

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
January 14, 2021
5:00 p.m.**

- | | | |
|------------------|-------------------|--|
| 5:00 p.m. | | Mayor's Introductory Remarks |
| 5:05 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:10 p.m. | 2. | Presentation by Virginia Economic Development Partnership and Shenandoah Valley Partnership Concerning Staunton Crossing |
| 5:35 p.m. | 3. | Presentation of the Draft FY2021 - 2025 Capital Improvement Plan |
| 5:50 p.m. | 4. & H | Discussion of Uncodified Emergency Ordinance Reratifying, Reconfirming and Reaffirming Uncodified Emergency Ordinance 2020-04 and Extending the Time of Reenactment |
| 6:05 p.m. | | Break |
| 6:25 p.m. | 5. | Discussion of Timing and Format of City Council Retreat |
| 6:35 p.m. | 6. | Discussion of Access to Nominations Committee Meetings |
| 6:45 p.m. | 7. | Closed Meeting for: (i) Discussion of Possible Acquisition of Real Property Within the City; (ii) Discussion of Prospective Candidates for Interim City Attorney; (iii) Discussion of Prospective Candidates for City Attorney; (iv) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such Counsel Pertaining to Legal Considerations and Discussion Involving Specific Pending Litigation/Claims; and |

**(v) Consultation and Discussion with Legal Counsel
Requiring the Provision of Legal Advice by Such
Counsel Pertaining to Legal Considerations and
Discussion Involving Specific Land Use and
Development Matters**

7:15 p.m.

Break

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
January 14, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Holmes

Mayor's Report

Proclamation—Deputy K9 Cara

Additional Items by Members of Council

Approval of Minutes

Special Meetings of December 1 and 8, 2020

Work Session and Regular Meeting of December 10, 2020

Special Meetings of December 17 and 18, 2020

REGULAR MEETING

- A. Public Hearing and Consideration of a Request by Jon and Margaret Pearson to Rezone 919 Middlebrook Avenue from I-1, Light Industrial Conditional to R-3, Medium Density Residential Conditional***
- B. Public Hearing and Consideration of an Amendment to Title 18, Zoning, Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, Subsection 18.120.010(4)(h)***
- C. Public Hearing and Consideration of Non-Exclusive Franchise Ordinance for Fiber Optic Telecommunications Equipment and Other Facilities in the City***
- D. Consideration of a Request by Darren Pultz, 371 National Avenue, for a Variance to Title 17, Subdivisions, Section 17.15.180, Size and Shape of Residential Lots Generally**

- E. **Discussion and Consideration of Grant Application to Community Action Partnership of Staunton, Augusta, and Waynesboro (CAPSAW)**
- F. **Discussion and Consideration of Augusta Regional Landfill Management Agreement**
- G. **Discussion and Consideration of Resolution Adopting Updated 2020 Staunton-Augusta-Waynesboro Emergency Operations Plan**
- H. **Consideration of Uncodified Emergency Ordinance Reratifying, Reconfirming and Reaffirming Uncodified Emergency Ordinance 2020-04 and Extending the Time of Reenactment**
- I. **City Council to Consider Appointment and Employment of New City Attorney**

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.**

In addition, through 5:00 p.m. on Friday, January 15, 2021, the public may also communicate comments to City Council by (i) emailing the Clerk of Council at publiccomment@ci.staunton.va.us, or (ii) calling the Clerk of Council at 540.332.3810. Voice mail messages are acceptable. A comment sent by email or voice mail must include full name and street address for the comment to be included in the public record.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	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:	January 14, 2021	Staff Members: Billy Vaughn Amanda DiMeo
Item #	2	
Ordinance #		
Department:	Economic Development	
Council Vision:	Economic Development	
Subject:	Presentation by Virginia Economic Development Partnership and Shenandoah Valley Partnership Concerning Staunton Crossing	

Background: During Council's work session on January 14, 2021, Jason El Kuobi, Executive Vice President, Virginia Economic Development Partnership (VEDP), a state agency, will provide an overview of VEDP's mission to encourage and support development and expansion of the state's economy. Mr. El Kuobi leads the organization's strategy and operations, and directly oversees activities related to economic competitiveness, international trade, incentives, and research. He also coordinates with local economic development organizations and regional partnerships to achieve their development strategies.

Jay A. Langston, Ph.D., Executive Director, Shenandoah Valley Partnership (SVP) will also participate during the work session. Under Dr. Langston's leadership, SVP's focus is on supporting local initiatives to expand existing companies and attract new business to the Valley. As the regional economic development and marketing organization, SVP brings together business, government, tourism, education leaders and state-wide strategic partners to increase economic development activity and job growth.

Both presenters will discuss the benefits of the efforts and strategy to implement the recommendations of the Staunton Crossing Economic Development Business Plan, which was approved by City Council on September 26, 2019. A report summary is attached.

Attachment:

Attachment 1—Staunton Crossing Economic Development Business Plan—Report Summary

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

STAUNTON CROSSING

An Economic Development Business Plan

REPORT SUMMARY



MARCH 2019

PREPARED FOR:

City of Staunton
116 W Beverley St.
Staunton, VA 24401

PREPARED BY:

Timmons Group
1001 Boulders Parkway, Suite 300
Richmond, Virginia 23225

SUMMARY

Timmons Group has completed its report and findings for the Staunton Crossing Economic Development Business Plan. The full report describes a conceptual Master Plan for the City owned real estate and a Business Plan approach to ensuring that Staunton Crossing achieves its highest potential value to the City of Staunton.



Master Plan

Three important stakeholder sessions were conducted to solicit input for Staunton Crossing through a kickoff work session, an interim status/progress work session, and an on-line survey. The full Report shows the results of the input sessions and how Timmons Group combined that valuable input with land planning best practices to recommend a conceptual Master Plan. The full report describes the planning priorities important in crafting the final land use options to build the business plan around. The planning priorities included:

1. *Existing Projects already underway*
2. *Topography and Environmental Constraints*
3. *Land Use Alternatives to achieve highest potential value*
4. *Transportation/Traffic Constraints*
5. *Sewer, Water, Power, Natural Gas Infrastructure Efficiency*
6. *Extensive Stakeholder Feedback/Input*

The results of the Master Plan establish a vision that can potentially produce 1.9 million square feet of economic development and over 3,000 quality jobs in Staunton Crossing. More importantly, the Business Plan establishes targets of how much annual tax revenue and potential for jobs might result for the City.

Business Plan Recommendations

The report includes ten recommendations to make Staunton Crossing attractive to Economic Development prospects and improve the chances for landing target businesses within the development. The ten recommendations include important initiatives the City has already set in motion over the past few years. The full report builds on that momentum and recommends others that will capitalize on the City's investment and best position Staunton Crossing for success over the next 24 months. The ten recommendations are:

1. Demolish Existing Buildings

The City's plan to demolish the old Western State buildings is critically important. The City should employ consultants and contractors that can complete the work quickly and cost-effectively and capitalize on a public relations opportunity that provides better visibility for Staunton Crossing.

2. Build new VDOT Road

The City's efforts to secure grant funding for this road is exemplary, and staff should coordinate construction of central parkway through property in a way that opens every land bay to

development. The City should be proactive in ensuring completion of project in reasonable timeframes as delays in this stage could delay marketing and dealmaking for Staunton Crossing.

3. Brownfields Grant Funding

The City has recently secured grant funding from the Virginia Brownfields Restoration and Economic Redevelopment Fund. Timmons Group recommends completing this process and providing the matching funds necessary to assist with demolition proposed in #1 above.

4. Return On Investment Analysis

\$50,000-\$70,000

Timmons Group recommends completing an analysis that can be used to track the Return on Investment (ROI) through the life of this project. The report will help ensure that all investments proposed in securing economic development prospects provide an acceptable return to the City. The analysis can also take into consideration previous investments and timing expectations before any construction is commenced using City dollars.

5. Tier 4 Site Readiness Certification

(see below)

Tier 4 Site Readiness will ensure that the City's property is fully embraced by the Virginia Economic Development Partnership (VEDP) and other economic development marketing arms to reach worldwide prospects. Improvements for Tier 4 readiness generally need to be completed within 12 months of commitment, so at a minimum, construction plan approvals need to be in place and ready to implement when the opportunities dictate. Tier 4 site readiness is further detailed below.

6. Develop Marketing Plan

\$30,000-\$40,000

This Business Plan provides a roadmap for Staunton Crossing that ensures expansive and sustainable growth in the short term, with an eye to long-term opportunities. The City should develop a Marketing plan that identifies these value propositions and drives the message for the park to a wide and diverse audience.

7. Draft Design Guidelines and Agreements

\$15,000-\$20,000

Developer agreements and design guidelines need to be in place to control and protect the interests of both the City and the businesses that locate in Staunton Crossing.

8. Draft Covenants and Restrictions

\$25,000-\$30,000

The covenants and restrictions establish from an operational perspective what is and is not allowed in the development, and how future operational and maintenance responsibilities for open space, landscaping, stormwater ponds, etc. should be allocated.

9. Real Estate Strategies (Control)

The City should ensure they control the future use of any property needed to achieve the highest level of business plan success. This should be done in the early stages of the business plan.

10. Data Center Strategies

\$20,000-\$25,000

The City should consider investments unique to attracting data centers to Staunton Crossing. The plan should consider working closely with Dominion Energy to discuss electrical infrastructure and revenue strategies, including special data center tax rates, that will maximize the value to the city of designating some of Staunton Crossing as a Data Center site. Consideration should be given to achieving certification as a preferred data center site.

Getting to Tier 4 Certification

Several active steps should be taken to help Staunton Crossing achieve the Tier 4 designation by Virginia Business Ready Sites Program Standards. The significant steps that Staunton Crossing should take include the following:

Diligence - \$300,000 - \$330,000

- Rezone the Property for Industrial Use
- Conduct a Preliminary Geotechnical Report
- Complete necessary Land survey (ALTA/boundary/topo)
- Complete a Phase 1 ESA
- Traffic Impact Study (if necessary)
- Floodplain and Stormwater Study
- Cultural Resources Study
- Threatened and Endangered Species Study
- Wetland Delineation and COE Confirmation
- Natural Gas PER
- Electrical PER

Ready to Construct - \$600,000 - \$700,000

Several steps should be taken to assure that Construction plans are complete and/or permits for Infrastructure Improvements are secured

- Construction Plans Approved - Water system improvements
- Construction Plans Approved - Wastewater system improvements
- Construction Plans Approved - Transportation Improvements
- Construction Plans Approved - NG system design (if applicable)
- Construction Plans Approved - Stormwater design (if applicable)
- ALL off-site Easements Acquired for Infrastructure Improvements
- Wetlands & environmental permitting complete w/ mitigation

Timeline

The City of Staunton is in a position with current projects and additional recommendations outlined in this report to have a fully marketable site for the world stage by the end of calendar year 2020.



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Staff Member: Phil Trayer
Item #	3	
Ordinance #		
Department:	Finance	
Council Vision:	Responsive, Efficient Government Built Environment	
Subject:	Capital Improvement Plan FY2021—FY2025	

Background: Chief Finance Officer Phil Trayer will provide a review of the annual update to the Capital Improvement Plan for all City funds and the Education Fund. City and School Board staff updated the plan to review existing projects and revise projects, and to include new projects.

The plan will be presented initially to City Council at its work session on January 14, 2021, with additional review and discussion planned for work sessions on January 28, and February 11, 2021.

The School Board reviewed the school capital projects on December 14, 2020, and is scheduled to consider the School CIP on January 11, 2021.

An overview of the plan was presented to the Planning Commission on December 17, 2020. A public hearing and consideration of the plan is scheduled for the Planning Commission's meeting on January 21, 2021.

Final consideration of the CIP Plan is scheduled for City Council on February 11, 2021.

City Manager's Recommendation: For review and discussion only.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg



FY2021 – FY2025 Proposed Capital Improvement Plan

December 17, 2020

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN
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**CITY OF STAUNTON, VIRGINIA
and
STAUNTON CITY SCHOOLS**

**CAPITAL IMPROVEMENT PLAN
FY 2021 - FY 2025**

STAUNTON PLANNING COMMISSION

CHAIR

APPROVAL DATE

Attest:

CITY COUNCIL

MAYOR

APPROVAL DATE

Attest:

CITY OF STAUNTON, VIRGINIA
and
STAUNTON CITY SCHOOLS
CAPITAL IMPROVEMENT PLAN

TOTAL CIP PLAN		FY2021	FY2022	FY2023	FY2024	FY2025	PROJECTS NOT SCHEDULED/NOT FUNDED
GENERAL FUND	\$ 152,787,690	\$ 1,925,000	\$ 6,429,050	\$ 22,906,020	\$ 9,217,050	\$ 2,486,050	\$ 109,824,520
STAUNTON CITY SCHOOLS	\$ 24,356,000	\$ 631,000	\$ 825,000	\$ 3,150,000	\$ 4,100,000	\$ 650,000	\$ 15,000,000
WATER FUND	\$ 45,425,000	\$ 2,105,000	\$ 7,300,000	\$ 900,000	\$ 9,100,000	\$ 400,000	\$ 25,620,000
SEWER FUND	\$ 5,840,000	\$ 405,000	\$ 100,000	\$ 450,000	\$ 450,000	\$ 400,000	\$ 4,035,000
STORMWATER FUND	\$ 24,183,291	\$ 78,000	\$ 1,200,000	\$ 650,000	\$ 1,300,000	\$ 995,375	\$ 19,959,916
PARKING FUND	\$ 1,688,000	\$ 250,000	\$ 38,000	\$ 250,000	\$ 550,000	\$ 600,000	\$ -
TOTAL CIP PLAN \$ 254,279,981		\$ 5,394,000	\$ 15,892,050	\$ 28,306,020	\$ 24,717,050	\$ 5,531,425	\$ 174,439,436

5 YEAR PLAN= \$ 79,840,545

OVERVIEW

The City of Staunton's Capital Improvement Plan (CIP) is a comprehensive five-year plan that identifies the City's capital and infrastructure needs for all City operations to include the General Fund, Education Fund, and all proprietary funds that include the Water Fund, Sewer Fund, Environmental Fund, Parking Fund, and Stormwater Fund. The plan provides for the planning of the acquisition of new physical assets and/or the replacement/repair of existing capital assets. The CIP provides a plan and funding for the renovation of public buildings, school buildings, street repairs/additions, water and sewer lines, recreational facilities, community development projects that promote the economic growth and vitality of the City, and the construction of major new facilities. The adoption of the Capital Improvement Plan by City Council indicates their support and commitment for the projects and commitment towards the anticipated funding required to maintain facilities and provide new facilities for the community.

