services is to provide effective sentencing alternatives to the judiciary and the local criminal justice system to reduce jail overcrowding, enhance public safety, and offer remedial and rehabilitative opportunities to local offender populations in the cities of Staunton, Waynesboro, Lexington, and Buena Vista and the counties of Augusta, Rockbridge, and Highland.

A brief description of your organization

Blue Ridge Court Services (BRCS) focuses on "local responsible" offenders, those individuals who have been arrested and brought before the courts who, if sentenced to incarceration, would serve their time at Middle River Regional Jail. Often, as an alternatives to incarceration, these individuals are referred to BRCS for assessment and placement into a broad array of therapeutic and rehabilitative services to help reintegrate them back into the community as productive citizens.

Organization Supplemental

What geographic area do you serve? (Select all that apply)

Augusta County ~Staunton~Waynesboro
~Other: Bath County, Highland County,
Rockbridge County or Lexington

Please briefly describe changes in leadership and any major staff turnover you have experienced in the past 12 months.

Blue Ridge Court Services has a total of 15 staff members. Several staff members received promotions in July 2020. Tasha Harner was promoted to Assistant Director. Samantha Honig was promoted to Senior Pretrial Officer, and Andrew Lightner was promoted to Senior Probation Officer. Our previous Therapeutic Docket Coordinator left in June 2020, and Rachel Harding began in that position on August 3, 2020.

Has your agency ended 2 or more of the past 5 years in an operating deficit?	No
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If yes, please explain the strategies put into place to eliminate this deficit.
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Is there a deficit projected for the current fiscal year?	No
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Does your agency have an endowment?	No
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If yes, what is its value and long term purpose?

Is your agency in compliance with current IRS obligations?	Yes
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Who generates your financial reports?	The City of Staunton Finance Department
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In the past 12 months, how often did your Board of Directors meet?	The Blue Ridge Criminal Justice Board has met four times in the past twelve months with quarterly meetings held in February, May, August, and November.
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Of those Board of Director meetings, what percent of the meetings did the Board have a quorum?	100
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What is your Board of Directors plan to be financially sustainable?
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The Blue Ridge Criminal Justice Board's plan to be financially sustainable is to continue to have Blue Ridge Court Services report on program development and program numbers each quarter. The Blue Ridge Court Services director provides updates to the Board at the meetings to keep them informed on programming progress and finances.

Organization Documents

List of Board of Directors

Current Profit and Loss Statement

Current Agency Balance Sheet

Total Budget for Lead Agency

Letter of Support from Collaborative Partners BRCS Augusta Health Support Letter 9-10-20.pdf

IRS Form 990

W-9

Collaboration Documents (such as: MOU, Agreements, etc.)

Program Background

Program Title

Blue Ridge Court Services Community Initiative on Behavioral Health

Program Description

The focus of this program is to fund a series of community-based therapeutic groups and individual counseling sessions targeting local offenders with behavioral health issues using cognitive behavioral methods designed to stabilize these individuals while we arrange for more comprehensive treatment in our community when appropriate.

Program Leader

Megan Roane

Contact Information: Email

roanems@ci.staunton.va.us

Contact Information: Phone Number

540-886-1008

Check off the health priority to be addressed

Behavioral Health (Including Substance Abuse)

Will the program be implemented in 2021?

Yes

List any collaborating agencies

Judges of the 25th Judicial District, the Commonwealth Attorneys, Middle River Regional Jail staff, the Public Defender's office, Blue Ridge Court Services, Valley Community Services Board, Augusta County Sheriff's Department, and local mental health consumers.

Total Program Budget	25000
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Amount requested from Augusta Health	25000
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Budget Narrative: Please complete the budget spreadsheet at the link below. Use this section to provide any detailed explanations or clarifications for this program. You must clarify any amounts listed as "Other" or "In-Kind". If this is a collaborative program with another agency, please detail any shared costs.

<https://www.augustahealth.com/sites/default/files/documents/community-outreach/program-budget.pdf>

Please save the document as a PDF before uploading.

We propose to fund a licensed clinician to facilitate weekly groups and individual therapy sessions targeting specific offender populations:

1. Dialectical Behavioral Therapy (DBT):

Cost - One (1) weekly group session X 40 weeks X \$62.50 = \$2,500

2. Moral Reconation Therapy (MRT):

Cost - One (1) weekly group session X 40 weeks X \$62.50 = \$2,500

3. Batterer's Intervention Program (BIP):

Cost - Two (2) weekly group sessions X 40 weeks X \$62.50 = \$5,000

4. Anger Management:

Cost - One (1) weekly group session X 24 weeks X \$62.50 = \$1,500

5. Motivational Enhancement Therapy (MET):

Cost - One (1) weekly group session X 24 weeks X \$62.50 = \$1,500

6. Commitment to Recovery:

Cost - One (1) weekly group session X 24 weeks X \$62.50 = \$1,500

7. Individual Therapy Sessions:

Cost - Four (4) weekly individual sessions X 42 weeks X \$62.50 = \$10,500

Total Cost - \$2,500 + \$2,500 + \$5,000 + \$1,500 + \$1,500 + \$1,500 + \$10,500 = \$25,000

Please attach the completed program budget here.

program-budget-2021.pdf

Program Supplemental

Need: Within your specified health priority, what specific need will you be addressing? What is the current situation in the community? What resources will go into this project?

The need our program will address is access to behavioral health services. Blue Ridge Court Services has a comprehensive process for assessing our clients and identifying those individuals in need of behavioral health services. Unfortunately, the community resources for our clients are scarce and often involve waiting lists. Individuals who are in need of immediate services are being required to wait until there is an opening. Our goal is to assess these individuals, identify their behavioral health and criminogenic needs, and connect them with the appropriate cognitive behavioral interventions to address those needs. Both group therapy and individual therapy will be offered by funding a licensed clinician.

Activities: What will you do to address the need? What activities does this project entail?

We propose to address this shortage of behavioral health services for our clients by:

1. Providing therapeutic groups targeting local offenders with behavioral health issues using cognitive behavioral methods designed to stabilize these individuals while we arrange for more comprehensive treatment, if needed.
2. Providing individual therapy sessions for medium and high risk clients in an effort to get these individuals engaged in therapy as quickly as possible while awaiting more intensive treatment, if necessary.

Our clients would be given the opportunity to immediately start on the path of recovery by attending these, informative, supportive, and skill building groups and sessions.

Both Pretrial and Probation clients are assessed using a variety of screening instruments including the Brief Jail Mental Health Screen, the Virginia Pretrial Risk Assessment Instrument, the Modified Offender Screening Tool, and the Offender Screening Tool to determine who will be referred to behavioral health services. Based on the results of this screening process, those individuals who are deemed appropriate may be placed into one of the following treatment options:

1. Dialectical Behavioral Therapy (DBT) aims to help individuals learn and use new skills and strategies to develop a life that they experience worth living. DBT skills include mindfulness, emotional regulation, distress tolerance, and interpersonal effectiveness.
2. Moral Reconnection Therapy (MRT) consists of 16 sessions and focuses on decreasing recidivism in offenders by increasing their moral reasoning. This cognitive behavioral approach combines elements from a variety of psychological

traditions to progressively address social, moral, and positive behavioral growth.

3. Commitment to Recovery is a group that targets individuals recently released from jail with co-occurring mental health and substance abuse issues. This group serves as a support until clients are able to connect with services at Valley Community Services Board and will focus on developing mental health coping skills, early recovery skills, relapse prevention skills, as well as provide education about community resources and community supports.