By definition, a capital project is primarily a project to construct/renovate major facilities such as school buildings, office buildings, park facilities, infrastructure needs -water, sewer and other utilities- roads, bridges, major equipment, etc. Capital projects have a useful life to the citizens of at least ten years and are projects that usually require multiple years to complete. These projects, once completed, provide for a quality of life in the City and benefit all citizens in the community.

CAPITAL IMPROVEMENT PLAN REVENUE SOURCES:

Cash transferred from the General Fund Budget from the Adopted Operating Budget

General Fund Unassigned Balance

General Obligation Bonds

State and Federal Grants/Cost Share Agreements

Fund Balance/Reserve Policy, Adopted May 26, 2011

Funds in excess of the Safety Net Reserve, the General Contingency amount, and carry forward appropriations unexpended at fiscal year end, shall be given first consideration for appropriation in the City's Capital Improvement Fund. Such appropriation shall be in the form of a budget amendment to the subsequent year's budget.

Any funds in the Education Fund in excess of the annual expenditures for any year ending June 30 shall be given first consideration for appropriation to the Education Fund Capital Improvement Fund. Such appropriation shall be in the form of a budget amendment to the subsequent year's budget or approved through the annual budget adoption procedures.

City Council Policy #5, Adopted October 12, 1989

Any budget savings in debt obligation/lease payments shall be transferred to the Capital Improvement Fund for future capital projects and equipment.

CAPITAL IMPROVEMENT PLAN BUDGET POLICY

The City will consider all capital improvements in accordance with the Adopted Capital Improvement Plan.

The City will develop a five-year plan for capital improvements and review and update the plan annually.

The City will determine the least costly and most flexible financing method for all projects requiring debt financing.

The City will coordinate the development of the capital improvement plan budget with the development of the operating budget.

The City will maintain all its assets at a level adequate to protect the City's capital investment in order to minimize future maintenance and replacement costs.

The City will schedule its major equipment acquisitions and/or replacement of major equipment as part of the capital investment plan process.

The City will identify projects and estimated costs and a potential funding source for each project as part of the capital investment plan process.

The City will identify capital projects that require annual budget funds to maintain the capital asset requiring personnel and operational costs, and any debt payments for bond financing.

FINANCIAL MANAGEMENT POLICY

City of Staunton, Virginia

Capital Improvement Plan Policy

Adopted: January 25, 2018



The Capital Improvement Plan—the CIP—is the City’s five-year plan for projecting the capital needs of the City. It provides for maintenance and funding of present and future buildings, facilities, major equipment, and infrastructure for the City. The CIP also serves as a planning and programming guide for long-term financial planning, and a plan to promote (i) public and private development for the future community growth, and (ii) effective service delivery to citizens of the City.

The overall strategy of the CIP is to plan for land acquisition, construction and maintenance of public facilities necessary for the safe and efficient provision of public services in accordance with the policies and objectives adopted in the City’s Comprehensive Plan. A critical element of a balanced CIP is the provision of funds to both preserve or enhance existing facilities and provide new assets to respond to changing service needs and community growth. The plan is reviewed and revised annually based on priorities, current circumstances, and economic opportunities.

The adoption of the CIP is not a formal financial commitment to any particular project. The CIP serves as a financial planning tool to provide estimated costs for projects, and a schedule for anticipated capital projects and capital financing. The CIP is a key element in planning and controlling the City’s future debt service requirements. The CIP includes some projects where needs have been defined, but specific financial resources have not been identified to advance the project to a scheduled completion year.

THE LEGAL BASIS FOR THE CIP

The CIP is prepared pursuant to Virginia Code § 15.2-2239, which provides, in relevant part:

A local planning commission may, and at the direction of the governing body shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the locality for a period not to exceed the ensuing five years. The commission shall submit the program annually to the governing body, or to the chief administrative officer or other official charged with preparation of the budget for the locality, at such time as it or he shall direct. The capital improvement program shall include the commission's recommendations, and estimates of cost of the facilities and life cycle costs, including any road improvement and any transportation improvement the locality chooses to include in its capital improvement plan and as provided for in the comprehensive plan, and the means of financing them, to be undertaken in the ensuing fiscal year and in a period not to exceed the next four years, as the basis of the capital budget for the locality. In the preparation of its capital budget recommendations, the commission shall consult with the chief administrative officer or other executive head of the government of the locality, the heads of departments and interested citizens and organizations and shall hold such public hearings as it deems necessary.

ANNUAL CAPITAL BUDGET

The Capital Budget appropriates funds for specific facilities, major equipment, infrastructure, and improvements approved in the CIP by City Council through the annual budget process or a budget amendment for all governmental and proprietary funds. The first year included in the CIP reflects the approved annual capital budget funding level. Financial resources for projects in subsequent years in the plan are included for planning purposes only for scheduling and financial planning.

The City funds a portion of the CIP with current revenues in the annual Operating Budget. The long-term goal is to dedicate a minimum of 2.5% of the total current General Fund revenues less General Fund Transfers to Other Funds to finance General Fund capital projects. Other available financial resources include Undesignated Fund Balance, General Obligation Bonds, state and federal grants, and private development contributions, which are appropriated through a budget amendment upon approval of a project.

Proprietary Fund revenues are used to finance Proprietary Fund capital improvement projects. General Fund transfers may be used to finance Proprietary Fund capital projects.

The General Fund Capital Budget is appropriated in the City's multi-year CIP Fund. A financial analysis of the fund shall be conducted quarterly to analyze the status of the funding sources, and to review the project-to-date expenditures. Any project balances shall be re-programmed for other capital projects through a budget amendment process.

THE CIP REVIEW TEAM

A CIP Review Team (CIP Team) is responsible for reviewing capital project requests and providing recommendations annually to the City Manager and Planning Commission. This team is comprised of staff from the Office of the City Manager, the Department of Finance, the Department of Community Development, the Department of Public Works, the Department of Information Technology, the Police Department, the Fire-Rescue Department, the Parks and Recreation, and School Board staff from the office of the Director of Operations and the Technology Department. The Chief Financial Officer is responsible for the coordination of the CIP process, including the annual review, presentation to the Planning Commission, and the final adoption of the CIP by City Council.

THE CIP PROCESS

The overall goal of the CIP process is to develop CIP recommendations that:

1. preserve the City's past by investing in the upgrade of assets and infrastructure;
2. protect the present with improvements to City facilities, based on an analysis of costs of repair versus costs of replacement;
3. plan for future facilities and infrastructure that considers the annual cost for new service demands as a result of community growth or facilities and services that provide new or improved quality of life for all citizens; and
4. allow for flexibility to take advantage of economic opportunities that provide for public or private capital investment.

The CIP Team meets in October each year to update existing projects, remove projects, and add new projects. Capital projects are forwarded to the CIP Team by departments responsible for their implementation. In proposing a five-year capital plan, the CIP Team considers the feasibility of all proposed capital projects by evaluating their necessity, priority, location, cost, method of financing, availability of federal and state aid, and the necessary investment in the City's infrastructure. The CIP results from an annual review and a systematic process that advances subsequent years' items each fiscal year.

In December, the CIP is presented to the Planning Commission for review and discussion. A public hearing is held at a subsequent Planning Commission meeting in January to receive public comment. After the public hearing, the Planning Commission makes a recommendation concerning the CIP to City Council.

In January, the CIP, with the Planning Commission's recommendation, is presented to City Council, for additional review and discussion, and eventual consideration by Council.

CRITERIA FOR EVALUATING CAPITAL PROJECTS

The CIP Team uses the evaluation criteria stated below as a guide and assessment tool to determine the immediate, near-term, or long-term timing for scheduling capital projects:

1. The CIP shall execute the goals and objectives of the Comprehensive Plan adopted by City Council.
2. The development of the CIP shall be guided by the principles of lifecycle planning to ensure that long-term maintenance, renewal and replacement requirements are adequately addressed to protect the City's investment and maximize the useful life of facilities.
3. The CIP shall include major equipment and facilities, defined as, all fixed installations constructed and/or maintained with public funds, including buildings and structures, utilities and related improvements that have a useful life greater than 10 years.
4. The CIP shall include the fiscal impact of each project to include the total cost of the project and the annual maintenance and operating costs.
5. The CIP shall support the City's efforts to promote economic vitality and a high quality of life.
6. The CIP shall support the City's efforts to encourage the development of affordable and effective multi-use public facilities, as feasible.
7. The CIP shall be developed to provide facilities that are cost-effective, consistent with appropriate best practice standards, community standards, feasibility, and expectations of useful life.
8. The City shall endeavor to execute the projects as approved and scheduled in the CIP. Value engineering principles shall continue to be applied to appropriate capital projects. Changes in project scope, cost and scheduling shall be subject to close scrutiny.

CRITERIA FOR SCHEDULING CAPITAL PROJECTS

The following criteria shall be considered for purposes of scheduling projects in the CIP:

1. Project Urgency

- a. Is the project required due to state or federal mandates?
- b. Will the project improve unsatisfactory environmental, health and safety conditions?
- c. What are the implications if the project is not built?
- d. Does the project accommodate increases in demand for service?

2. Project Readiness

- a. Are project-related research and planning completed?
- b. Are the appropriate departments prepared to execute the project?

3. Project Phasing

- a. Can the project be phased over multiple fiscal years?
- b. Are funds readily available to finance the project?
- c. Does the project have a net impact on the operating budget?
- d. Does the project preserve previous capital investments or restore a capital facility to adequate operating condition?

4. Planning Questions

- a. Is the project consistent with the Comprehensive Plan?
- b. Can projects of similar use or purpose be co-located at one location?
- c. Does the project increase the efficiency of the service delivery?
- d. What are the number and types of citizens likely to benefit from the project?

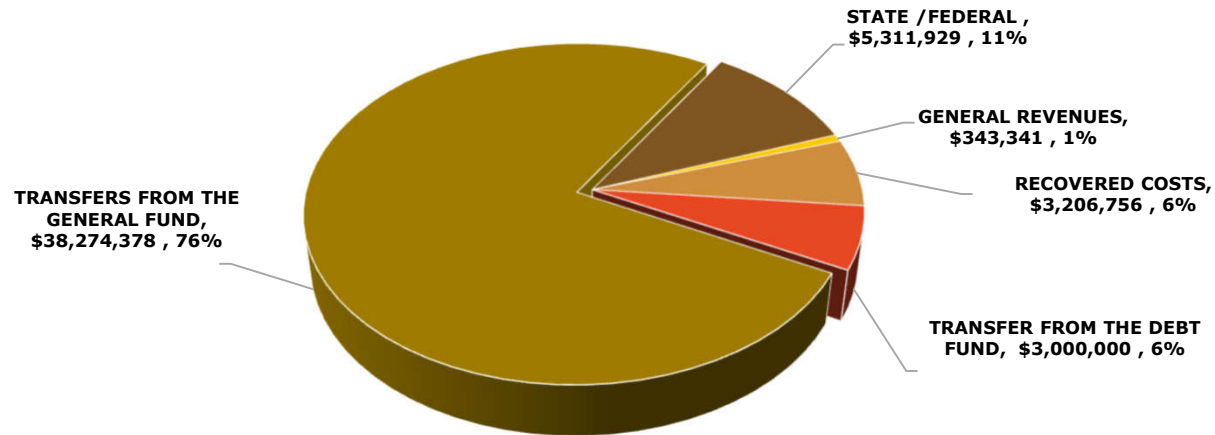
CAPITAL IMPROVEMENT PLAN SCHEDULE

October 23, 2020 @ 1:30 pm	CIP Committee meeting, Planning Conference Room
October - December 9, 2020	Staff review and development of the proposed Capital Improvement Plan. All existing projects to be analyzed, estimated costs updated, and new proposed projects prioritized based on City needs or anticipated changes in the City's needs based on population changes, economic changes, infrastructure projects, etc.
December 7, 2020	Presentation and discussion of the DRAFT School Capital Improvement Plan -School Board work session.
December 17, 2020	Presentation and introduction of the DRAFT Capital Improvement Plan to the City Planning Commission.
January 14, 2021	Presentation and discussion of the DRAFT Capital Improvement Plan with City Council of any project, funding proposal, priority of any project, changes to the plan.
January 11, 2021	Adoption of the School Capital Improvement Plan by the School Board.
January 21, 2021	Public hearing and consideration and adoption of the CIP by the Planning Commission.
January 28, 2021	Discussion and continued review with City Council of any project, funding proposal, priority of any project, changes to the plan.
February 11, 2021	Adoption of the Capital Improvement Plan by City Council.

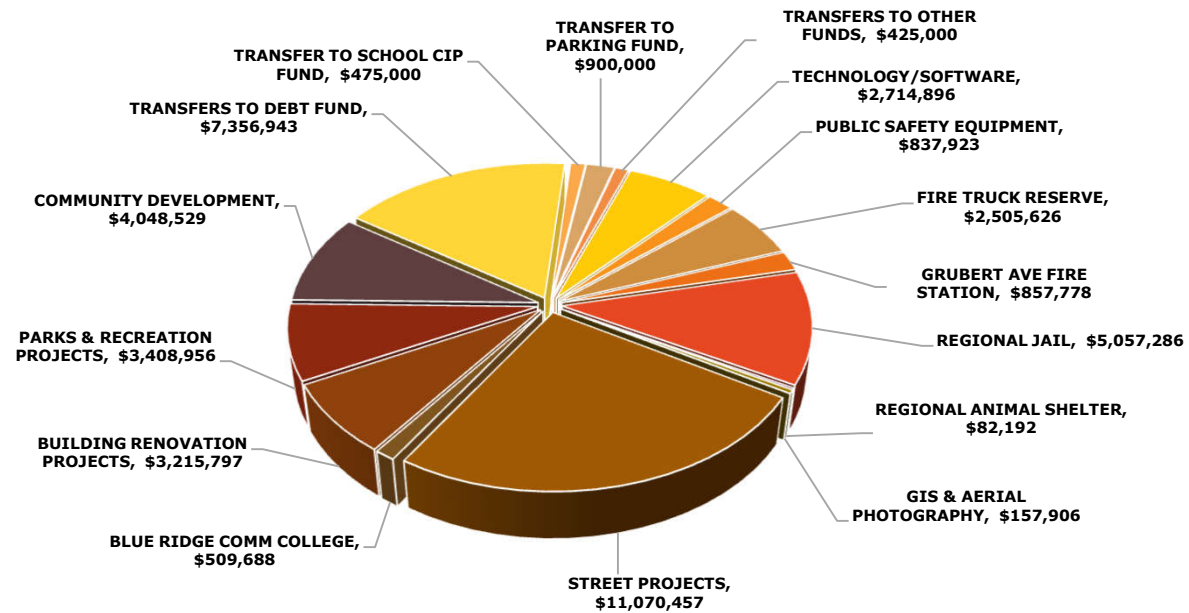
CIP COMMITTEE

Phil Trayer	Chief Financial Officer
Brad Wegner	School Budget Manager
Lyle Hartt	City Engineer
Jeff Johnson	Director of Public Works
Chris Tuttle	Director of Parks & Recreation
Rodney Rhodes	Senior Planner
Jim Williams	Police Chief
Scott Garber	Fire & Rescue Chief
Kurt Plowman	Chief Technology Officer
William Vaughn	Director of Economic Development
Leslie Beauregard	Assistant City Manager
Earl McCray	Staunton City Schools-Director of Operations
Tom Lundquist	Staunton City Schools-Director of Technology

**CITY OF STAUNTON GENERAL FUND CIP ACTUAL REVENUES
FY2004 - FY2021
\$50,136,404**



**CITY OF STAUNTON GENERAL FUND CIP ACTUAL EXPENDITURES
FY2004 - FY2021
\$42,584,034**



CITY OF STAUNTON
GENERAL FUND CIP REVENUES - FINANCIAL UPDATE (OCTOBER 31,2020)

FY 2004 - FY2021

	BUDGET	REVENUES TO DATE	BALANCE
<u>CIP GENERAL REVENUE</u>			
INTEREST INCOME	\$ 5,314	\$ 337,708	\$ (332,394)
MISCELLANEOUS REVENUE	4,950	5,633	(683)
RECOVERED COSTS-OPERATIONS	397,148	506,160	(109,012)
APPROPRIATION OF PRIOR YEAR FUND BALANCE	2,268,470	-	2,268,470
TRANSFER FROM DEBT SERVICE FUND	3,000,000	3,000,000	-
TRANSFER FROM THE GENERAL FUND	38,274,378	38,274,378	-
TOTAL GENERAL GOVERNMENT REVENUES	\$ 43,950,260	\$ 42,123,879	\$ 1,826,381
<u>CIP CAPITAL GRANTS AND CONTRIBUTIONS</u>			
RECOVERED COSTS- HEALTH DEPARTMENT BUILDING	\$ 24,530	\$ 17,840	\$ 6,690
TOTAL CIP CAPITAL GRANTS	\$ 24,530	\$ 17,840	\$ 6,690
<u>PUBLIC WORKS- CAPITAL/NON-CAPITAL GRANTS</u>			
COMMONWEALTH OF VIRGINIA-TRANSPORTATION	\$ 2,741,946	\$ 2,682,756	\$ 59,190
VABF GRANT	\$ 431,200	\$ -	\$ 431,200
RECOVERED COSTS-MONTGOMERY AVENUE	11,333	11,333	0
RECOVERED COSTS- SEARS HILL BRIDGE	150,168	150,168	0
COMM OF VA- PRIMARY EXTENSION PAVING	1,430,173	1,549,484	(119,311)
COMMONWEALTH OF VIRGINIA- MISCELLANEOUS AID	102,273	97,299	4,974
RECOVERED COSTS- COCHRAN PARKWAY	1,883,747	1,860,887	22,860
FEDERAL GOV'T- MISCELLANEOUS	105,931	105,931	(0)
FEDERAL - SAFE ROUTES TO SCHOOL GRANTS	2,290,907	720,134	1,570,773
STATE/ FEDERAL GOV'T -CENTRAL AVENUE	268,669	22,330	246,339
TOTAL PUBLIC WORKS CAPITAL/NON-CAPITAL GRANTS	\$ 9,416,347	\$ 7,200,321	\$ 2,216,026
<u>PARKS & RECREATION NON-CAPITAL GRANTS</u>			
STATE AID-VDOT FUNDS	\$ 25,000	\$ 24,219	\$ 781
STATE AID-MISCELLANEOUS SLAF LAKE TAMS	210,978	210,978	0
TOTAL PARKS & RECREATION GRANTS	\$ 235,978	\$ 235,197	\$ 781
<u>COMMUNITY DEVELOPMENT CAPITAL GRANTS</u>			
COMM OF VA FRONTIER CENTER	\$ 100,000	\$ 100,000	\$ -
COMM OF VA- RR SMITH CENTER FUNDS	459,167	459,167	-
TOTAL COMMUNITY DEVELOPMENT GRANTS	\$ 559,167	\$ 559,167	\$ -
TOTAL CIP FUND REVENUES	\$ 54,186,282	\$ 50,136,404	\$ 4,049,878
	\$ 944,593		
<u>TRANSFERS FROM THE GENERAL FUND</u>			
FISCAL YEAR 2003	\$ 479,317		
FISCAL YEAR 2004	\$ 545,747		
FISCAL YEAR 2005	\$ 1,387,431		
FISCAL YEAR 2006	\$ 2,935,405		
FISCAL YEAR 2007	\$ 3,047,527		
FISCAL YEAR 2008	\$ 841,518		
FISCAL YEAR 2009	\$ 3,033,591		
FISCAL YEAR 2010	\$ 2,736,358		
FISCAL YEAR 2011	\$ 3,513,820		
FISCAL YEAR 2012	\$ 2,210,000		
FISCAL YEAR 2013	\$ 2,452,004		
FISCAL YEAR 2014	\$ 3,052,170		
FISCAL YEAR 2015	\$ 2,557,305		
FISCAL YEAR 2016	\$ 1,873,392		
FISCAL YEAR 2017	\$ 1,641,050		
FISCAL YEAR 2018	\$ 791,050		
FISCAL YEAR 2019	\$ 691,050		
FISCAL YEAR 2020	\$ 841,050		
FISCAL YEAR 2021	\$ 1,785,643		
TOTAL TRANSFERS FROM THE GENERAL FUND	\$ 36,415,428		

CITY OF STAUNTON
GENERAL FUND CIP PROJECTS - FINANCIAL UPDATE- October 31, 2020
FY 2004 - FY2021

	BUDGET	EXPENDITURES	BALANCE
GENERAL GOVERNMENT ADMINISTRATION			
FINANCIAL SOFTWARE	\$ 1,332,482	\$ 1,273,429	\$ 59,054
INFORMATION TECHNOLOGY EQUIPMENT	265,210	252,877	12,333
FIBER LOOP PROJECT	1,188,591	1,188,591	0
TOTAL GENERAL GOVERNMENT ADMINISTRATION	\$ 2,786,283	\$ 2,714,897	\$ 71,386
PUBLIC SAFETY EQUIPMENT/PROJECTS			
E911 TELEPHONE EQUIPMENT	\$ 102,166	\$ 102,166	\$ (0)
E911 CALL HANDLING EQUIPMENT	102,273	97,299	4,974
E911 RECORDING EQUIPMENT	150,000	150,011	(11)
FIRE STATION -GRUBERT AVENUE	857,779	857,778	1
FIRE TRUCK RESERVE	1,704,383	2,505,626	(801,243)
RADIO NARROWBAND PROJECT	500,000	488,447	11,553
REGIONAL JAIL RESERVE	5,376,286	5,057,286	319,000
REGIONAL ANIMAL SHELTER	125,000	82,192	42,808
TOTAL PUBLIC SAFETY PROJECTS	\$ 8,917,887	\$ 9,340,805	\$ (422,918)
ENGINEERING PROJECTS			
ENGINEERING AERIAL PHOTOGRAPHY	\$ 141,440	\$ 141,440	\$ -
GIS SYSTEM	16,468	16,466	2
TOTAL ENGINEERING PROJECTS	\$ 157,908	\$ 157,906	\$ 2
STREET PROJECTS			
STREET IMPROVEMENT PROJECTS	\$ 1,719,559	\$ 1,634,010	\$ 85,549
URBAN STREET CONSTRUCTION 2% MATCH RESERVE ACCOUNT	307,185	1,057	306,128
URBAN STREET CONSTR 2% MATCH-CHURCHVILLE AVE	479,293	464,338	14,955
KALORAMA ST PROJECT	109,194	109,193	1
BOWLING STREET BRIDGE	335,592	335,592	(0)
HAILE STREET BRIDGE	322,955	322,955	(0)
MONTGOMERY AVENUE ROAD EXTENSION PROJECT	813,729	813,729	0
SEARS HILL BRIDGE COMMUNITY FOUNDATION ACCOUNT	170,875	170,875	0
SAFE ROUTES TO SCHOOL - SHELburne/ WARE SCHOOL	100,362	100,361	1
SAFE ROUTES TO SCHOOL- MCSWAIN SCHOOL	353,440	353,440	0
STATLER /RICHMOND RD -VDOT PROJECT GRANT-CITY MATCH	50,000	-	50,000
RICHMOND RD /GREENVILLE-VDOT PROJECT GRANT-CITY MATCH	35,000	-	35,000
CENTRAL AVENUE STREETScape-FEDERAL PROJECT	2,582,422	2,268,071	314,351
CENTRAL AVENUE STREETScape-CHESAPEAKE BAY GRANT	75,000	75,000	-
NEW SIDEWALKS	700,000	-	700,000
STATE ROUTE 1426 VDOT REVENUE SHARING PROJECT	2,110,000	1,789,303	320,697
BESSIE WELLER SAFE ROUTE TO SCHOOL GRANT	459,838	19,652	440,186
RICHMOND RD/COCHRAN PARKWAY	2,883,747	2,860,887	22,860
BRICK SIDEWALK PROJECTS	85,163	85,162	1
VDOT PRIMARY EXTENSION PAVING	1,430,173	1,549,475	(119,302)

CITY OF STAUNTON
GENERAL FUND CIP PROJECTS - FINANCIAL UPDATE- October 31, 2020
FY 2004 - FY2021

	BUDGET	EXPENDITURES	BALANCE
MARTIN LUTHER KING JR MEMORIAL SIGN	41,450	40,940	510
PUBLIC WORKS EQUIPMENT RESERVE	400,000	282,975	117,025
RT 11 / COMMERCE ROAD INTERSECTION	50,000	-	50,000
ADAPTIVE TRAFFIC CONTROL	214,593	(64,593)	279,186
TOTAL STREET PROJECTS	\$ 15,829,570	\$ 13,212,423	\$ 2,617,147
EDUCATION			
BLUE RIDGE COMMUNITY COLLEGE	\$ 509,698	\$ 550,736	\$ (41,038)
STAUNTON HIGH SCHOOL PROJECT	400,000	-	400,000
TOTAL EDUCATION	\$ 909,698	\$ 550,736	\$ 358,962
BUILDING MAINTENANCE PROJECTS			
CITY HALL ROOF REPLACEMENT	\$ 165,306	\$ 85,306	\$ 80,000
ART CENTER WALL REPAIR	310,481	196,481	114,001
CITY HALL FLOOR REPAIR	66,140	36,140	30,000
ENERGY SAVINGS PROJECT	1,480,181	1,480,181	-
MHP MOLD REMEDIATION	69,200	69,199	1
BUILDING MECHANICAL SYSTEMS	241,981	242,361	(380)
HEALTH DEPARTMENT BUILDING RENOVATIONS	169,841	169,840	1
BOOKER T BUILDING	266,818	262,603	4,215
LIBRARY FACILITY STUDY	40,000	40,000	-
FIRE STATION ROOF REPLACEMENT	845,000	207,715	637,285
PUBLIC SAFETY BUILDING/SCHOOL STORAGE BUILDING	40,000	39,339	661
COCHRAN JUDICIAL CENTER	606,682	256,682	350,000
PUBLIC WORKS BUILDING MAINTENANCE RESERVE	200,000	156,366	43,634
TOTAL PUBLIC WORKS BUILDING PROJECTS	\$ 4,501,630	\$ 3,242,213	\$ 1,259,417
PARKS, RECREATION, CULTURAL			
FOOTBALL STADIUM IMPROVEMENTS	\$ 60,578	\$ 60,578	\$ -
MHP SOCCER FIELDS	166,272	165,878	394
SKATEBOARD PARK	84,275	84,275	-
BOOKER T PLAYGROUND EQUIPMENT	20,209	20,209	-
GHP PLAYGROUND EQUIPMENT	93,402	93,402	-
MHP POOL BATHHOUSE REPAIRS	37,763	37,763	0
GHP QUARTERBACK CLUB RESTROOMS	70,000	70,000	-
MHP PLAYGROUND EQUIPMENT	90,000	90,000	-
GOLF COURSE IRRIGATION PROJECT	635,491	635,490	1
MONTGOMERY HALL PARK FIELD IMPROVEMENT	15,000	15,000	-
LANDSCAPE PLAN	153,069	153,069	-
GYPSY HILL PARK BANDSTAND REPAIRS	30,000	30,000	-
FIELDHOUSE PROJECT-FOOTBALL STADIUM	32,606	32,606	(0)
GHP POOL RENOVATIONS	500,000	492,565	7,435
LAKE TAMS PROJECT	382,637	382,637	0
LAKE TAMS PROJECT - SLAF	210,978	210,978	0

CITY OF STAUNTON
GENERAL FUND CIP PROJECTS - FINANCIAL UPDATE- October 31, 2020
FY 2004 - FY2021

	BUDGET	EXPENDITURES	BALANCE
GHP DUCK POND	76,106	76,106	(0)
MHP BATHROOM/ POOL	275,000	274,317	683
MOXIE STADIUM LIGHTING	52,055	52,055	-
STATLER BROTHERS TRIBUTE	29,030	29,030	-
GHP FENCE	71,115	71,115	-
GREENWAYS PROJECT	400,000	-	400,000
FOOTBALL STADIUM ADA IMPROVEMENTS	100,000	87,682	12,318
GHP RESTROOM REPLACEMENT	350,000	-	350,000
GHP TOT PLAYGROUND	75,000	40,000	35,000
TOTAL PARKS, RECREATION, CULTURAL	\$ 4,010,586	\$ 3,204,755	\$ 805,831
LIBRARY			
LIBRARY AUTOMATION SYSTEM	\$ 204,201	\$ 204,201	\$ 0
COMMUNITY DEVELOPMENT PROJECTS			
RR SMITH CENTER PROJECT	\$ 609,167	609,167	\$ (0)
PERFORMING ARTS CENTER	100,000	100,000	-
WOODROW WILSON PRESIDENTIAL LIBRARY	100,000	100,000	-
SHENANARTS	8,333	8,333	-
COUNTY COURTS PROJECT	177,453	99,060	78,393
CORRIDOR OVERLAY INCENTIVES	25,000	1,350	23,650
BIKE & PEDESTRIAN PATH	125,000	-	125,000
ECONOMIC DEVELOPMENT RESERVE	1,243,811	1,243,811	(0)
WESTERN STATE HOSPITAL DEVELOPMENT	595,434	595,434	-
STAUNTON CROSSING DEVELOPMENT	3,806,200	940,510	2,865,690
ENTERPRISE ZONE PROGRAM	55,000	21,823	33,177
ENTERPRISE ZONE PROGRAM- CADENCE	175,000	141,011	33,989
ENTERPRISE ZONE PROGRAM- CARDED GRAPHICS	130,521	100,000	30,521
FRONTIER CULTURE GRANT PROJECT	100,000	88,051	11,949
TOTAL COMMUNITY DEVELOPMENT	\$ 7,250,919	\$ 4,048,551	\$ 3,202,368
TRANSFERS TO OTHER FUNDS			
TRANSFER TO THE GENERAL FUND -HOTEL DEBT	\$ 600,000	\$ 600,000	\$ -
TRANSFER TO THE TROLLEY FUND -TROLLEY PURCHASE	25,000	25,000	-
TRANSFER TO DEBT SERVICE SINKING FUND	6,756,943	6,756,943	-
TRANSFER TO THE PARKING FUND	900,000	900,000	-
TRANSFER TO BOND CONSTRUCTION	400,000	400,000	-
TRANSFER TO SCHOOL CIP FUND	475,000	475,000	-
TOTAL TRANSERS TO OTHER FUNDS	\$ 9,156,943	\$ 9,156,943	\$ -
CIP PROJECTS RESERVE -UNDESIGNATED PROJECTS	\$ 734,657	-	\$ 734,657
TOTAL GENERAL FUND CIP EXPENDITURES	\$ 54,460,283	\$ 45,833,430	\$ 8,626,852

Chapter 1 – Goals and Objectives

GOALS AND OBJECTIVES

Goals are overarching statements describing the direction that a community wants to go. Goals are general, reflect values of the community, and are visionary to lead to a desired future. Objectives are statements describing how those goals should be reached. Objectives should be measurable and achievable.