4. Anger Management is a four session program designed to evoke from participants their own motivation for change. The anger management program is based on principles of cognitive behavioral therapy. The facilitator seeks to develop a discrepancy in the client's perceptions between current behavior and significant personal goals.

5. Motivational Enhancement Therapy (MET) is a four session program designed to educate entry-level drug offenders of the dangers of abusing alcohol and drugs, how we make choices in our lives, and how each participant can move from being ambivalent to setting goals to improve one's life free of drugs and alcohol.

6. Batterer's Intervention is a 16 session group for domestic violence offenders who have a history of domestic abuse. The group is structured after the Duluth Domestic Violence Intervention Model, and discussions arise from a workbook provided to participants focusing on the dynamics of equality, power, and control.

7. Individual Therapy Sessions target those individuals who have more complex behavioral health issues and need more intense and focused attention to lead a well adjusted and productive life.

**Due to COVID-19, Batterer's Intervention is the only program currently being held in a group format. This group is being conducted using Zoom. Our intention for 2021 is to begin to hold the other programs via Zoom, and, when it is deemed safe to do so, return to an in-person group format. Individual therapy sessions are currently being conducted by phone.

Outputs: What do you plan to produce from these activities? What are the expected results?

Participants in the Community Initiative on Behavioral Health will receive immediate access to mental health services in order to gain a better understanding of their behavioral health needs and to learn how to improve the quality of their lives. We plan to produce a structured therapeutic environment to rapidly connect low income clients with mental health needs to appropriate services through a process of:

1. Assessment and Evaluation
2. Placement into cognitive behavioral groups and/or individual therapy
3. On-going assistance for re-entry into our community

Expected results will include:

25 clients will participate in Dialectical Behavioral Therapy (DBT) to learn and use new skills and strategies to develop a life that they experience worth living.

25 clients will participate in Moral Reconation Therapy (MRT) to focus on decreasing recidivism in offenders by increasing their moral reasoning.

25 clients will participate in Commitment to Recovery targeting those individuals with co-occurring mental health and substance abuse issues.

25 clients will participate in Anger Management designed to evoke from participants their own motivation for positive change in family relationships.

25 clients will participate in Motivational Enhancement Therapy (MET) designed to educate entry-level drug offenders of the dangers of abusing alcohol and drugs, how we make choices in our lives, and how each participant can move from being ambivalent to setting goals to improve one's life free from substances.

50 clients will participate in Batterer's Intervention focusing on the dynamics of equality, power, and control in family relationships.

75 clients will participate in Individual Therapy Sessions targeting those individuals who have more complex behavioral health issues and need more intense and focused attention to lead to a well-adjusted and productive life.

Outcomes: What do you expect as the impact of your activities and outputs? How will the outcomes address the need to resolve the situation? Outcomes should be specific, measurable, attainable, realistic and time-specific.

Dialectical Behavioral Therapy (DBT) - 25 clients will participate in DBT, and 20 will successfully complete the program.

Moral Reconciliation Therapy (MRT) - 25 clients will participate in MRT, and 20 will successfully complete the program.

Commitment to Recovery - 25 clients will participate in Commitment to Recovery, and 20 will successfully complete the program.

Anger Management - 25 clients will participate in Anger Management, and 20 will successfully complete the program

Motivational Enhancement Therapy (MET) - 25 clients will participate in MET, and 20 will successfully complete the program.

Batterer's Intervention Program (BIP) - 50 clients will participate in BIP, and 40 will successfully complete the program.

Individual Therapy Sessions - 75 clients will participate in Individual Therapy Sessions, and 60 will successfully complete the sessions.

Please upload the Strategic Funding Report here. Please save the document as a PDF before attempting to upload the document.

strategic-funding-report 2021.pdf

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 24, 2020	Staff Members: Rodney Rhodes Chris Tuttle
Item #	4	
Ordinance #		
Department:	Community Development – Planning and Zoning Parks and Recreation	
Council Vision:	Built Environment	
Subject:	Proposed Measures to Encourage Safe Use of Shared Street in Gypsy Hill Park	

Background: Several months ago, with the increase in pedestrian and bicyclist use of Gypsy Hill Park associated with the global pandemic, the Bicycle and Pedestrian Advisory Committee (BPAC) began looking at ways to improve safety of all users of the park. After formulating a draft list of recommendations, the BPAC held a joint meeting with the Recreation Advisory Commission to receive additional feedback. A subcommittee, comprised of members and staff of the two advisory bodies, had a subsequent meeting to finalize the recommendations.

Rodney Rhodes, Chris Tuttle and Sara Hollberg, Chair of the BPAC, will attend Council's work session to present the recommendations.

Attachments:

Attachment 1—Prioritizing Safe Recreation at Gypsy Hill Park

Attachment 2—Recommendations for Gypsy Hill Park (GHP)

Attachment 3—Public Education Campaign for Increasing Safe Multi-Modal Use of Gypsy Hill Park—Draft Overview

Attachment 4—Examples of Current Safety Issues in Gypsy Hill Park

Attachment 5—Examples of Potential Street Signs and Markings

City Manager's Recommendation: Not applicable

Suggested Motion: Not applicable

City Manager: Steven L. Rosenberg

Prioritizing Safe Recreation at Gypsy Hill Park– 7/28/20

Recommendations from a 7/21/20 Joint BPAC & Recreation Advisory Committee Meeting

Issue: Staunton citizens consistently and increasingly have expressed a strong interest in safe and accessible places to walk and cycle. (For example, of 84 comments received in the November 2019 public input survey for the Greenways plan, 65% specifically mentioned safety and/or cars.) There is currently no place in the city that is set aside for walkers and cyclists.

GHP's 1.3 mile loop of Constitution Drive is the most widely used site for walkers and cyclists. However, as a regular roadway, there are many points of conflict between vehicles and those recreating on foot and wheels.

Proposal: The attached recommendations suggest low-cost measures to make this loop safer for pedestrians and other users while still accommodating vehicles. They were developed by the two citizen committees appointed to advise on recreation and on making the city bicycle and pedestrian friendly.

Background: These efforts stem from and complement the Staunton Bicycle & Pedestrian Plan, the draft Greenways Plan, and BPAC's 2020 work plan. In June 2020, BPAC developed suggestions for making Gypsy Hill Park more pedestrian friendly. These were discussed with the Director of Parks & Recreation, who proposed a joint meeting of BPAC and the Recreation Advisory Committee. The recommendations are the result of a joint meeting held on July 21, 2020. All of the suggestions were reviewed line by line, bringing in additional information and comments, and resulting in support for all of the concepts.

In developing the draft Greenways plan, BPAC recognized the challenge of finding locations for stand-alone multi-use paths and funding them. The draft Greenways Plan therefore relies in large part on incorporating city parks and strategically enhancing bike/ped elements on the roads and sidewalks that link to them and to other destinations such as schools. In July, the Planning Commission finished its review of the draft Greenways Plan and recommended it to City Council.

Supporting Factors:

- In the time of the Covid19 pandemic, residents need places to stay active (physical activity can help health).
- More walkers and cyclists are using GHP and more width is needed to help social distancing as various users pass.
- More family groups with children are using the park together.
- A safe place to walk & cycle is consistently the top citizen request in public input for Bicycle & Pedestrian plans.
- Wharf to GHP is a priority route proposed in the draft Greenways Plan.
- Central Avenue project will be a key piece to making an inviting route from downtown.

Additional Materials:

GHP Speed survey data
Public Input Survey Data
Greenways Plan
Staunton B&P Plan

RECOMMENDATIONS FOR GYPSY HILL PARK (GHP)
(BPAC Suggestions with additions from 7/21/20 joint meeting with RAC)

Objective: Calm the traffic in GHP and encourage a culture of sharing the space safely.

GHP needs a “refresh.” Currently there isn’t clear policy or supporting measures for safety. No one even notices the few signs. This would be a concerted effort to look at all the pieces and make cost-effective, well-considered improvements to signs, road markings, and parking.

- 1) **Develop policies** to support the Constitution Drive loop as shared recreation space with emphasis on safety of pedestrians and bicyclists
 - a) Establish a ‘yield to pedestrians’ policy for Constitution Drive
 - b) Consider the pavement left of center (inner lane) primarily bike/ped
 - c) Request vehicles to stay to the right
 - d) Consider speed limit of 10 mph
 - i) Put up digital signs to record speeds for a test period to understand current speeds
(Review data from June/July survey)
- 2) **Undertake educational campaign**
 - a) Social media - city website and departments
 - b) Parks & Recreation brochure and flyers
 - c) Map that shows entrances and parking
 - d) Schools, bulletin board near pool
- 3) **Use markings on the roadway**
 - a) Paintings on pavement left of center, alternating pedestrians and bike sharrows
 - i) Sharrows in correct direction to cycle with vehicle traffic
 - ii) Pedestrian symbols in direction to walk/run against vehicle traffic
 - b) “Slow speed” markings on the road
- 4) **Add signs** at entrances and other places as appropriate
 - a) Directional signs directing to the park from Downtown
 - i) To the park from other places?
 - b) Sign at Main entrance (will be historic arch); recommend parking at Stadium entrance
 - c) Sign at Stadium entrance - encourage as main parking; rename? to be clear it connects to GHP
 - d) Sign for Staunton High School home fields
 - e) Sign at rear entrance?
 - f) At entrances announce “shared road” or “play street” or other term)
 - g) Post universal “yield triangle” at strategic places (hierarchy: vehicles yield to cyclists / vehicles, cyclists, & skate boards yield to pedestrians)
 - h) Post speed limit in more places
 - i) Coordinate with City Engineer on signs
- 5) **Seek solutions at pinch points** that cause safety hazards. Two such places are the corner near the duck pond bridge and near the first diagonal spaces after the duck pond.
 - a) Consider adjusting parking lines
 - b) Consider other measures

- 6) **Consider crosswalks within GHP** at higher traffic areas, such as to safely move people who park their vehicles to interest points (like playgrounds).
 - a) At Duck Pond, continuing flow from crossing of Churchville Ave at light
 - b) At Baseball Concession Stand, connecting to wheelchair ramp
- 7) **Address safety issues around access to the park.**
 - a) At the main entrance, vehicles from the north (Donaghe) going straight toward Thornrose do not have enough warning of the pedestrian crossing to Gypsy Hill Place. Pedestrians exiting the park and crossing towards Gypsy Hill Place have their backs partly turned and cannot easily see oncoming vehicles. Pedestrians in both directions do not know which cars will go straight since no turn signal is required.
 - i) Add pedestrian sandwich boards at the crossing
 - ii) Consider better sign placement more visible to drivers
 - iii) Consider road markings or ways to pinch the lane to help cars slow down and be alert
 - iv) Clarify whether vehicles are to stop for pedestrians
- 8) **Improve pedestrian access to the park from surrounding neighborhoods.** Consider making safer crossing zones:
 - a) To get to the main entrance from the north, consider adding a pedestrian crossing of Churchville (possibly activated on demand, flashing lights)
 - b) To get to the baseball field entrance, consider adding a crossing of Thornrose and also the flow from Lake Ave.
 - c) Mark the pedestrian/bicycle pass-through in the gate (open although closed to vehicles)

By topic:

Parking – promote Stadium parking lot and entrance (through signs and maps); adjust parking slots as needed, especially at pinch points

Speed – speed limit, markings, lane definition, speed bumps, culture

Public education campaign for increasing safe multi-modal use of Gypsy Hill Park – Draft Overview

Background: Staunton citizens consistently and increasingly have expressed a strong interest in safe and accessible places to walk and cycle. (For example, of 84 comments received in the November 2019 public input survey for the Greenways plan, 65% specifically mentioned safety and/or cars.) There is currently no place in the city that is set aside for walkers and cyclists.

GHP's 1.3 mile loop of Constitution Drive is the most widely used site for walkers and cyclists. However, as a regular roadway, there are many points of conflict between vehicles and those recreating on foot and wheels.

A number of recommendations have been developed to suggest low-cost measures to make the Constitution Drive loop safer and more accessible to pedestrians and cyclists while still accommodating vehicles. One of those recommendations included development of a public education campaign.

Purpose/Desired Outcome:

Develop and implement an ongoing public education campaign that encourages safe multi-modal use of Gypsy Hill Park by communicating information and safety guidelines that will reduce conflicts between motorists, cyclists, and pedestrians.

Campaign materials:

- Map that clearly delineates entrances, parking, traffic and pedestrian flow, and crosswalks.
- Handout/web document that outlines key safety considerations and guidelines
- Signage at the park to provide guidance
- Graphics and text to support social media campaign, shared with community and business partners

Outreach strategies:

- Partner with key community groups and organizations to share safety messaging
- Utilize the city's social media platforms – citywide and at the department level
- Distribute material using Parks and Recreational distribution networks and school network as appropriate; post on GHP bulletin board
- Share messaging/materials with local businesses that support cycling/walking/running/general outdoor recreation
- Set media schedule to highlight issues on an ongoing basis, taking advantage of natural opportunities to focus interest on cycling and pedestrian activities
- As possible, hold bicycle education programs with partners such as Police Department, Parks & Rec, BPAC, and biking groups (ex: bike rodeo, videos)