Open Space/Environment

Goal: Practice good stewardship of the environmental resources within and surrounding the City by protecting environmentally sensitive areas, preserving open space and natural habitat (including dark skies), minimizing pollution of all kinds, and encouraging sustainability and conservation practices.

Objectives:

- Promote only appropriate uses for open space, floodplains, environmentally sensitive areas, and agricultural-forestal districts.
- Support efforts to preserve Betsy Bell and Mary Gray Mountains by enhancing the use of public areas and exploring the possibility of conservation easements.
- Support development of greenways in and those that connect to the City.
- Encourage the implementation of Mitigation Strategies for the City included in the Central Shenandoah Valley Hazard Mitigation Plan.
- Take a watershed approach to protect water resources, through efforts such as reducing pollution and litter, encouraging stream buffers and restoration of riparian areas, increasing tree canopy, preserving open space, and educating the public.
- Continue implementation of stormwater best management practices.
- Promote energy conservation practices and the potential use of alternative energy sources.

Community Character

Goal: Preserve and capitalize on the rich historical and architectural character of the City by enhancing its physical attractiveness and implementing architecturally appropriate design standards.

Objectives:

- Enhance the physical attractiveness of the City through signage, landscaping and tree plantings, controlling litter, and reducing light pollution through “Dark Sky” techniques such as top and side shields on outdoor lighting.
- Educate citizens, especially property owners, on landscaping, beautification of neighborhoods, proper stormwater management, and the importance of maintaining long-term historic standards.
- Continue support for and cooperative efforts with the Historic Staunton Foundation.
- Support the City’s continued compliance with the historic preservation and the historic district overlay ordinances.
- Explore areas in the City for potential designation as historic districts and continue to identify properties of historical or architectural significance, especially pre- and post- WWII neighborhoods.
- Support preservation efforts of Staunton’s historic African American communities and identify properties of historical or architectural significance.
- Encourage commercial and retail structures that adjoin residential neighborhoods to utilize consistent or complimentary facades and site features to the surrounding neighborhoods when they are developed, redeveloped, or renovated.

Goal: Minimize degradation of scenic and natural resources.

Objectives:

- Use community friendly lighting policies to minimize light pollution and foster comfortable and safe nighttime environments; use smart outdoor lighting in public installations and educate citizens on appropriate lighting choices.

Planning

Goal: Encourage appropriate new development that is well-planned, compatible, incorporates mixed uses when appropriate, and contributes to the resource base of the City.

Objectives:

- Coordinate planning on corridors to promote quality of life and architectural character.
- Educate the public, development community, local officials and staff on the advantages of smart/good development.
- Encourage “living where you work” through at-home businesses in residential areas and small business owners living in commercial and transitional mixed use zones, especially downtown buildings where businesses are at street level and upper floors are residences.
- Continue funding to complete the adopted Streetscape Plan in the Downtown Business District. Expand the Streetscape planning to include entry corridors immediately adjacent to and leading into the Downtown historic districts.
- Review zoning for the Downtown Business District and the adjoining historic districts for compatibility with the architectural character of the area.
- Review building height allowable under current zoning.
- Document the existing and historical architectural character of the Central Avenue area, adjoining historic districts, and neighborhoods.
- Revise zoning as needed to ensure new construction will relate to and be compatible with the historic architectural building and landscape character, including size, scale, and pattern of development.
- Review and update historic overlay zoning for the historic districts to ensure compatibility with the intent of the adopted design guidelines.
- Review and update Certificate of Appropriateness (COA) procedures and process. Consider consent agenda for minor changes and proposed changes clearly documented and following the adopted guidelines.

City of Staunton
Comprehensive Plan – Priority Initiatives
(In No Particular Order)

Adopted July 11, 2019

Goal: Encourage a demographically diverse and growing population.

Objectives:

- Recruit a mix of young professionals, families, and recent retirees to Staunton.
- Develop incentives for young adults to return to the City after completing college or after starting a family.
- Capitalize on the financial resources and life experiences that new retirees bring to the City.
- Ensure adequate facilities and programs are available to support the City's older citizens and empower them to remain active in the community.

Goal: Actively encourage public and stakeholder participation and input for land use and development decisions.

Objectives:

- Encourage civic, service, and faith-based organizations, as well as neighborhood and community associations and the development community to play key roles in neighborhood revitalization through their participation in neighborhood “visioning” exercises.

Neighborhoods and Housing

Goal: Create walkable neighborhoods with the emphasis on pedestrian access and safety.

Objectives:

- Make rehabilitation and development of a quality pedestrian network including a maintenance and enhancement program for existing sidewalks a key priority for capital project funding and implementation.
- Require appropriately landscaped and sized sidewalks within all new developments and major redevelopments. Retrofit existing neighborhoods with appropriately landscaped and sized sidewalks as funding becomes available.
- Maximize the safety of students utilizing the school “walk zones” and by enabling and encouraging walking to school through such programs as “Safe Routes to School”.

City of Staunton
Comprehensive Plan – Priority Initiatives
(In No Particular Order)

Adopted July 11, 2019

- Complete the pedestrian corridor on Churchville Avenue to connect downtown to Gypsy Hill Park.
- Pursue safety efforts to ensure that neighborhood streets along the pedestrian network are as safe as possible from high speed traffic and crime.
- Integrate new developments into surrounding neighborhoods by connecting with existing roads and discouraging cul-de-sacs and isolating neighborhoods.

Goal: Ensure that Staunton’s housing stock is an adequate mix to support the citizenry and the City’s tax base.

Objectives:

- Develop a city-wide housing plan to address housing issues such as affordable housing, blighted areas, historic rehabilitation, housing for seniors and the elderly, and housing too concentrated based on income levels.
- Encourage building projects that infill existing neighborhoods.
- Encourage residential development of upper floors of commercial buildings in downtown.
- Promote mixed use development of housing, shops, businesses, and parks.

Rehabilitation and Re-use

Goal: Promote rehabilitation and conservation throughout the City by reuse of existing infrastructure and buildings, revitalization of blighted and vacant properties, and redevelopment in older, high density areas with existing utilities and infrastructure.

Objectives:

- Provide tools and incentives for private rehabilitation of older structures throughout the City such as grants, low-interest loans, revolving loan funds, tax abatement, and technical assistance.
- Emphasize proactive property and structural maintenance and environmental hazard abatement through public education and volunteer support through community and faith-based organizations.
- Review the Rehab Abatement Program to see if there are any helpful revisions that could benefit homeowners.

- Continue applying for funding from state, federal, private, and non-profit programs for neighborhood improvements.
- Revitalize blighted and vacant properties by creating an inventory to evaluate if zoning changes are needed, create a partnership with public safety officials to address crime, require absent landlords to maintain deteriorating properties, and encourage the City Treasurer to auction tax delinquent and abandoned properties.
- Improve flexibility in older neighborhoods and redevelopment areas by examining lot size, set back, and parking requirements.
- Encourage continued redevelopment of commercial brownfield areas.
- Encourage compatible, in-fill development on vacant lots.

Transportation and Parking

Goal: Provide balanced design that includes use of a variety of transportation options including pedestrian, bicycle, vehicle, and public transportation within the City.

Objectives:

- Develop designs that scale roads and intersections compatible to neighborhoods.
- Evaluate the design of any new transportation project for sidewalks, safety, pedestrian and bicycle access, and the impact on existing neighborhoods.
- Develop safe, designated street crossings and ingress/egress points for pedestrians in high-density neighborhoods that adjoin primary destinations such as downtown, parks, and schools to encourage walking.
- Consider options such as traffic calming devices and traffic routing patterns to disperse traffic away from older, established neighborhoods.
- Continue to make Staunton more bike-friendly with a variety of bike infrastructure on streets as they are built, widened, or resurfaced. Link greenways and bike trails.
- Pursue safe pedestrian networks in and between all neighborhoods.

- Continue participation in a regional transit system that offers transportation options to those who cannot, or choose not, to operate motor vehicles. Expand services of the existing system when possible to provide a broader service area within the City.

Goal: Increase the emphasis on use and design for the City’s current and future parking facilities.

Objectives:

- Implement resourceful parking strategies that promote calculating parking ratios based upon average use instead of capacity use. Examine ways to maximize utilization of downtown parking lots and garages.
- Maintain incentives for retrofitting hard surface commercial parking areas to landscaped areas.
- Create a safe, user-friendly, landscaped pedestrian network of walkways and crossings between public parking and commercial areas.
- Where appropriate, move parking from the front of public and commercial buildings to the side or rear.

Public Service and Government

Goal: Ensure quality and effective public services that meet the needs of citizens and the business community that is balanced with the City’s economic base and resources.

Objectives:

Recreation

- Provide appropriate facilities and programs to adequately meet the recreational needs of the community.
- Continue to support and provide facilities for active and passive recreation activities that provide opportunities for social interaction.
- Work with the local YMCA and similar organizations to provide joint programs and to supplement resources.
- Continue to support the network of parks; small and large.

Public Safety

- Closely monitor personnel and equipment needs of the public safety departments (police, fire, and rescue) to ensure that an optimum level of public safety and protection is maintained for Staunton's citizens, homes, properties, and businesses.
- Continue to promote public safety education and prevention programs for police, fire, and rescue services in schools, neighborhoods, and other settings.
- Develop a volunteer "Crime Watch" or "Neighborhood Watch" program for neighborhoods, parks, public areas, and along the pedestrian network leading to and from destinations.
- Develop a "Fire Watch" program for any areas of the city that border forested and grass lands and have high potential for wildfires.
- Continue support for "closest to call" joint response agreement with Augusta County Fire Department.
- Ensure that the City is prepared in the event of a natural disaster or man-made disaster here or in neighboring regions where it could significantly affect the City or its residents.

Schools

- Support efforts to maintain a quality school system.
- Encourage the continued renovation and upgrade of existing, neighborhood-based schools.
- Encourage more utilization of schools, school grounds, and playgrounds as neighborhood focal points and gathering centers for after hours and community activities when schools are not in session.
- Continue to capitalize on the excellent schools, colleges, and universities in the region to assist with the implementation of planning objectives. Utilize student interns and classes to conduct research; and seek input from professors and students.

Library

- Continue to support regional cooperation between area libraries.
- Support continued maintenance/enhancement of the Library facility and encourage family-friendly programs and services.

Social Services

- Ensure that Staunton maintains its responsibility for the number of social service clients proportionate to its capabilities.

Utilities and Infrastructure

- Encourage extension of water and sewer utilities only where it is planned, and discourage extension of water and sewer utilities into areas where they might promote the development of identified environmentally critical areas.
- Encourage the undergrounding of utilities whenever possible in private and public development, redevelopment and relocation.
- Continue to fund and seek funding for critical stormwater control facilities and flood mitigation activities.
- Encourage the use of smart outdoor lighting when new lighting is installed and transition existing street lighting to smart lighting; follow guidelines of International Dark Sky Association (IDA) and Smart Outdoor Lighting Association (SOLA).
- Continue to require sidewalks and curb and guttering for all new developments and major renovations, but allow for flexibility in design, that maintains the edge of the street and allows for controlled stormwater management.
- Encourage green and sustainable initiatives and integrate emerging technologies that promote use of efficient and renewable energy.

Goal: Ensure that the regulatory and approval processes are clear and facilitate the type of development the City desires.

Objectives:

- Work with stakeholders (including developers, contractors, investors, real estate agents, architects, land surveyors, and bankers) to evaluate the regulatory and approval processes.
- Develop zoning regulations and design goals in a graphic / pictorial format.

Economic Development

Goal: Continue development of a vibrant, active downtown with enhanced business and residential opportunities.

Objectives:

- Continue to support the Staunton Downtown Development Association and its economic development and revitalization efforts.
- Support organizations that expand arts and cultural opportunities for Staunton’s residents and visitors.
- Promote outdoor activities in the downtown area such as dining, sales by downtown businesses, festivals, and community gatherings that encourage pedestrian activity and social interaction.
- Encourage the opening of “basic service” businesses including a grocery store, laundry, and pharmacy in downtown.
- Continue to educate businesses on the benefits within enterprise zones.
- Support opportunities to attract visitors downtown who have stopped at Staunton Crossing or Frontier Center.

Goal: Aggressively pursue an economic development program that strengthens and broadens the City’s economic base, with an emphasis on living wage opportunities.

Objectives:

- Support the goals of the City's Economic Development Plan, including: short- term priorities such as destination retail, tourism, white collar service businesses, and manufacturing in the industrial parks; long-term priorities such as workforce skill development, development of higher paying jobs, and small business development.