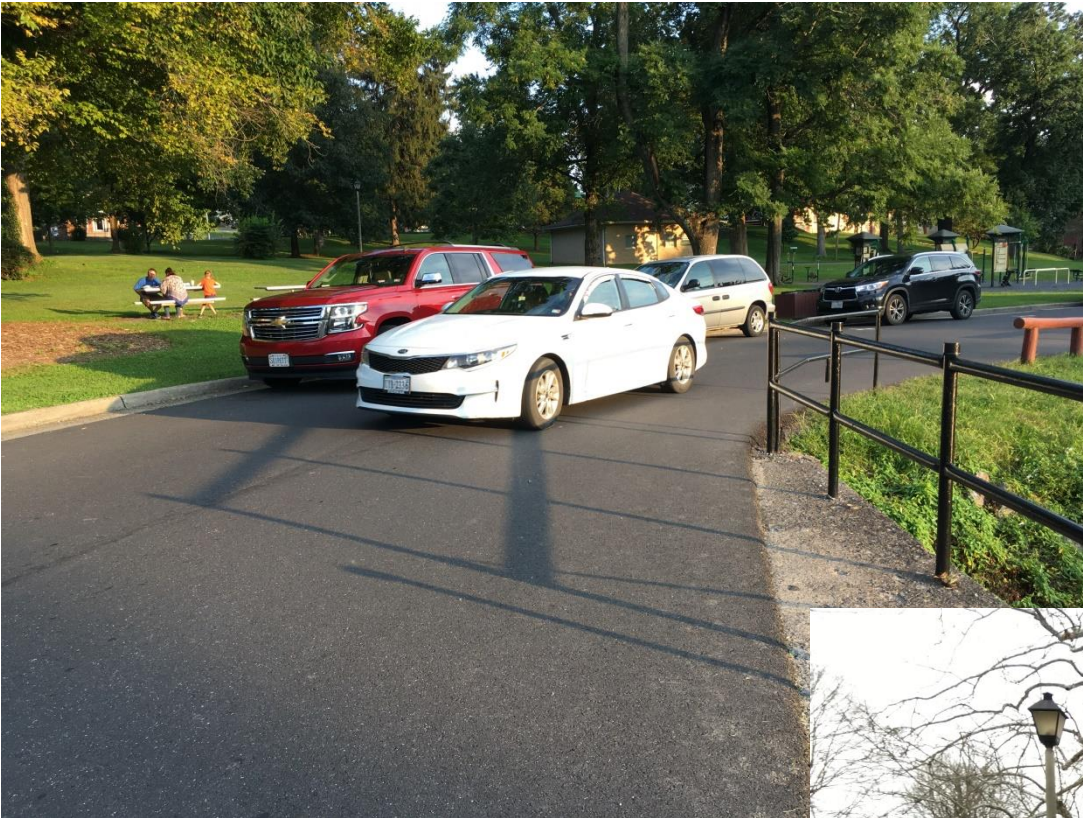
Gypsy Hill Park



Many different users: cars, skaters, runners, strollers, dogs, walkers, old/young



Pinch points



Pinch points



Correct directions: cyclist, car, runner



Yield to pedestrians? Sign easy to miss.



Unmarked ped/bike gate
at ball field

Opportunities for signs near Deaver Dr.



Ample parking close by in multiple lots and at stadium

Sign could direct drivers on the loop to parking & exit



Sign could direct pedestrians & cycles to the loop



Examples of Possible Signs and Pavement Markings



Download from
Dreamstime.com

This watermarked comp image is for previewing purposes only.

ID 31727404

Darkhorse2012 | Dreamstime.com

Examples of Possible Signs and Pavement Markings



(Recommendations do not include a separate lane marking as shown in this photo.)

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 24, 2020	Steven L. Rosenberg City Manager
Item #	5 & D	
Ordinance #		
Department:	City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	Uncodified Emergency Ordinance Ratifying, Confirming and Affirming Uncodified Emergency Ordinance 2020-04	

Background: In response to the Novel Coronavirus (COVID-19) emergency and disaster, the City Manager, in his capacity as Director of Local Emergency Management, declared a local emergency on March 16, 2020. By such a declaration, the City positioned itself to undertake measures in response to the emergency and disaster. At its March 18, 2020, special-emergency called meeting, City Council consented to and confirmed such a declaration. At its March 24, 2020, special-emergency called meeting, City Council adopted uncodified emergency Ordinance 2020-04, reratifying and reaffirming the declaration of a local emergency and disaster due to novel coronavirus; implementing emergency procedures to ensure continuity of government; ratifying and affirming the city manager's authority and exercise of authority and discretion in taking actions in the best interest of the City; and authorizing the city manager to take actions to implement the provisions of the ordinance. The provisions of the ordinance were in effect for a period of six months and merits an extension of the emergency procedures, given the continuing emergency and disaster, to ensure continuity of government.

Council is requested to consider and adopt the attached draft resolution.

Attachments:

Attachment 1— March 16, 2020 Declaration of Local Emergency by the City of Staunton Local Director of Emergency Management

- Attachment 2— March 18, 2020 Resolution of the Council of the City of Staunton, Virginia Consenting to and Confirming Declaration of a Local Emergency and Also Declaring a Disaster Due to Novel Coronavirus (COVID-19)
- Attachment 3— March 24, 2020 Uncodified Emergency Ordinance of the Council of the City of Staunton Reratifying and Reaffirming the Declaration of a Local Emergency and Disaster Due to Novel Coronavirus; Implementing Emergency Procedures to Ensure Continuity of Government; Ratifying and Affirming the City Manager's Authority and Exercise of Authority and Discretion in Taking Actions in the Best Interest of the City; and Authorizing the City Manager to Take Actions to Implement the Provisions of this Ordinance
- Attachment 4— Draft Uncodified Emergency Ordinance Ratifying, Confirming and Affirming Uncodified Emergency Ordinance 2020-04

City Manager's Recommendation: Recommend adoption of the draft ordinance, as presented.

Suggested Motion: I move to adopt the draft uncodified emergency ordinance ratifying, confirming and affirming uncodified Emergency Ordinance 2020-04.

City Manager: Steven L. Rosenberg

**DECLARATION OF LOCAL EMERGENCY
BY THE CITY OF STAUNTON
LOCAL DIRECTOR OF EMERGENCY MANAGEMENT**

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared novel coronavirus a public health emergency of international concern;

WHEREAS, on March 11, 2020, the WHO characterized COVID-19 as a pandemic;

WHEREAS, on March 12, 2020, the Governor of Virginia declared a state of emergency, to prepare and coordinate Virginia's response to the potential spread of COVID-19;

WHEREAS, on March 13, 2020, the President of the United States issued a proclamation declaring a national emergency concerning the novel coronavirus (COVID-19) outbreak;

WHEREAS, exigent circumstances exist;

WHEREAS, the occurrence and/or threat of COVID-19 virus will or may result in substantial injury or harm to the population and/or substantial damage to or loss of property and/or natural resources, all as broadly construed, and may involve governmental action beyond that authorized or contemplated by existing law because governmental inaction for the period required to amend the law to meet the exigency would work immediate and irrevocable harm upon the citizens or the environment of the Commonwealth or some clearly defined portion or portions thereof, such as the City of Staunton, including but not limited to injury and/or harm to the public health or safety of persons in the City of Staunton, the fiscal, financial, and/or budgetary interests of the City of Staunton, and of the City of Staunton's constituents or of affiliated or associated personnel of other public bodies of the City of Staunton, public services in the City of Staunton, and operational and decision-making functions in the City of Staunton, all constituting an emergency under the application of the provisions of Virginia Code § 44-146.16;

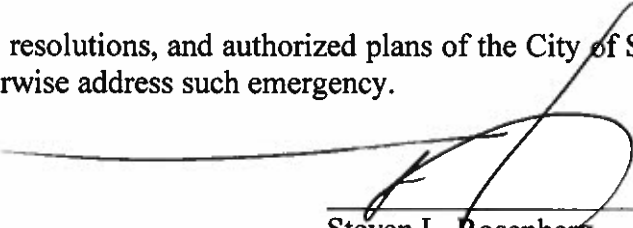
WHEREAS, such conditions and considerations necessitate the declaration of the existence of a local emergency, to the fullest extent permitted by law; and

WHEREAS, these recitals are an integral part of this declaration.

NOW, THEREFORE, pursuant to Virginia Code § 44-146.21, subject to confirmation by the Council at its next regularly scheduled meeting or at a special meeting within fourteen (14) days of this declaration, whichever occurs first, Steven L. Rosenberg, City Manager and Emergency Management Director for the City of Staunton, Virginia, **DECLARES** the existence of a **LOCAL EMERGENCY** in the City of Staunton, to the fullest extent permitted by law; and

IT IS FURTHER DECLARED AND ORDERED that, to the fullest extent permitted by law, during the existence of such emergency the powers, functions, and duties of the Local Emergency Management Director and local emergency services planning organization or committee and City of Staunton staff and others shall be those prescribed by state and other law

and the ordinances, resolutions, and authorized plans of the City of Staunton in order to mitigate the effects and otherwise address such emergency.



Steven L. Rosenberg,
City Manager and
Emergency Management Director

Date: March 16, 2020

Time: 1:30 p.m.

Attest: 

Suzanne F. Simmons, Clerk of Council

**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
CONSENTING TO AND CONFIRMING DECLARATION OF A LOCAL
EMERGENCY AND ALSO DECLARING A DISASTER DUE TO NOVEL
CORONAVIRUS (COVID-19)**

Recitals

- A. Virginia Code § 44-146.21 authorizes the declaration of a local emergency;
- B. Section 11 of the Charter of the City of Staunton also grants broad powers to City Council;
- C. Steven L. Rosenberg, the City Manager and Director of Emergency Management of the City of Staunton, Virginia, declared a local emergency as provided in the March 16, 2020, declaration issued and attached and incorporated by reference; and
- D. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Virginia Code § 44-146.21 and such other applicable laws, including but not limited to the powers granted by the Charter of the City of Staunton, Virginia, that the Council of the City of Staunton, Virginia, **CONSENTS** to and **CONFIRMS** the March 16, 2020 declaration of a local emergency throughout the City of Staunton, Virginia; and

BE IT FURTHER RESOLVED, pursuant to Virginia Code § 44-146.16 and such other applicable laws, that the Council of the City of Staunton, Virginia, **DECLARES** the anticipated effects of COVID-19, a communicable disease of public health threat, constitute a disaster; and

BE IT FURTHER CONFIRMED, RESOLVED, DECLARED AND ORDERED that during the existence of such emergency and disaster, the powers, functions, and duties of the Local Emergency Management Director and local emergency services planning organization or committee and City staff shall be those prescribed by Virginia law and the ordinances, resolutions, and approved plans of the City of Staunton in order to mitigate and otherwise address the effects of such emergency and disaster; and

BE IT FURTHER RESOLVED that Council **CONSENTS** to and **RATIFIES** and **AFFIRMS** that all City officials are granted such authority, pursuant to extant law, in such circumstances to take all actions, to the fullest extent permitted by law, to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused by such local emergency and disaster.



Carolyn W. Dull, Mayor

Attest: Suzanne F. Simmons
Suzanne F. Simmons, Clerk of Council

Ordinance No. 2020-04

**AN UNCODIFIED EMERGENCY ORDINANCE RERATIFYING AND
REAFFIRMING THE DECLARATION OF A LOCAL EMERGENCY AND
DISASTER DUE TO NOVEL CORONAVIRUS; IMPLEMENTING
EMERGENCY PROCEDURES TO ENSURE CONTINUITY OF
GOVERNMENT; RATIFYING AND AFFIRMING THE CITY MANAGER'S
AUTHORITY AND EXERCISE OF AUTHORITY AND DISCRETION IN
TAKING ACTIONS IN THE BEST INTEREST OF THE CITY; AND
AUTHORIZING THE CITY MANAGER TO TAKE ACTIONS TO IMPLEMENT
THE PROVISIONS OF THIS ORDINANCE**

Recitals

A. On January 30, 2020, the World Health Organization (WHO) declared novel coronavirus (COVID-19) a public health emergency of international concern and on March 11, 2020, the WHO characterized COVID-19 as a pandemic;

B. On March 12, 2020, the Governor of Virginia declared a state of emergency, to prepare and coordinate Virginia's response to the potential spread of COVID-19;

C. On March 13, 2020, the President of the United States issued a proclamation declaring a national emergency concerning the COVID-19 outbreak;

D. On March 16, 2020, the City Manager and Emergency Management Director, Steven L. Rosenberg, declared a local emergency concerning COVID-19 and its effects;

E. At its special-emergency meeting on March 18, 2020, by resolution, the Staunton City Council confirmed Mr. Rosenberg's Declaration of a Local Emergency and declared a disaster related to COVID-19;

F. On March 23, 2020, the Governor of Virginia issued an executive order that, in essence, further recognizes the emergency and disaster COVID-19 outbreak, closing the public schools for the entire remainder of the school year and closing recreational and other non-essential establishments.

G. § 15.2-1413 of the Code of Virginia authorizes any locality to, by ordinance, provide a method to assure continuity in its government in the event of a disaster;

H. City Council also continues to recognize, confirm, affirm, and find that emergency and disaster conditions and effects existed and continue to exist and the occurrence and/or threat of COVID-19 merited and continues to merit and even

necessitates action by City Council to provide for methods to help assure continuity in local government as to the City and its related public bodies and officials;

- I. This matter has been properly heard and considered; and
- J. These recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, (Council) to the fullest extent permitted by law under these extraordinary, even unprecedented circumstances, that:

1. It **RERATIFIES AND REAFFIRMS** the Declaration of a Local Emergency and disaster due to COVID-19 made on March 16, 2020 by the City Manager and Emergency Management Director, Steven L. Rosenberg, ratified at its special-emergency meeting held on March 18, 2020, making its own declaration of an emergency and disaster, effective retroactively to and including March 16, 2020;

2. It **ACKNOWLEDGES, CONFIRMS, AND AFFIRMS** that the Declaration of Local Emergency empowers the Director of Emergency Management to have and exercise special authority and duties, such as authority and duties as may be defined by the laws, rules, regulations and plans of the United States of America, the Commonwealth of Virginia and the City of Staunton, Virginia, including but not limited to those under § 44-146.21 of the Code of Virginia;

3. It **ACKNOWLEDGES, CONFIRMS, AND AFFIRMS** that when, in the judgment of Council, all needed emergency actions have been taken, appropriate action by the Director of Emergency Management or by Council to end the declared local emergency and disaster will be taken, with public notice of such action given;

4. The nature of COVID-19 and its actual and potential catastrophic effects, as may be discerned upon continuing review, make it unsafe to necessarily assemble always a quorum of Council, other City public bodies, and officials in a single location, or to assemble members of the public in a single location, making it impracticable or unsafe as circumstances may exist at the time for Council and the City's other public bodies and officials to conduct meetings in accordance with normal practices and procedures. In accordance with the provisions of § 15.2-1413 of the Code of Virginia, notwithstanding any contrary provision of law, general or special, including but not limited to the City's Charter or the City Code, the following emergency procedures are **AUTHORIZED AND ADOPTED** to ensure **CONTINUITY OF GOVERNMENT** during the pendency of the emergency and disaster created or occasioned by COVID-19 or by its actual or potential effects, including but not limited to its effects as to Staunton citizens, other persons, commerce, businesses, and City-related functions, officers, personnel, employees, and City FY20 and FY21 fiscal and financial matters, processes, decision-making, and planning at all levels of City government and for City public bodies and officials;

4.1. Any process, procedure, or matter which requires the physical presence of the public in or about a City-owned or controlled building, facility, or property that the City Manager has declared or designated or may in the future declare or designate, by whatever means whether formal or informal or written or electronic or verbal, to be closed to the public is hereby **SUSPENDED**;

4.2 Meetings of the Council and other City public bodies, including but not limited to the School Board and those for which operations are jointly or cooperatively governed or managed, are **AUTHORIZED** and may be held through electronic communication means without a quorum of members physically present in a single location, provided that notice of such meetings is still given in accordance with applicable laws;

4.3 Such meetings are **AUTHORIZED** to be and may be held without permitting members of the public to be physically present in a central location or in the same physical location as any of the Council or other City public bodies and members and officials so long as alternative arrangements for public access to such meetings are made as may be appropriate under the circumstances. Such alternative public access may be electronic, including but not limited to audio, telephonic, video or internet-web broadcast or stream, a City social media platform, or any other similar means;