City of Staunton
Comprehensive Plan – Priority Initiatives
(In No Particular Order)

Adopted July 11, 2019

- Promote and fill the Green Hills Industry and Technology Center and the Staunton Crossing.
- Work cooperatively with Augusta County and Waynesboro to achieve joint economic development and tourism goals.
- Continue to support the Central Shenandoah Valley's Comprehensive Economic Development Strategies.
- Actively participate in the Shenandoah Valley Partnership, the Shenandoah Valley Technology Council, the Shenandoah Valley Workforce Development Board, the Central Shenandoah Planning District Commission, and similar organizations that promote the economic health and well-being of Central Shenandoah Valley residents and businesses.
- Support an agricultural processing plant in the area to give farmers a way to market and process farm products locally.
- Encourage medical and educational uses in the downtown area.
- Maintain support for a business incubator located in Staunton.

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2020- 2021**

DEPARTMENT		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION		PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE COSTS
GENERAL GOVERNMENT							
NETWORK SWITCH/TELEPHONE SYSTEM REPLACEMENT	*	BA2020	Replace Obsolete Network Switches/ Telephone Equipment and increase server redundancy		\$ 1,000,000	Public Service and Government (Sec. G.2.c.i and G.1.c.ii)	Annual preventive maintenance
PUBLIC WORKS							
STREETS	*	BA2020	Adaptive traffic control system for Downtown Corridor (Comp. Plan Item 1)		\$ 150,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
PUBLIC WORKS EQUIPMENT FUND	*	BA2020	Annual funding source for acquisition of major equipment for General Fund Streets Department > \$100,000		\$ 100,000	Not Applicable	Annual preventive maintenance
PUBLIC WORKS BUILDING FUND	*	BA2020	Annual funding source for major repairs to City buildings to include replacement of HVAC systems, roof, structural repairs, etc.		\$ 100,000	Not Applicable	Annual preventive maintenance
COURTHOUSE ROOF REPLACEMENT	* *	BA 2020	Replace the roof at the Cochran Judicial Center. Funded from \$200,000 reserves and \$150,000 from Fund Balance.		\$ 350,000	Public Service and Government (Sec. G.2.c.i and G.1.c.ii)	Annual preventive maintenance
STREET IMPROVEMENTS FOR BICYCLE & PEDESTRIAN PLAN	*	BA 2020	Staunton Bicycle & Pedestrian Plan- May 2018. Install signalized crossings at various intersections for pedestrian safety. Augusta - Johnson Streets; Edgewood-Statler-Coalter; Augusta - Taylor; Greenville - Barterbrook; Middlebrook - Hampton		\$ 125,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
RECREATION							
GREENWAYS PROJECT	*	BA 2020	Paved bike and pedestrian paths, landscaping, purchase of properties and easements		\$ 100,000	Transportation and Parking (Sec. F.2.k and F.2.l)	Annual maintenance
TOTAL FY2021 CIP PLAN					\$ 1,925,000		
FUNDING SOURCES:							

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2021- 2022**

DEPARTMENT		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
GENERAL GOVERNMENT						
CITY HALL HVAC REPLACEMENT	*	BA2021	Replace 60 ton RTU # 1 Main Building and 3 20 MultiStack Chillers	\$ 300,000	Public Service and Government (Sec. G.2.c.i and G.1.c.ii)	Annual preventive maintenance
PUBLIC SAFETY						
FIRE DEPARTMENT	*	GF 2022	Fire Truck Replacement Reserve	\$ 300,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
MIDDLE RIVER REGIONAL JAIL	*	BA2021	Expansion of the Middle River Regional Jail	\$ 200,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
PLANNING & INSPECTION	*	BA 2021	Building Inspection and Plan Review software package. Replace the current software program to provide more capabilities for inspection services and plan review.	\$ 150,000	Public Service and Government (Sec. G.1.b.i)	Annual license fees
POLICE DEPARTMENT RADIOS	*	BA 2021	Replace Public Safety Radios - Equipment shall be compliant with new Augusta Cnty system and will replace equipment that has reached the end of its useful life. SPLIT BETWEEN FY2022 AND FY2023	\$ 400,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
POLICE DEPARTMENT RADIOS	*	BONDS	Replace Public Safety Radios - Equipment shall be compliant with new Augusta Cnty system and will replace equipment that has reached the end of its useful life. SPLIT BETWEEN FY2022 AND FY2023	\$ 1,600,000	Public Service and Government (Sec. G.1.b.i)	Annual maintenance/ Debt payments
FIRE DEPARTMENT	*	GF 2022	Self-Contained Breathing Apparatus (SCBA) and Compressor Reserves	\$ 30,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
FIRE DEPARTMENT	*	GF 2022	Cardiac Monitor Replacement Reserves	\$ 10,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
BESSIE WELLER ELEM SCHOOL	*	VDOT GRANT / LOCAL MATCH	Phase 2 Bessie Weller Elementary School - Safe Routes to Schools Infrastructure Grant Match. Project to include road and entrance improvements for safety to reduce traffic congestion, traffic separation of school buses and parent transportation vehicles, and expansion of the parking lot for staff, visitors, parent/school events. Proposed VDOT Grant = \$800,000 and City match funds = \$200,000. (UPC 109024 Comp. Plan) MOVE PROJECT TO FY2022 FROM FY2021	\$ 1,000,000	Transportation and Parking (Sec. F.2.a, F.2.b and F.2.d)	Annual maintenance
PUBLIC WORKS						
STREETS - CITY MATCHING FUNDS	*	GF 2022	VDOT Construction Projects -City Match Funds	\$ 100,000	Transportation and Parking (Sec. F.2.a and F.2.b)	Annual Maintenance
STREETS	*	GF 2022	City ineligible streets and/or City parking lots- improvements/slurry seal/re-paving	\$ 150,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
STREETS	*	GF 2022	Adaptive traffic control system for Churchville Corridor - Augusta to Springhill Road	\$ 150,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
STREETS - RICHMOND ROAD /STATLER BOULEVARD INTERSECTION/ TURNING LANE IMPROVEMENTS	*	VDOT GRANT / LOCAL MATCH	Richmond Road/Statler Boulevard - Traffic signal modifications/ upgrades to improve traffic congestion and flow. Intersection approaches capacity at peak hours. VDOT Six Year Improvement Program, 50% funding from VDOT, 50% from the City. Match funded from Urban Street Reserve (Obj. # 58456) (UPC 111047 Comp. Plan)	\$ 623,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
BRICK SIDEWALKS	*	GF 2022	Annual funding source for sidewalk replacement projects to replace concrete sidewalks with brick	\$ 100,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2021- 2022**

DEPARTMENT		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
NEW SIDEWALKS	*	GF 2022	Annual funding source for new sidewalk projects and match funds for VDOT grant programs for sidewalks	\$ 100,000	Transportation and Parking (Sec.F.2.a)	Annual Maintenance
PUBLIC WORKS EQUIPMENT FUND	*	GF 2022	Annual funding source for acquisition of major road equipment for General Fund Streets Department > \$100,000	\$ 100,000	NA	Annual preventive maintenance
PUBLIC WORKS BUILDING FUND	*	GF 2022	Annual funding source for major repairs to City buildings to include replacement of HVAC systems, roof, structural repairs, etc.	\$ 100,000	NA	Annual preventive maintenance
SIDEWALK- WEST BEVERLEY STREET/GRUBERT INTERSECTION TO MORRIS MILL ROAD	*	CIP Fund	New Sidewalk Construction	\$ 50,000	(Comp. Plan s 12e/12f)	Annual preventive maintenance
SIDEWALK- EDGEWOOD ROAD - N. COALTER TO NORTH AUGUSTA	*	CIP Fund	New Sidewalk Design to establish costs / begin Construction	\$ 400,000	(Comp. Plan s 12e/12f)	Annual preventive maintenance
STREET IMPROVEMENTS FOR BICYCLE & PEDESTRIAN PLAN	*	BA 2021	Staunton Bicycle & Pedestrian Plan- May 2018. Install signalized crossings at various intersections for pedestrian safety.	\$ 125,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
RECREATION						
GREENWAYS PROJECT	*	BA 2021	Paved bike and pedestrian paths, landscaping, purchase of properties and easements	\$ 100,000	Transportation and Parking (Sec F.2.k and F.2.l)	Annual maintenance
GOLF COURSE	*	CIP Fund	Purchase 44 Golf Carts	\$ 200,000	Public Service and Government (Sec. G.1.a.i)	Annual Maintenance
EDUCATION						
BLUE RIDGE COMMUNITY COLLEGE	*	GF 2022	Annual Share of Blue Ridge Community College Capital Building Fund	\$ 41,050	NA	N/A to City
EDUCATION-STAUNTON CITY SCHOOLS						
BUILDING MAINTENANCE REPAIRS	*	GF 2022	Transfer to City Schools CIP Fund for Building Maintenance Repairs-roofs, HVAC systems, technology	\$ 100,000	Public Service and Government (Sec. G.1.c.i and G.1.c.ii)	N/A to City
TOTAL FY2022 CIP PLAN				\$ 6,429,050		
FUNDING SOURCES:						
		GF 2022	General Fund Budget Transfer - FY2022 Budget	\$ 981,050		
		VDOT GRANT	Proposed VDOT Safe Route to Schools Grant- Bessie Weller Project/Richmond Road Statler Blvd	\$ 1,111,500		
		BONDS	General Obligation Bonds- Police / Fire	\$ 1,600,000		
		CIP FUND BALANCE	2% Urban Street Construction Reserve - 50% Match of Richmond Road / Statler Blvd Intersection	\$ 311,500		
		BA 2021	Proposed FY2021 Budget Amendment from FY2020 Year Fund Balance- Transfer to CIP Fund Improvements	\$ 1,475,000		
		BA 2022	Proposed FY2022 Budget Amendment from FY2021 Year Fund Balance- Transfer to CIP Fund	\$ 300,000		
		CIP FUND BALANCE	CIP Fund Balance Reserves for Golf Carts and Sidewalk Projects	\$ 650,000		
TOTAL FUNDING SOURCES				\$ 6,429,050		

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2022- 2023**

DEPARTMENT		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
GENERAL GOVERNMENT						
POLICE DEPARTMENT HVAC REPLACEMENT	*	BA 2023	Replace 18 ton RTU # 2 and 1 20 ton MultiStack Chiller	\$ 135,000	Public Service and Government (Sec. G.2.c.i and G.1.c.ii)	Annual preventive maintenance
MIDDLE RIVER REGIONAL JAIL	*	BA 2023	Expansion of the Middle River Regional Jail	\$ 500,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
PUBLIC SAFETY						
FIRE DEPARTMENT	*	GF 2023	Fire Truck Replacement Reserve	\$ 300,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
NG911 CALL HANDLING EQUIPMENT	*	GF 2023	Call Handling Equipment in the PSAP (911 Center)	\$ 160,000	Public Service and Government (Sec. G.1.b.i)	Annual maintenance/ Debt payments
POLICE DEPARTMENT RADIOS	*	BONDS	Replace Public Safety Radios - Equipment shall be compliant with new Augusta Cnty system and will replace equipment that has reached the end of its useful life. SPLIT BETWEEN FY2022 AND FY2023	\$ 2,000,000	Public Service and Government (Sec. G.1.b.i)	Annual maintenance/ Debt payments
POLICE DEPARTMENT BUILDING	*	BONDS	Renovation of building to re-locate the Police Department to another site - MOVE PROJECT TO FY2023 FROM FY2022	\$ 7,000,000	Public Service and Government (Sec. G.1.b.i)	Annual maintenance/ Debt payments
FIRE DEPARTMENT	*	GF 2023	Self-Contained Breathing Apparatus (SCBA) and Compressor Reserves	\$ 30,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
FIRE DEPARTMENT	*	GF 2023	Cardiac Monitor Replacement Reserves	\$ 10,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
PUBLIC WORKS						
STREETS - CITY MATCHING FUNDS	*	GF 2023	Virginia Department of Transportation Construction Projects (VDOT) - City Match Funds	\$ 100,000	Transportation and Parking (Sec. F.2.a and F.2.b)	Annual Maintenance
STREETS	*	GF 2023	City ineligible streets and/or City parking lots- improvements/slurry seal/re-paving	\$ 150,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
STREETS	*	GF 2023	Adaptive traffic control systems for Greenville / Statler / Greenville / Barterbrook	\$ 140,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
BRICK SIDEWALKS	*	GF 2023	Annual funding source for sidewalk replacement projects to replace concrete sidewalks with brick	\$ 100,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
NEW SIDEWALKS	*	GF 2023	Annual funding source for new sidewalk projects and match funds for VDOT grant programs for sidewalks	\$ 100,000	Transportation and Parking (Sec.F.2.a)	Annual Maintenance
PUBLIC WORKS EQUIPMENT FUND	*	GF 2023	Annual funding source for acquisition of major equipment for General Fund Streets Department > \$100,000	\$ 100,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
PUBLIC WORKS BUILDING FUND	*	GF 2023	Annual funding source for major repairs to City buildings to include replacement of HVAC systems, roof, structural repairs, etc.	\$ 100,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
STREETS - STAUNTON CROSSING ROAD EXTENSION	*	VDOT GRANT / LOCAL MATCH	Extension of the Staunton Crossing Road infrastructure. Fully funded by VDOT (UPC 111048 Comp. Plan)	\$ 8,764,970	Transportation and Parking (Sec. F.2.a)	Annual maintenance
CITY HALL	*	BA 2022	Re-locate the Information Technology Department and Building Inspection/ Planning Department to the basement level of City Hall after Police Department re-locates to a new Police Department building. MOVED FROM THE UNFUNDED PROJECTS TO FY2023	\$ 350,000	Public Service and Government (Sec. G.1.b.i)	Annual maintenance
STREET IMPROVEMENTS FOR BICYCLE & PEDESTRIAN PLAN	*	BA 2022	Staunton Bicycle & Pedestrian Plan- May 2018. Install signalized crossings at various intersections for pedestrian safety.	\$ 125,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2022- 2023**

DEPARTMENT	PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
<u>RECREATION</u>					
GREENWAYS PROJECT *	BA 2022	Paved bike and pedestrian paths, landscaping, purchase of properties and easements	\$ 100,000	Transportation and Parking (Sec F.2.k and F.2.l)	Annual maintenance
<u>EDUCATION</u>					
BLUE RIDGE COMMUNITY COLLEGE *	GF 2023	Annual Share of Blue Ridge Community College Capital Building Fund	\$ 41,050	NA	N/A to City
<u>EDUCATION-STAUNTON CITY SCHOOLS</u>					
BUILDING MAINTENANCE REPAIRS *	GF 2023	Transfer to City Schools CIP Fund for Parking Lot Repavement/ Shelburne Middle School CTE Renovation	\$ 2,600,000	Public Service and Government (Sec. G.1.c.i and G.1.c.ii)	N/A to City
TOTAL FY2023 CIP PLAN			\$ 22,906,020		
FUNDING SOURCES:					
	GF 2023	General Fund Budget Transfer - FY2023 Budget	\$ 1,271,050		
	VDOT GRANT	Proposed VDOT Staunton Crossing Extension	\$ 8,764,970		
	BONDS	General Obligation Bonds- Police / Fire	\$ 11,500,000		
	BA 2022	Proposed FY2022 Budget Amendment from FY2021 Year Fund Balance- Transfer to CIP Fund	\$ 1,370,000		
TOTAL FUNDING SOURCES			\$ 22,906,020		