4.4 For any matter requiring a public hearing by law, it is **DIRECTED** that public comment will, at least, be solicited and received via written or electronic means, including email or social media, or audio or voice message prior to the vote on such matter. Public comments may also be solicited and, if so solicited, then received via electronic and/or other means, including through the City's or other City public body's social media platform, or during the actual public hearing if possible and practicable, as determined in the discretion of the City Manager or Mayor. All such comments will be provided to or their essence or themes, if any, summarized to the members of the public body and made a part of the record of such meeting;

5. The provisions of Section 4 of this ordinance **SHALL BE IN EFFECT**, until repealed by Council, for a period not exceeding six months or, as may be permitted by law then in effect for such longer period from the effective date of declaration of local emergency, to and including March 16, 2020. Upon repeal or expiration of the provisions of Section 4 of this ordinance, the matters referenced therein shall resume operation in accordance with the normal practices and procedures, with the Director of Emergency Management to give public notice of such;

6. The actions of the City Manager taken or communicated by whatever means beginning March 16, 2020 and continuing, in the best interest of the City as determined in the exercise of discretion by the City Manager, are **RATIFIED AND AFFIRMED**;

7. If and to the extent that applicable law is enacted to extend the authority or time permitted for the operation of this or a similar ordinance, this ordinance shall be **AUTOMATICALLY AMENDED EFFECTIVE THEN IMMEDIATELY** to incorporate such changes without further action of Council; and

8. The City Manager is **AUTHORIZED** to take all reasonable and necessary actions, as determined in the City Manager's exercise of discretion, to implement fully the provisions of this ordinance.

9. The Clerk of Council is **DIRECTED** to have posted a copy of this ordinance at the usual places and on the City's website.

10. To the extent that any provision of this ordinance is found or determined to be invalid or void, the other provisions of this ordinance shall remain in effect without further action of this Council.

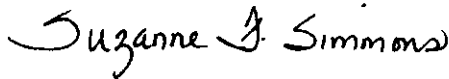
Adopted: March 24, 2020

Effective Date: March 16, 2020

Expiration Date: As provided



Carolyn W. Dull, Mayor



ATTEST:

Suzanne F. Simmons, Clerk of Council

Ordinance No. 2020 - _____

**AN UNCODIFIED EMERGENCY ORDINANCE
RATIFYING, CONFIRMING AND AFFIRMING
UNCODIFIED EMERGENCY ORDINANCE 2020-04**

Recitals

A. On January 30, 2020, the World Health Organization (WHO) declared novel coronavirus (COVID-19) a public health emergency of international concern and on March 11, 2020, the WHO characterized COVID-19 as a pandemic;

B. On March 12, 2020, the Governor of Virginia declared a state of emergency, to prepare and coordinate Virginia's response to the potential spread of COVID-19;

C. On March 13, 2020, the President of the United States issued a proclamation declaring a national emergency concerning the COVID-19 outbreak;

D. On March 16, 2020, the City Manager and Emergency Management Director, Steven L. Rosenberg, declared a local emergency concerning COVID-19 and its effects;

E. At its special-emergency meeting on March 18, 2020, by resolution, the Staunton City Council confirmed Mr. Rosenberg's Declaration of a Local Emergency and declared a disaster related to COVID-19;

F. On March 23, 2020, the Governor of Virginia issued an executive order that, in essence, further recognizes the emergency and disaster COVID-19 outbreak, closing the public schools for the entire remainder of the school year and closing recreational and other non-essential establishments;

G. The Governor of Virginia has issued further executive orders that reflect the existence of a continuing emergency and disaster related to COVID-19;

H. The U.S. Centers for Disease Control and Prevention reports that since January 21, 2020, there have been over 6,500,000 COVID-19 cases in the United States, with the number of deaths continuing to increase.

I. § 15.2-1413 of the Code of Virginia authorizes any locality to, by ordinance, provide a method to assure continuity in its government in the event of a disaster;

J. On March 24, 2020, City Council adopted uncodified emergency Ordinance 2020-04 (the "Emergency Ordinance"), reratifying and reaffirming the declaration of a local emergency and disaster due to novel coronavirus; implementing

emergency procedures to ensure continuity of government; ratifying and affirming the city manager's authority and exercise of authority and discretion in taking actions in the best interest of the City; and authorizing the city manager to take actions to implement the provisions of the ordinance;

K. City Council continues to recognize, confirm, affirm, and find that emergency and disaster conditions and effects existed and continue to exist and the occurrence and/or threat of COVID-19 continues to merit and even necessitates action by City Council to provide for methods to help assure sustained continuity in local government as to the City and its related public bodies, officials and others, and proceedings;

K. This matter has been properly heard and considered; and

L. These recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia (Council), to the fullest extent permitted by law under these continuing extraordinary, even unprecedented circumstances, that:

1. All actions of Council in the Emergency Ordinance and the provisions of such ordinance are **RATIFIED, CONFIRMED AND AFFIRMED**, including without limitation, the **CONTINUITY OF GOVERNMENT** provisions of such ordinance, which are expressly reenacted for a new six-month period in accordance with, and subject to, § 15.2-1413 of the Code of Virginia; and

2. The Clerk of Council is **DIRECTED** to have posted a copy of this ordinance at the usual places and on the City's website and public places and to provide a copy to the Chair of each City-related public body, including but not limited to the School Board, the Economic Development Authority, the Planning Commission, and the Historic Preservation Commission.

Adopted:

Effective Date:

Expiration Date: As provided

Andrea W. Oakes, Mayor

ATTEST: _____

Suzanne F. Simmons, Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 24, 2020	Staff Members: Phil Trayer Chief Finance Officer Leslie Beauregard Assistant City Manager
Item #	A	
Ordinance #		
Department:	Finance City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	Ordinance to Amend the FY2021 Budget for the City of Staunton by Adding Budget Amendment Number Three	

Background: The third budget amendment for fiscal year 2021 has been prepared for your review and discussion. The total budget amendment equals \$5,577,648. At Council's regular meeting on September 10, 2020, Council introduced the ordinance and conducted a public hearing. Consideration of the ordinance is scheduled for September 24, 2020.

City Budget Amendment—\$ 3,960,460

The amendment includes \$153,000 for appropriations associated with the elimination of three budgeted furlough days across all funds. The breakdown includes \$128,904 to the General Fund; \$13,086 to the Water Fund; \$1,815 to the Sewer Fund; \$780 to the Stormwater Fund; and \$8,415 to the Environmental Fund.

CARES Act—The Registrar's Office has been awarded \$56,275 in CARES Act funding to support local election efforts. The amendment also recognizes \$2,075,961 of Prior Year Fund Balance appropriation of CARES Act funding support received in FY2020 which remained unspent as of June 30, 2020. The amendment also includes \$1,675,221 in newly received CARES Act funding for the City in FY2021. Funding will be utilized in accordance with federal guidelines to support the City's efforts to minimize the negative impact of the COVID-19 pandemic on its citizens. Areas of focus includes support for public schools, small business assistance, COVID-19 testing, telework costs, disinfection and sanitation of public facilities, personal protective equipment and building modifications to enhance social distancing and minimize exposure opportunities to

citizens and staff, wage support for public safety personnel, regional jail COVID-19 related costs, and other costs deemed necessary for safe operations of government.

School Budget Amendment—\$1,593,092

The Education Fund amendment totaling \$1,593,092 appropriates CARES Act funding to be used to expand and enhance technology hardware to allow for effective distance learning capability. Funds will also be allocated to ensure proper sanitation of facilities when students return for in-person instruction as well as additional support staff for teachers for periods of remote learning. Finally, there will be allocations made to allow for social distancing to occur in the classroom as well as the food service setting.

Attachment:

Budget Amendment Number Three

City Manager's Recommendation: Recommend that City Council adopt the ordinance, as presented.

Suggested Motion: I move to adopt an ordinance amending the fiscal year 2021 budget by adding Budget Amendment Number Three, totaling \$5,577,648.

City Manager: Steven L. Rosenberg

Ordinance No. 2020-
AN ORDINANCE TO AMEND
THE FY 2021 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER THREE

BE IT ORDAINED, by the City Council of the City of Staunton, Virginia, that the FY2021 Budget is amended as follows:

GENERAL FUND

Anticipated Revenue

General Revenue	\$ 153,000
Miscellaneous Federal Revenue	<u>3,807,460</u>
Total Revenue	<u><u>\$ 3,960,460</u></u>

Appropriations

Nondepartmental (CARES Act Funding)	2,343,272
Transfers to Other Funds	<u>1,617,188</u>
Total Appropriations	<u><u>\$ 3,960,460</u></u>

WATER FUND

Anticipated Revenue

General Revenues	\$ 13,086
Total Revenue	<u>\$ 13,086</u>

Appropriations

Operations	<u>\$ 13,086</u>
Total Appropriations	<u>\$ 13,086</u>

SEWER FUND

Anticipated Revenue

General Revenue	\$ 1,815
Total Revenue	<u>\$ 1,815</u>

Appropriations

Operations	<u>\$ 1,815</u>
Total Appropriations	<u>\$ 1,815</u>

ENVIRONMENTAL FUND

Anticipated Revenue

General Revenue	\$ 8,415
Total Revenue	<u>\$ 8,415</u>

Appropriations

Operations	<u>\$ 8,415</u>
Total Appropriations	<u>\$ 8,415</u>

STORMWATER FUND**Anticipated Revenue**

General Revenue	\$	780
Total Revenue	\$	780

Appropriations

Operations	\$	780
Total Appropriations	\$	780

EDUCATION FUND**Anticipated Revenue**

General Revenue	\$	1,593,092
Non-Capital Grants and Contributions		-
ec619	\$	1,593,092

Appropriations

Operations	\$	1,593,092
Total Appropriations	\$	1,593,092

GRAND TOTAL BUDGET AMENDMENT NO 3.	\$	5,577,648
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INTRODUCED: September 10, 2020

PUBLIC HEARING: September 10, 2020

Public Hearing Advertisement Date: September 01, 2020

Approved this _____ day of _____ 2020

Effective Date: _____

CERTIFIED: _____

ATTEST: _____

Suzanne F. Simmons
Clerk of Council

Andrea W. Oakes
Mayor of Council

FY 2021 BUDGET AMENDMENT NO. 3

	LEDGER CODE	REVENUE	EXPENDITURE
<u>NONDEPARTMENTAL</u>			
To record Furlough waivers			
Prior Year Fund Balance	11001-41930	\$ 128,904	
Suspense Account	11099800-56997		\$ 128,904
 <u>To appropriate CARES Act Funding</u>			
Miscellaneous federal revenue	11001-46250-COVID	\$ 3,751,182	
Contingency - CARES Act	11099800-56997-COVID		\$ 2,158,090
Transfer to Education Fund	11099600-59390-COVID		\$ 1,593,092
Record CARES Act Carryover Funding and new FY21 Funding			
Miscellaneous Federal Aid - Cares Act Elections	11013-46250-COVEL	\$ 56,278	
Materials and Supplies	11011410-55415-COVEL		\$ 56,278
Record Elections Cares Act Funding			
 TRANSFERS TO OTHER FUNDS			
<u>WATER FUND</u>			
Prior Year Fund Balance	11001-41930	\$ 13,086	
Transfer to Water Fund	11099600-XXXXX		\$ 13,086
<u>Sewer Fund</u>			
Prior Year Fund Balance	11001-41930	1815	
Transfer to Sewer Fund	11099600-XXXXX		\$ 1,815
<u>Stormwater</u>			
Prior Year Fund Balance	11001-41930	780	
Transfer to Stormwater Fund	11099600-XXXXX		\$ 780
 <u>Environmental Fund</u>			
Prior Year Fund Balance	11001-41930	\$ 8,415	
Transfer to Environmental Fund	11099600-XXXXX	.	\$ 8,415
TOTAL GENERAL FUND		\$ 3,960,460	\$ 3,960,460

FY 2021 BUDGET AMENDMENT NO. 3

		AMOUNT	
GENERAL FUND	LEDGER CODE	REVENUE	EXPENDITURE

BUDGET AMENDMENT NO. 3 GENERAL FUND SUMMARY

GENERAL FUND REVENUE SUMMARY

General Revenues		\$ 2,228,961
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Appropriation of Prior Year Fund Balance

Suspense Account	128,904
Federal CARES Act Funding	482,869
Transfer to Stormwater Fund	780
Transfer to Water Fund	13,086
Transfer to Sewer Fund	1,815
Transfer to Education Fund	1,593,092
Transfer to Environmental Fund	8,415

Federal Revenue		1,731,499
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CARES Act Funding	1,731,499
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Total General Fund Revenues	<u><u>\$ 3,960,460</u></u>
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GENERAL FUND EXPENDITURE SUMMARY

Nondepartmental	2,343,272
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Transfer to Other Funds	<u>1,617,188</u>
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Total General Fund Expenditures	<u><u>\$ 3,960,460</u></u>
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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 24, 2020	Steven L. Rosenberg City Manager
Item #	E	
Ordinance #		
Department:	City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	Resolution Ending the Local Emergency Declared August 8, 2020	

Background: In response to a significant weather event that occurred on Saturday, August 8, 2020, and the effects from it, involving sudden, sustained torrential rainfall and flooding, and real and personal property damage suffered by businesses and individuals, the City Manager, in the capacity as Director of Local Emergency Management, retroactively declared a local emergency effective as of August 8, 2020.

By such a declaration, the City positioned itself to undertake measures in response to the significant weather event. At its August 13, 2020 meeting, City Council consented to and confirmed the declaration.

It is believed that all emergency actions have been taken in connection with the local emergency, and it is now appropriate for City Council to end the declared emergency, as contemplated under Virginia Code § 44-146.21.

Council is requested to consider and adopt the attached draft resolution to end the declared emergency.

Attachments:

- Attachment 1— Declaration of Local Emergency by the City of Staunton Local Director of Emergency Management
- Attachment 2— Adopted Resolution of the Council of the City of Staunton, Virginia Consenting

to and Confirming Declaration of a Local Emergency Beginning August 8, 2020
Attachment 3 – Draft Resolution of the Council of the City of Staunton, Virginia Ending the
Local Emergency Declared August 8, 2020

City Manager's Recommendation: Recommend adoption of the draft resolution, as presented.

Suggested Motion: I move to adopt the draft resolution to end the local emergency declared August 8, 2020, in the City of Staunton.