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2023- 2024**

DEPARTMENT		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
PUBLIC SAFETY						
FIRE DEPARTMENT	*	GF 2024	Fire Truck Replacement Reserve	\$ 300,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
FIRE STATION #1	*	BONDS	Renovate Station #1 on Central Avenue, interior renovations and installation of a new roof structure- MOVE PROJECT TO FY2024 FROM FY2022	\$ 4,500,000	Public Service and Government (Sec. G.1.b.i)	Annual maintenance/ Debt payments
MIDDLE RIVER REGIONAL JAIL	*	BA 2024	Expansion of the Middle River Regional Jail	\$ 500,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
FIRE DEPARTMENT	*	GF 2024	Self-Contained Breathing Apparatus (SCBA) and Compressor Reserves	\$ 30,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
FIRE DEPARTMENT	*	GF 2024	Cardiac Monitor Replacement Reserves	\$ 10,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
PUBLIC WORKS						
STREETS - CITY MATCHING FUNDS	*	GF 2021	Virginia Department of Transportation Construction Projects (VDOT) - City Match Funds	\$ 100,000	Transportation and Parking (Sec. F.2.a and F.2.b)	Annual Maintenance
STREETS	*	GF 2024	City ineligible streets and/or City parking lots- improvements/slurry seal/re-paving	\$ 150,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
STREETS	*	GF 2024	Adaptive traffic control systems for Greenville / Statler / Greenville / Barterbrook	\$ 140,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
BRICK SIDEWALKS	*	GF 2024	Annual funding source for sidewalk replacement projects to replace concrete sidewalks with brick	\$ 100,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
NEW SIDEWALKS	*	GF 2024	Annual funding source for new sidewalk projects and match funds for VDOT grant programs for sidewalks	\$ 100,000	Transportation and Parking (Sec.F.2.a)	Annual Maintenance
PUBLIC WORKS EQUIPMENT FUND	*	GF 2024	Annual funding source for acquisition of major equipment for General Fund Streets Department > \$100,000	\$ 100,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
PUBLIC WORKS BUILDING FUND	*	GF 2024	Annual funding source for major repairs to City buildings to include replacement of HVAC systems, roof, structural repairs, etc.	\$ 100,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
PUBLIC WORKS BUILDING MAINTENANCE	*	BA 2024	Re-locate the Building Maintenance department/shop from the Nelson Street Center to the Public Works building site after the re-location of the Police Department and School storage space is vacats/re-located. MOVED FROM FY2023 TO FY2024 AND UPDATED COSTS TO \$250,000.	\$ 250,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
RICHMOND AVENUE ROAD DIET AND ROUNDABOUT	*	VDOT SMARTSCALE PROJECT	Creation of an urban boulevard with a new roundabout to reinforce the transition traffic near the Villages into Downtown. Improvements include a reduction of existing travel lanes along portions of Richmond Avenue and Greenville Avenue. Construction includes several 12' shared use paths with 5' grass buffer, sidewalks, and pedestrian signal heads and crosswalks. Project funded by VDOT Smart scale Funding-\$2,246,000. Construction to begin FY2026. (UPC 111051 Comp. Plan)	\$ 2,246,000	Transportation and Parking (Sec F.2.a, F.2.b, F.2.c)	Annual maintenance
BUILDING MAINTENANCE- GHP PUMPHOUSE	*	BA 2020	Restore old pumphouse in GHP. Renovate bathroom and upgrade building to modern building codes; building is not ADA compliant. MOVE PROJECT TO FY2024 FROM FY2021.	\$ 225,000	Public Service and Government (Sec G.1.a.i)	Annual preventive maintenance
STREET IMPROVEMENTS FOR BICYCLE & PEDESTRIAN PLAN	*	BA 2022	Staunton Bicycle & Pedestrian Plan- May 2018. Install signalized crossings at various intersections for pedestrian safety.	\$ 125,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2023- 2024**

DEPARTMENT	PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
<u>RECREATION</u>					
GREENWAYS PROJECT *	BA 2022	Paved bike and pedestrian paths, landscaping, purchase of properties and easements	\$ 100,000	Transportation and Parking (Sec F.2.k and F.2.l)	Annual maintenance
<u>EDUCATION</u>					
BLUE RIDGE COMMUNITY COLLEGE *	GF 2023	Annual Share of Blue Ridge Community College Capital Building Fund	\$ 41,050	NA	N/A to City
<u>EDUCATION-STAUNTON CITY SCHOOLS</u>					
BUILDING MAINTENANCE REPAIRS *	GF 2023	Transfer to City Schools CIP Fund for Building Maintenance Repairs-roofs, HVAC systems, technology	\$ 100,000	Public Service and Government (Sec. G.1.c.i and G.1.c.ii)	N/A to City
TOTAL FY2023 CIP PLAN			\$ 9,217,050		
FUNDING SOURCES:					
	GF 2024	General Fund Budget Transfer - FY2024 Budget	\$ 1,271,050		
	VDOT GRANT	VDOT Smart Scale Grant Project- Richmond Road Diet and Roundabout	\$ 2,246,000		
	BONDS	General Obligation Bonds- Police / Fire	\$ 4,500,000		
	BA 2022	Proposed FY2023 Budget Amendment from FY2022 Year Fund Balance- Transfer to CIP Fund	\$ 1,200,000		
TOTAL FUNDING SOURCES			\$ 9,217,050		

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2024- 2025**

DEPARTMENT		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
PUBLIC SAFETY						
FIRE DEPARTMENT	*	GF 2025	Fire Truck Replacement Reserve	\$ 350,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
MIDDLE RIVER REGIONAL JAIL	*	BA 2025	Expansion of the Middle River Regional Jail	\$ 500,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
FIRE DEPARTMENT	*	GF 2025	Self-Contained Breathing Apparatus (SCBA) and Compressor Reserves	\$ 30,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
FIRE DEPARTMENT	*	GF 2025	Cardiac Monitor Replacement Reserves	\$ 10,000	Public Service and Government (Sec G.1.b.i)	Annual maintenance contract fees
PUBLIC WORKS						
STREETS - CITY MATCHING FUNDS	*	GF 2025	Virginia Department of Transportation Construction Projects (VDOT) - City Match Funds	\$ 100,000	Transportation and Parking (Sec. F.2.a and F.2.b)	Annual Maintenance
STREETS	*	GF 2025	City ineligible streets and/or City parking lots- improvements/slurry seal/re-paving	\$ 150,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
STREETS	*	GF 2025	Adaptive traffic control systems for Greenville / Statler / Greenville / Barterbrook	\$ 140,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
BRICK SIDEWALKS	*	GF 2025	Annual funding source for sidewalk replacement projects to replace concrete sidewalks with brick	\$ 100,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance
NEW SIDEWALKS	*	GF 2025	Annual funding source for new sidewalk projects and match funds for VDOT grant programs for sidewalks	\$ 100,000	Transportation and Parking (Sec.F.2.a)	Annual Maintenance
PUBLIC WORKS EQUIPMENT FUND	*	GF 2025	Annual funding source for acquisition of major equipment for General Fund Streets Department > \$100,000	\$ 100,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
PUBLIC WORKS BUILDING FUND	*	GF 2025	Annual funding source for major repairs to City buildings to include replacement of HVAC systems, roof, structural repairs, etc.	\$ 100,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
PUBLIC WORKS BUILDING MAINTENANCE	*	BA 2024	Re-locate the Building Maintenance department/shop from the Nelson Street Center to the Public Works building site after the re-location of the Police Department and School storage space is vacated/re-located. MOVED FROM FY2025 TO FY2024 AND UPDATED COSTS TO \$250,000.	\$ 250,000	Public Service and Government (Sec. G.1.b.i)	Annual preventive maintenance
STREET IMPROVEMENTS FOR BICYCLE & PEDESTRIAN PLAN	*	BA 2024	Staunton Bicycle & Pedestrian Plan- May 2018. Install signalized crossings at various intersections for pedestrian safety.	\$ 125,000	Transportation and Parking (Sec. F.2.a)	Annual maintenance

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2024- 2025**

DEPARTMENT	PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN PRIORITY INITIATIVES	OPERATIONS/ MAINTENANCE
<u>RECREATION</u>					
GREENWAYS PROJECT *	BA 2024	Paved bike and pedestrian paths, landscaping, purchase of properties and easements	\$ 100,000	Transportation and Parking (Sec F.2.k and F.2.l)	Annual maintenance
MONTGOMERY HALL PARK *	BA 2024	Practice Field Lights	\$ 140,000	Public Service and Government (Sec. G.1.c.i and G.1.c.ii)	Annual maintenance
<u>EDUCATION</u>					
BLUE RIDGE COMMUNITY COLLEGE *	GF 2023	Annual Share of Blue Ridge Community College Capital Building Fund	\$ 41,050	NA	N/A to City
<u>EDUCATION-STAUNTON CITY SCHOOLS</u>					
BUILDING MAINTENANCE REPAIRS *	GF 2023	Transfer to City Schools CIP Fund for Building Maintenance Repairs-roofs, HVAC systems, technology	\$ 150,000	Public Service and Government (Sec. G.1.c.i and G.1.c.ii)	N/A to City
TOTAL FY2023 CIP PLAN			\$ 2,486,050		
FUNDING SOURCES:					
	GF 2024	General Fund Budget Transfer - FY2024 Budget	\$ 1,371,050		
	BA 2022	Proposed FY2023 Budget Amendment from FY2022 Year Fund Balance-Transfer to CIP Fund	\$ 1,115,000		
TOTAL FUNDING SOURCES			\$ 2,486,050		

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND**

Projects Not Scheduled In The Five-Year Plan (NS/NF)

	PROJECT DESCRIPTION	PROJECT ESTIMATE
SIDEWALK- MEADOWBROOK - TERRY COURT	New sidewalk construction/ Revenue Sharing Project	\$ 1,000,000
SIDEWALK- AUGUSTA STRRET - LAMBERT STREET - BALDWIN STREET	New sidewalk construction/ Revenue Sharing Project (Comp. Plan Item 12a)	\$ 1,500,000
SIDEWALK- MONTGOMERY AVENUE- W. BEVERLEY STREET AND STUART STREET	New sidewalk construction/ Revenue Sharing Project (Comp. Plan Item 12b)	\$ 290,000
SIDEWALK- DONAGHE STREET- CHURCHVILLE AVENUE AND BAYLOR STREET	New sidewalk construction/ Revenue Sharing Project (Comp. Plan Item 12c)	\$ 580,000
SIDEWALK- SPRINGHILL ROAD- CHURCHVILLE AVENUE AND DONAGHE STREET	New sidewalk construction/ Revenue Sharing Project (Comp. Plan Item 12d)	\$ 750,000
SIDEWALK- EDGEWOOD ROAD- NORTH COALTER TO NORTH AUGUSTA	New sidewalk construction/ Revenue Sharing Project (Comp. Plan Item 8 & Comp. Plan Items 12e/12f)	\$ 600,000
ADA COMPLIANT PEDESTRIAN SIGNALS - COALTER STREET/BEVERLEY STREET	Add ADA compliant pedestrian signals (Comp. Plan Item 12g)	\$ 200,000
CENTRAL BUSINESS DISTRICT- ADAPTIVE TRAFFIC CONTROL SYSTEM	Traffic control system for the Central Business District for 14 intersections	\$ 1,100,000
LIBRARY	Library renovations to include interior renovations for program space reallocation, modernization of furniture & fixtures, addition of a technology room, and addition of private study room space based on programming and design study completed in December 2014	\$ 8,000,000
FRONTIER DRIVE IMPROVEMENTS	Upgrade the current cross section from Frontier Road to the Southern City Limit. Includes curb, gutter, sidewalk and sharrows. SAWMPO Long Range Transportation Plan	\$ 7,560,000
FRONTIER DRIVE CONNECTOR	Construct a 3-lane roadway on new alignment with sidewalk on one side of the road, providing the 4th leg to the new roundabout in the Frontier Center that extends through the existing deJarnette property up to Frontier Drive, approximately 0.4 mile. Demolition of the DeJarnette buildings to be done by others (Comp. Plan Item 4)	\$ 4,500,000
VA 613 (OLD GREENVILLE ROAD) FROM SOUTHERN CORPORATE LIMITS OF STAUNTON TO US 11 (GREENVILLE AVENUE)	Reconstruction to current urban standards (Comp. Plan Item 9)	\$ 5,505,720
SPRING HILL ROAD FROM DONAGHE STREET TO NORTHERN CORPORATE LIMITS OF STAUNTON	Reconstruction to current urban 2-lane standards (Comp. Plan Item 10)	\$ 16,296,000
VA 703 (BUTTERMILK SPRING ROAD) FROM WEST CORPORATE LIMITS OF STAUNTON TO PIERCE STREET	Reconstruction to current urban 2-lane standards (Comp. Plan Item 11)	\$ 11,872,800
WEST BEVERLEY STREET STREETScape	Conduct a corridor study to reconstruct West Beverley Street between Western City Limits and Thornrose Avenue (1.5 miles). Reconstruction to include adding sidewalks and shared use path or bike lane, and stormwater management and drainage improvements using best management practices (Comp. Plan Item 2)	\$ 17,000,000
US 250 (RICHMOND ROAD)	Implement recommendations from '09 Corridor Plan. Improve access management, add pedestrian facilities, improve existing pedestrian street crossings, add bike lanes/sharrows/shared use path, and address stormwater management and drainage improvements using best management practices (Comp. Plan Item 3)	\$ 8,000,000