City Manager: Steven L. Rosenberg

**DECLARATION OF LOCAL EMERGENCY
BY THE CITY OF STAUNTON
LOCAL DIRECTOR OF EMERGENCY MANAGEMENT**

WHEREAS, Virginia Code § 44-146.21 authorizes the declaration of a local emergency;

WHEREAS, retroactive to Saturday, August 8, 2020, Steven L. Rosenberg, City Manager and Emergency Management Director of the City of Staunton, Virginia did find and declares:

1. That due to a significant weather event (and necessarily the effects from it), involving sudden, sustained torrential rainfall and flooding, and real and personal property damage suffered by businesses and individuals, the City of Staunton, Virginia faced dangerous conditions of sufficient scope, severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused, especially given the continued existence also of the COVID-19 crisis, emergency and disaster, most recently reaffirmed by City Council in Ordinance No. 2020-04; and

2. That due to the significant weather event a condition of extreme peril to life and property necessitated and merits such declaration or proclamation of the existence of a local emergency beginning August 8, 2020, and such circumstances continue, with some citizens and local business owners reportedly dealing with continuing conditions of sufficient severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused;

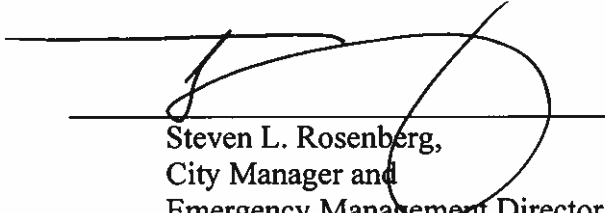
WHEREAS, such conditions necessitate the declaration of the existence of a local emergency, to the fullest extent permitted by law; and

WHEREAS, these recitals are an integral part of this declaration.

NOW, THEREFORE, pursuant to Virginia Code § 44-146.21, subject to confirmation of Council of the City of Staunton, Virginia, Steven L. Rosenberg, City Manager and Emergency Management Director for the City of Staunton, Virginia, declares the existence and continuance of a local emergency in the City of Staunton, to the fullest extent permitted by law; and

IT IS FURTHER DECLARED AND ORDERED that, to the fullest extent permitted by law, during the existence of such emergency the powers, functions, and duties of the Local Emergency Management Director and local emergency services planning organization or committee and City staff shall be those prescribed by state law

and the ordinances, resolutions, and authorized plans of the City of Staunton in order to mitigate the effects and otherwise address such emergency.



Steven L. Rosenberg,
City Manager and
Emergency Management Director

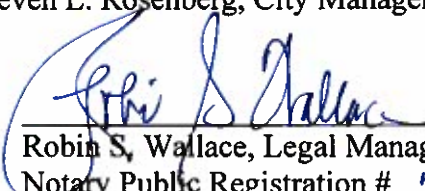
Date: August 10, 2020

Time: 4:30 p.m.

State of: Virginia

City of: Staunton, to wit:

The foregoing Declaration of Local Emergency was acknowledged before me this 10th day of August, 2020, by Steven L. Rosenberg, City Manager and Director of Emergency Management.



Robin S. Wallace, Legal Manager & FOIA Officer
Notary Public Registration # 7551330
My commission expires: 4-30-2021

**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
CONSENTING TO AND CONFIRMING DECLARATION OF A LOCAL
EMERGENCY BEGINNING AUGUST 8, 2020**

Recitals

- A. Virginia Code § 44-146.21 authorizes the declaration of a local emergency;
- B. Section 11 of the Charter of the City of Staunton also grants broad powers to City Council;
- C. Retroactive to August 8, 2020, Steven L. Rosenberg, City Manager and Emergency Management Director of the City of Staunton, Virginia did find and declare:

C.1. That due to a significant weather event (and necessarily the effects from it), involving sudden, sustained torrential rainfall and flooding, and real and personal property damage suffered by businesses and individuals, the City of Staunton, Virginia faced dangerous conditions of sufficient scope, severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused, especially given the continued existence also of the COVID-19 crisis, emergency and disaster, most recently reaffirmed by City Council in Ordinance No. 2020-04; and

C.2. That due to the significant weather event a condition of extreme peril to life and property necessitated and merited such declaration or proclamation of the existence of a local emergency beginning August 8, 2020 and such circumstances continue, with some citizens and local business owners reportedly dealing with continuing conditions of sufficient severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused; and

- D. These recitals are an integral part of this resolution.

NOW, THEREFORE, the Council of the City of Staunton, Virginia:

1. CONFIRMS, RESOLVES, AND DECLARES, pursuant to Virginia Code § 44-146.21 and such other applicable laws, including, but not limited to, the powers granted by the Charter of the City of Staunton, Virginia, that on August 8, 2020, the Council of the City of Staunton, Virginia, could not and did not convene due to the exigent circumstances and that a local emergency did exist throughout the City of Staunton, Virginia, and continues; and

2. CONFIRMS, RESOLVES, DECLARES AND ORDERS that during the existence of such emergency, the powers, functions, and duties of the Local Emergency Management Director and local emergency services planning organization or committee and City staff shall be those prescribed by Virginia law and the ordinances, resolutions, and approved plans

of the City of Staunton in order to mitigate and otherwise address the effects of such emergency;
and

3. **RESOLVES** that now and retroactively to and including August 8, 2020, Council **CONSENTS** to and **CONFIRMS** such declaration of local emergency, and **RATIFIES** and **AFFIRMS** that all City officials are granted such authority, pursuant to extant law, in such circumstances to take all actions, to the fullest extent permitted by law, to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused by such local emergency;
and

4. **RESOLVES** that, under the unique circumstances, to the extent necessary, the City Manager or designee is authorized to waive any building permit fees under Staunton City Code Section 15.10.120 as to any construction and demolition for property damaged as a result of the August 8, 2020 weather event and necessarily the effects from it for any person, including a corporate entity, current with payment of all obligations otherwise to the City.

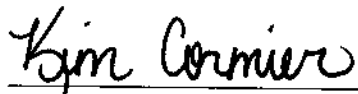
Introduced: August 13, 2020

Adopted: August 13, 2020

Effective: Retroactively as provided



Andrea W. Oakes, Mayor

Attest: 

Kim Cormier, Acting Clerk of Council

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**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
ENDING THE LOCAL EMERGENCY
DECLARED AUGUST 8, 2020**

Recitals

A. Virginia Code § 44-146.21 authorizes the declaration of a local emergency;

B. Section 11 of Chapter II of the Charter of the City of Staunton also grants broad powers to City Council, including the power to pass all laws for the health and protection of the citizens and their property, under the provisions of Paragraph TWENTY-FIRST of such Charter;

C. Retroactive to August 8, 2020, Steven L. Rosenberg, City Manager and Emergency Management Director of the City of Staunton, Virginia did find and declare:

C.1. That due to a significant weather event (and necessarily the effects from it), involving sudden, sustained torrential rainfall and flooding, and real and personal property damage suffered by businesses and individuals, the City of Staunton, Virginia faced dangerous conditions of sufficient scope, severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused, especially given the continued existence also of the COVID-19 crisis, emergency and disaster, most recently reaffirmed by City Council in Ordinance No. 2020-04; and

C.2. That due to the significant weather event a condition of extreme peril to life and property necessitated and merited such declaration or proclamation of the existence of a local emergency beginning August 8, 2020 and such circumstances continue, with some citizens and local business owners reportedly dealing with continuing conditions of sufficient severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused;

D. At its August 13, 2020 regular meeting, City Council adopted a resolution consenting to and confirming the declaration of a local emergency retroactive to and including August 8, 2020;

E. The significant weather event (and necessarily the effects from it) which warranted the declaration of a local emergency has ended and no longer constitutes a condition of peril to life and property;

F. According to the City Manager, it is believed that all emergency actions have been taken and it is now appropriate for City Council to end the declared emergency, as contemplated under Virginia Code § 44-146.21; and

G. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia, that the local emergency declared August 8, 2020, be, and is hereby, declared **ENDED**.

Introduced:

Adopted:

Effective:

Andrea W. Oakes, Mayor

Attest: _____
Suzanne F. Simmons, Clerk of Council