NEIGHBORHOOD STREET IMPROVEMENTS - RITCHIE STREET; HILLCREST STREET; BALDWIN DRIVE.	Reduce impervious area where appropriate, install traffic calming devices, and sidewalks on both sides of street, and curb and gutter for stormwater management and drainage to address current periodic flooding issues. Streets to include Ritchie Street \$1,300,000; Hillcrest Street \$2,600,000; Baldwin Drive \$2,700,000 (Comp. Plan Item 5)	\$ 6,600,000
VA 262 AT US 11 (GREEN HILLS INDUSTRY AND TECHNOLOGY CENTER)	Coordinate with VDOT to extend the right turn lane onto northbound US 11. Install additional southbound US 11 left turn lane (Comp. Plan Item 6)	\$ 1,350,000
ENGLEWOOD / SHUTTERLEE MILL ROAD	Reconstruct intersection to improve non-motorized access, improve sight distances and intersection alignment, and improve stormwater management and drainage using best management practices. To include pavement repair, construction of sidewalks, curb and gutter from Churchville Avenue to Royal Street (Comp. Plan Item 7)	\$ 2,000,000
MIDDLE RIVER REGIONAL JAIL	Expand the Middle River Regional Jail (MRRJ) due to increase in inmate population. Jail facility built in 2006 for 402 beds. Average Daily Population for FY2020 = 800 - 900+ inmates. Expansion expected by FY2023 to hold additional 400-450 beds. Preliminary expansion plans include building a work release center building and/or expanding the original jail facility. Estimated cost = \$40,000,000 to \$96,000,000, City share approximately 21% after State funding = \$15,120,000. City share of debt payments and additional operating costs to be paid annually to the Middle River Regional Jail (MRRJ) in it's annual budget. General Obligation Bonds to be issued by MRRJ.	\$ 15,120,000
TOTAL		\$ 109,824,520

**STAUNTON CITY SCHOOLS
CAPITAL IMPROVEMENT PLAN (CIP)
FY2021 - FY2025
SCHOOL CIP FUND 966**

FY2021					
1	SCHOOL MAINTENANCE/MECHANICAL EQUIPMENT	FY2021	FY2021 BA2	Annual funding to replace school building mechanical systems/ roofs / generators	\$ 100,000 Annual preventive maintenance
2	Mc SWAIN ELEMENTARY SCHOOL	FY2021	FY2021 BA2	Additional parking is needed for school events	\$ 75,000 Annual maintenance
3	PARKING LOTS /ROADWAYS	FY2021	FY2021 BA2	Repave all school parking lots and roadways. Annual funding \$100,000	\$ 100,000 Annual maintenance
4	CTE- CAREER/TECHNICAL EDUCATION CLASSROOMS	FY2021	FY2021 BA2	Annual funding to renovate Dixon Education Center to provide specialized career and technical education classrooms for middle school and high school students	\$ 250,000 Annual maintenance
5	SHELBURNE MIDDLE SCHOOL CTE UPGRADES	FY2021	School CIP Reserve	Middle School CTE Cabinets/Appliances Replaced	\$ 16,000 Annual maintenance
6	SHELBURNE MIDDLE SCHOOL LIBRARY CARPET	FY2021	School CIP Reserve	Shelburne Middle School library carpet replacement	\$ 15,000 Annual maintenance
7	WARE ELEMENTARY SCHOOL	FY2021	FY2021 BA2	Additional parking is needed for school events	\$ 75,000 Annual maintenance
			TOTAL FY2021		\$ 631,000
FY2022			PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE OPERATIONS / MAINTENANCE
8	SCHOOL FURNITURE/EQUIPMENT RESERVE	FY2022	FY2022 BA1	Annual funding to purchase/ replace school furniture/equipment	\$ 25,000 Annual maintenance
9	VEHICLE RESERVE	FY2022	FY2022 BA1	Annual funding to replace maintenance vehicles/ grounds equipment	\$ 50,000 Annual preventive maintenance
10	SCHOOL MAINTENANCE/MECHANICAL EQUIPMENT	FY2022	FY2022 BUDGET	Annual funding to replace school building mechanical systems/ roofs / generators	\$ 100,000 Annual preventive maintenance
11	PARKING LOTS /ROADWAYS	FY2022	FY2022 BA1	Repave all school parking lots and roadways. Annual funding \$100,000	\$ 100,000 Annual maintenance
12	CTE- CAREER/TECHNICAL EDUCATION CLASSROOMS	FY2022	FY2022 BA1	Annual funding to renovate Dixon Education Center to provide specialized career and technical education classrooms for middle school and high school students	\$ 250,000 Annual maintenance
13	STORAGE BUILDING	FY2022	School CIP Reserve	Purchase land and build a multi-purpose building for surplus equipment/furniture storage, cafeteria food storage for frozen foods and dry food storage, technology workspace and storage, and maintenance shop- MOVE PROJECT FROM FY2019 TO FY2022/FY2023	\$ 300,000 Annual preventive maintenance
			TOTAL FY2022		\$ 825,000

STAUNTON CITY SCHOOLS
CAPITAL IMPROVEMENT PLAN (CIP)
FY2021 - FY2025
SCHOOL CIP FUND 966

FY2023					
14	STORAGE BUILDING	FY2023	GO BONDS	Purchase land and build a multi-purpose building for surplus equipment/furniture storage, cafeteria food storage for frozen foods and dry food storage, technology workspace and storage, and maintenance shop- MOVE PROJECT FROM FY2019 TO FY2022/FY2023	\$ 2,500,000 Annual preventive maintenance
15	SCHOOL TRANSPORTATION RESERVE	FY2023	FY2023 BA1	Annual contribution to school bus replacement reserve	\$ 50,000 Annual maintenance
16	SCHOOL FURNITURE/EQUIPMENT RESERVE	FY2023	FY2023 BA1	Annual funding to purchase/ replace school furniture/equipment	\$ 50,000 Annual maintenance
17	VEHICLE RESERVE	FY2023	FY2023 BA1	Annual funding to replace maintenance vehicles/ grounds equipment	\$ 50,000 Annual preventive maintenance
18	SCHOOL MAINTENANCE/MECHANICAL EQUIPMENT	FY2023	FY2023 BUDGET	Annual funding to replace school building mechanical systems/ roofs / generators	\$ 100,000 Annual preventive maintenance
19	TECHNOLOGY RESERVE	FY2023	FY2023 BA1	Annual funding to replace technology infrastructure / network equipment	\$ 50,000 Annual maintenance
20	PARKING LOTS /ROADWAYS	FY2023	FY2023 BA1	Repave all school parking lots and roadways. Annual funding \$100,000	\$ 100,000 Annual maintenance
21	CTE- CAREER/TECHNICAL EDUCATION CLASSROOMS	FY2023	FY2023 BA1	Annual funding to renovate Dixon Education Center to provide specialized career and technical education classrooms for middle school and high school students	\$ 250,000 Annual maintenance
TOTAL FY2023				\$ 3,150,000	
FY2024			PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE OPERATIONS / MAINTENANCE
22	SCHOOL TRANSPORTATION RESERVE	FY2024	FY2024 BUDGET	Annual contribution to school transportation reserve	\$ 50,000 Annual maintenance
23	SCHOOL FURNITURE/EQUIPMENT RESERVE	FY2024	FY2024 BUDGET	Annual funding to purchase/ replace school furniture/equipment	\$ 50,000 Annual maintenance
24	VEHICLE RESERVE	FY2024	FY2024 BUDGET	Annual funding to replace maintenance vehicles/ grounds equipment	\$ 50,000 Annual preventive maintenance
25	SCHOOL MAINTENANCE/MECHANICAL EQUIPMENT	FY2024	FY2024 BUDGET	Annual funding to replace school building mechanical systems/ roofs / generators	\$ 100,000 Annual preventive maintenance
26	TECHNOLOGY RESERVE	FY2024	FY2024 BUDGET	Annual funding to replace technology infrastructure / network equipment	\$ 50,000 Annual maintenance
27	PARKING LOTS /ROADWAYS	FY2024	FY2024 BA1	Repave all school parking lots and roadways. Annual funding \$100,000	\$ 100,000 Annual maintenance
28	SHELBURNE CTE RENOVATIONS	FY2024	FY2024 BA1/ School CIP Reserve/ GO Bonds	Renovate first floor and basement areas and update technology labs. (Funding \$1M CTE Reserve Build up, \$1.5 GO Bond)	\$ 2,500,000 Annual maintenance
29	SHELBURNE STUDENT MEETING SPACE	FY2024	GO BONDS	Stepped seating for 250 students, add technology and daylighting .	\$ 1,200,000 Annual maintenance
TOTAL FY2024				\$ 4,100,000	

**STAUNTON CITY SCHOOLS
CAPITAL IMPROVEMENT PLAN (CIP)
FY2021 - FY2025
SCHOOL CIP FUND 966**

FY2025			PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	OPERATIONS / MAINTENANCE
30	SCHOOL TRANSPORTATION RESERVE	FY2025	FY2025 BUDGET	Annual contribution to school transportation reserve	\$ 50,000	Annual maintenance
31	SCHOOL FURNITURE/EQUIPMENT RESERVE	FY2025	FY2025 BUDGET	Annual funding to purchase/ replace school furniture/equipment	\$ 50,000	Annual maintenance
32	VEHICLE RESERVE	FY2025	FY2025 BUDGET	Annual funding to replace maintenance vehicles/ grounds equipment	\$ 50,000	Annual preventive maintenance
33	SCHOOL MAINTENANCE/MECHANICAL EQUIPMENT	FY2025	FY2025 BUDGET	Annual funding to replace school building mechanical systems/ roofs / generators	\$ 100,000	Annual preventive maintenance
34	TECHNOLOGY RESERVE	FY2025	FY2025 BUDGET	Annual funding to replace technology infrastructure / network equipment	\$ 50,000	Annual maintenance
35	PARKING LOTS /ROADWAYS	FY2025	FY2025 BA1	Repave all school parking lots and roadways. Annual funding \$100,000	\$ 100,000	Annual maintenance
36	CTE- CAREER/TECHNICAL EDUCATION CLASSROOMS	FY2025	FY2025 BUDGET	Annual funding to renovate Dixon Education Center to provide specialized career and technical education classrooms for middle school and high school students	\$ 250,000	Annual maintenance
				TOTAL FY2025	\$ 650,000	

NOT SCHEDULED / NOT FUNDED PROJECTS

37	DIXON EDUCATIONAL CENTER	NS/NF		Renovate and upgrade Dixon Educational Center to modern standards for technology, class size, gym, etc.	\$ 15,000,000	
TOTAL PROJECTS NOT SCHEDULED / NOT FUNDED					\$ 15,000,000	
					TOTAL CIP	\$ 24,131,000

STAUNTON CITY SCHOOLS
CAPITAL IMPROVEMENT PLAN (CIP)
FY2021 - FY2025
SCHOOL CIP FUND 966

			<u>FY2021 -FY2025 CIP PLAN</u>	
FUNDING				
FY2021 BA2 = FY2021 BUDGET AMENDMENT # 2 - DECEMBER 2020				
			FY2021	\$ 631,000
			FY2022	\$ 825,000
			FY2023	\$ 3,150,000
			FY2024	\$ 4,100,000
			FY2025	\$ 650,000
			Unscheduled Projects	\$ 15,000,000
TOTAL FY2020 - FY2024 + UNSCHEDULED PROJECTS CIP PLAN				\$ 24,356,000
<u>SOURCE OF FUNDS- FY2021 CIP PROJECTS</u>				
FY2021	FY2021 CIP	Transfer from School CIP Reserves		\$ 31,000
FY2021	FY2021 BA2	FY2021 Budget Amendment No. 2 (Appropriation of FY2020 Unassigned Fund Balance)		\$ 600,000
TOTAL FY2021				\$ 631,000
<u>SOURCE OF FUNDS- FY2022 CIP PROJECTS</u>				
FY2022	FY2022 BUDGET	Transfer from Education Fund		\$ 100,000
FY2022	FY2022 BA1	FY2022 Budget Amendment No. 1 (Appropriation of FY2021 Unassigned Fund Balance)		\$ 425,000
FY2022	GO BONDS	General Obligation Bonds		\$ 300,000
TOTAL FY2022				\$ 825,000
<u>SOURCE OF FUNDS- FY2023 CIP PROJECTS</u>				
FY2023	FY2023 BUDGET	Transfer from Education Fund		\$ 100,000
FY2023	GO BONDS	Funded by GO Bond Issuance		\$ 2,500,000
FY2023	FY2023 BA1	FY2023 Budget Amendment No. 1 (Appropriation of FY2022 Unassigned Fund Balance)		\$ 550,000
TOTAL FY2023				\$ 3,150,000
<u>SOURCE OF FUNDS- FY2024 CIP PROJECTS</u>				
FY2024	FY2024 BUDGET	Transfer from Education Fund		\$ 100,000
FY2024	FY2024 BA1	FY2024 Budget Amendment No. 1 (Appropriation of FY2023 Unassigned Fund Balance)		\$ 300,000
FY2024	GO BONDS	Funded by GO Bond Issuance		\$ 3,700,000
TOTAL FY2024				\$ 4,100,000
<u>SOURCE OF FUNDS- FY2025 CIP PROJECTS</u>				
FY2025	FY2025 BUDGET	Transfer from Education Fund		\$ 100,000
FY2025	FY2025 BA1	FY2025 Budget Amendment No. 1 (Appropriation of FY2024 Unassigned Fund Balance)		\$ 550,000
TOTAL FY2025				\$ 650,000

CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
STORM WATER FUND

		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE
FY2021				
Flood Study	FY2021	SW FUND BUDGET	Flood Study	\$ 78,000
			TOTAL STORM WATER PROJECTS FY2021	\$ 78,000
FY2022				
TMDL PERMIT MANDATE IMPROVEMENT PROJECT- PEYTON CREEK (GYPSY HILL) STREAM RESTORATION	FY2022	SW FUND BUDGET	Annual projects to improve storm water quality by reducing pollutant discharge of sediment, nitrogen, and phosphorus to meet TMDL requirements- Total Maximum Daily Load. Project includes restoring approximately 1,200 LF of Peyton Creek in Gypsy Hill Park including daylighting 300 LF of stream by removing existing culvert	\$ 1,200,000
			TOTAL STORM WATER PROJECTS FY2022	\$ 1,200,000
FY2023				
MISCELLANEOUS STORM DRAIN IMPROVEMENTS	FY2023	SW FUND BUDGET	526 Robin Street, Albemarle Avenue/Churchville Avenue	\$ 50,000
TAMS-CAROLINE-AUGUSTA	FY2023	SW FUND BUDGET	Improvements to the area include removing water from yards and some minor improvement to street drainage. Includes cost of easements and engineering fees	\$ 600,000
			TOTAL STORM WATER PROJECTS FY2023	\$ 650,000
FY2024				
GREEN HILLS INDUSTRIAL PARK-BASIN RETROFITS- TMDL MANDATE PERMIT IMPROVEMENT PROJECT	FY2024	SW FUND BUDGET	Annual projects to improve storm water quality by reducing pollutant discharge of sediment, nitrogen, and phosphorus to meet TMDL requirements- total maximum daily load. Project includes converting two existing dry detention basins into wet ponds with sediment forebays	\$ 1,300,000
			TOTAL STORM WATER PROJECTS FY2024	\$ 1,300,000
FY2025				
POCAHONTAS-CAMPBELL	FY2025	SW FUND BUDGET	Higgs Drainage Study identified this project to mitigate runoff into buildings and yards of 10-15 properties/yards	\$ 995,375
			TOTAL STORM WATER PROJECTS FY2025	\$ 995,375

CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
STORM WATER FUND

STORM DRAIN PROJECTS NOT SCHEDULED OR FUNDED			
ARMSTRONG AVE- JIFFY MART- GRUBERT	NS/NF	Project is necessary to eliminate street drainage from discharging into rear yards and washing out gravel parking lot behind Jiffy Mart; project includes installation of new inlets on Armstrong Avenue and new storm piping from Armstrong Avenue down to Grubert Avenue	\$ 150,000
ENGLEWOOD DRIVE	NS/NF	Project includes large diameter piping from Churchville- Englewood out Englewood and Shutterlee Mill past Crestwood. Plans are complete. Revenue Sharing Grant awarded = \$725,000 to pay for stormwater, with the balance of \$308,762 from Stormwater Fund to pay for balance of project or apply for an additional Revenue Sharing Grant to complete this project	\$ 1,033,762
HILLCREST STORM SEWER	NS/NF	Improve the storm drainage system in the area of Craig Drive, Audubon and Thomas Street as well as overland drainage in yard areas	\$ 1,663,425
BAYLOR / GLEN / HENDREN	NS/NF	Construction of a storm drainage system from the Woodlee Terrace Apartments, down Baylor Street to tie into the existing Springhill Road System	\$ 2,264,960
202 YARDLEY SQUARE	NS/NF	Build up one side of the ditch along Augusta Street and extend it towards Baldwin Place Road to prevent runoff into yards at Yardley and Smithleigh	\$ 67,624
906 GREENVILLE AVENUE / KLINE'S ICE CREAM	NS/NF	Install drainage system to collect runoff at Grandon and Commodore and pipe to Greenville Avenue to prevent runoff and flooding	\$ 114,000
TAMS /WESTMORELAND	NS/NF	Install drainage system to collect runoff to prevent runoff flowing into residential yards	\$ 173,000
STOCKER / BELMORE /CHURCHVILLE	NS/NF	Replace existing undersized drains and put above ground drainage below ground	\$ 551,700
UPPER COLLEGE PARK	NS/NF	Project will incorporate a number of smaller drainage problems and remove water from properties that are routinely wet	\$ 1,975,665
EDGEWOOD / PARKWOOD	NS/NF	Storm drain to mitigate runoff into 10 properties' yards. Project is necessary before Tams/Westmoreland project can be built	\$ 461,175
CHESAPEAKE /ARMENTROUT / WEST BEVERLEY	NS/NF	Improve overland drainage in the area and eliminate a very bad ditch system along Birch Street	\$ 754,535
LIVIA PROPERTIES #2	NS/NF	Replace and reroute storm drain from its present location under the Livia Properties building to the northern side of the building	\$ 360,000
NEW STREET at the BEVERLEY	NS/NF	Flooding in the Beverley Building basement; Owner to install backflow preventer in floor drains and City to re-line storm drain and inlets	\$ 40,000
LEWIS STREET - BEARS AND BLANKETS	NS/NF	Install concrete retaining wall as a levee to prevent flood water from Peyton Creek from entering building	\$ 88,455
RED OAKS /FRONTIER	NS/NF	Install drainage system to prevent runoff into Frontier Museum and parking lot of Dice's Inn	\$ 98,170
MARKET / NEW / AUGUSTA	NS/NF	Install drainage system to collect runoff on Market Street	\$ 136,500
ORCHARD LANE 1808	NS/NF	Install inlet at LP of North Drive, 2 inlets in Orchard Lane and install connecting storm drains to existing MH to the east	\$ 99,000
SHEETS /BLAIR	NS/NF	Re-direct runoff into wooded area to prevent pooling of water in street	\$ 36,755

**CITY OF STAUNTON
CAPITAL INVESTMENT PLAN (CIP)
STORM WATER FUND**

STORM DRAIN PROJECTS NOT SCHEDULED OR FUNDED - Cont'd				
DRISCOLL	NS/NF	Collect and pipe runoff down Driscoll to Greenville Avenue	\$	228,650
LIVIA PROPERTIES #1	NS/NF	Install drainage system to collect runoff from Pierce Street to prevent washout of aggregate drive/parking area	\$	66,000
OAK RIDGE / COMMERCE	NS/NF	Install drainage system to collect runoff on Oak Ridge Circle and pipe runoff through four lots across Meadowbrook and through two more lots on Commerce Road	\$	130,000
VALLEY VIEW /COLLEGE CIRCLE	NS/NF	Install drainage system to release water runoff into College Park Storm Sewer	\$	156,880
NORTH AUGUSTA ST 1603	NS/NF	Extend the storm sewer to an adequately sized storm drain near the intersection of Woodrow and Dogwood	\$	100,000
403 MARSHALL ROAD	NS/NF	Construct earth berm to prevent runoff from Crosscrest Section 2	\$	27,000
GUY STREET	NS/NF	Install inlet and storm drain and connect to existing system at Guy & Plunkett	\$	191,565
MULBERRY ST APARTMENTS	NS/NF	Install multiple drop inlets along Mulberry Street at apartment entrance to eliminate ponding, construct storm pipe down along side apartment complex and connect to existing storm inlet on Miller Street Apartments	\$	78,500
1011 E BEVERLEY ST	NS/NF	Replace/relocate existing storm drain in front yard and construct storm pipe down to existing storm system at 1005 E Beverley Street	\$	50,000
307 ELM STREET	NS/NF	Install inlet at corner of parking lot and connect to existing storm system in Elm Street	\$	46,440
108 BAYLOR STREET	NS/NF	Install inlet at low point in street to eliminate ponding, construct storm pipe between 106 & 108 Baylor Street and outfall in rear yard	\$	30,345
77 WOODLEE ROAD	NS/NF	Convert existing storm manhole into drop inlet to eliminate ponding along street shoulder, regrade shoulder to provide positive drainage to inlet	\$	13,400
10 WESTON DRIVE	NS/NF	Construct asphalt berm along Weston Drive to Lambert Street, install drop inlet at Lynnhaven/Lambert and connect to existing storm system just west of Lynnhaven/Lambert	\$	50,885
ALPINE ROAD/NORTH DRIVE	NS/NF	Construct storm culvert across Alpine Road from northeast corner of intersection to southwest corner of the intersection	\$	20,145
MEADOWBROOK ROAD/N AUGUSTA STREET	NS/NF	Replace existing storm pipe crossing N Coalter Street at 200 Meadowbrook Road	\$	12,000
315 COLLEGE CIRCLE	NS/NF	Install inlet at low point in street to eliminate ponding, construct storm pipe between 313 & 315 College Circle and outfall in rear yard	\$	42,000
2704 KNOLLWOOD DRIVE	NS/NF	Reconstruct existing ditch through rear yard and remove existing concrete slab obstructing ditch flow	\$	19,000
1617 BUICK STREET	NS/NF	Construct storm pipe from existing storm outfall in rear of house through rear yards and alleys to Packard Street, install reverse drop inlet in Hays Avenue	\$	87,075

**CITY OF STAUNTON
CAPITAL INVESTMENT PLAN (CIP)
STORM WATER FUND**

<u>STORM DRAIN PROJECTS NOT SCHEDULED OR FUNDED - Cont'd</u>				
1023 RIDGEMONT DRIVE	NS/NF	Install curb and gutter along Ridgemont Drive, install drop inlets to capture street drainage, construct storm pipe down thru rear yards to existing storm system at 1007 E Beverley Street	\$	198,015
563 HILLTOP DRIVE	NS/NF	Install inlets upstream 563 Hilltop Drive, construct storm beyond curve in road and install reverse inlet	\$	39,270
415 G STREET	NS/NF	Install drop inlet at 415 G Street and storm pipe down G Street to Fourth Street	\$	50,820
BURBANK STREET	NS/NF	Reconstruct entrance at Burbank Street/Richmond Road to provide positive drainage to existing inlets	\$	30,000
MASON ST - RANDOLPH STREET	NS/NF	Install multiple drop inlets in yard areas to eliminate wet areas; install underdrains to capture springs	\$	92,000
TOTAL STORM WATER PROJECTS NOT SCHEDULED / NOT FUNDED			\$	11,828,716

**CITY OF STAUNTON
CAPITAL INVESTMENT PLAN
STORM WATER FUND**

TMDL PERMIT MANDATE IMPROVEMENT PROJECTS NOT SCHEDULED OR FUNDED			
GYPSY HILL GOLF COURSE	NS/NF	Install gravel filter & filter strip	\$ 1,600
STAUNTON CROSSING STREAM RESTORATIONS	NS/NF	Restore approximately 4,000 LF of stream segments throughout the Staunton Crossing development	\$ 4,000,000
VILLAGES - ASYLUM CREEK STREAM RESTORATION	NS/NF	Restore approximately 1,400 LF of Asylum Creek through the Villages at Staunton development	\$ 1,400,000
GREENVILLE AVE & E HAMPTON ST (ADJACENT TO ASYLUM CREEK)	NS/NF	Construct a riparian buffer along Asylum Creek at Greenville/Hampton	\$ 3,000
STAUNTON HIGH SCHOOL STREAM RESTORATION	NS/NF	Restore approximately 1,000 LF of stream adjacent to Staunton High School on N Coalter Street	\$ 1,000,000
CITY LIBRARY	NS/NF	Install filter strip and permeable pavers at City Library on Churchville Avenue	\$ 71,400
FIRE STATION 2	NS/NF	Convert existing extended detention basin at Fire Station 2 on Grubert St into a bio retention basin	\$ 33,500
FIREHOUSE PARKING LOT	NS/NF	Construct bio retention basins and permeable pavers	\$ 65,500
GYPSY HILL PARK	NS/NF	Construct vegetated swale, two bio retention basins and grass swale	\$ 147,700
NEW STREET PARKING LOT	NS/NF	Installing three filterra units and permeable pavers	\$ 110,600
WHARF PARKING LOT	NS/NF	Install permeable pavers	\$ 83,800
WATER FOUNTAIN PARK	NS/NF	Construct bio retention basin	\$ 39,400
FIRE STATION 1	NS/NF	Install a filterra unit, tree box, bio retention area and permeable pavers at Fire Station 1 on N Augusta Street	\$ 50,700
SALT STORAGE	NS/NF	Construct bio retention basin	\$ 33,800
MONTGOMERY HALL PARK	NS/NF	Construct vegetated swale and bio retention basin	\$ 143,700
THOMAS DIXON ELEMENTARY SCHOOL	NS/NF	Construct rainwater harvesting system on school building and two bio retention basins	\$ 153,200
BESSIE WELLER ELEMENTARY SCHOOL	NS/NF	Construct two bio retention basins and upgrade existing bio retention basin	\$ 155,800
HARDY PARKING LOT	NS/NF	Install permeable pavers	\$ 68,000
GYPSY HILL GOLF COURSE (ADJACENT TO CANAAAN STREET)	NS/NF	Construct infiltration basin	\$ 13,000
SHELBURNE MIDDLE SCHOOL	NS/NF	Convert existing dry detention basin into a bio retention basin	\$ 87,200
STAUNTON HIGH SCHOOL	NS/NF	Construct two bio retention basins and install a rainwater harvesting system	\$ 330,000
AUGUSTA STREET PARKING LOT	NS/NF	Install permeable pavers	\$ 13,800
MCSWAIN ELEMENTARY SCHOOL	NS/NF	Install a rainwater harvesting system	\$ 125,500
TOTAL TMDL PROJECTS NOT SCHEDULED / NOT FUNDED			\$ 8,131,200
FY2021-FY2025			\$ 4,223,375
STORM WATER PROJECTS NOT SCHEDULED OR FUNDED			\$ 11,828,716
TMDL PERMIT MANDATE IMPROVEMENT PROJECTS NOT SCHEDULED / NOT FUNDED			\$ 8,131,200
TOTAL STORM WATER FUND PROJECTS	FY2021-FY2025 + NS/NF PROJECTS		\$ 24,183,291

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
WATER FUND**

		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE
FY2021				
GARDNER SPRING PUMP STATION DESIGN	FY2021	WF BUDGET	Engineering design of upgrade to Gardner Spring Pump Station, based on 2018 Wiley Wilson Report	\$ 250,000
SHUTTERLEE MILL TANK	FY2021	Water Fund Balance	Tank paint and maintenance repair	\$ 250,000
UNION TOWN - WATERS / SEWER STUDY	FY2021	WF BUDGET	Commission a study for the installation of Water & Sewer lines in the Union Town Community in East Staunton	\$ 25,000
WATER TREATMENT PLANT- CLEARWELL RELINING	FY2021	Water Fund Balance	Reline, reseal, and /or repair 4.3 MG concrete clearwell at the Water Treatment Plant	\$ 1,500,000
FLUORIDE TANK	FY2021	WF BUDGET	Fluoride Water Tank Painting/Surface Treament - Interior / Exterior	\$ 80,000
TOTAL WATER PROJECTS FY2021				\$ 2,105,000
FY2022				
GARDNER SPRING - UPGRADE PUMPS AND PARALLEL 16" LINE FROM GARDNER SPRING.	FY2022	BOND FUNDS	Construction of upgrade to Gardner Spring Pump Station and section of 20" parallel waterline from Gardner Spring to the Middle River. Bond financed project. Debt Payment = \$578,000, \$6.0 million @ 5%, 15 years	\$ 6,900,000
WATER LINES	FY2022	WF BUDGET	Annual replacement of old/undersized water lines throughout the City	\$ 400,000
TOTAL WATER PROJECTS FY2022				\$ 7,300,000
FY2023				
WATER LINES	FY2023	WF BUDGET	Annual replacement of old/undersized water lines throughout the City	\$ 400,000
STUDY REPLACEMENT OF NORTH RIVER PIPELINE	FY2023	WF BUDGET	North River Pipeline Study / Preliminary Engineering Report 30% Design	\$ 500,000
TOTAL WATER PROJECTS FY2023				\$ 900,000
FY2024				
WATER LINES	FY2024	WF BUDGET	Annual replacement of old/undersized water lines throughout the City	\$ 400,000
NORTH RIVER PIPELINE REPLACEMENT - PHASE 1	FY2024	BOND FUNDS	Phase 1 replacement of the North River Pipeline - Replace 7,000 LF of the Pipe Line.	\$ 6,500,000
RICHMOND AVENUE WATERLINE UPGRADE	FY2024	BOND FUNDS	Replace 8,400 LF of existing aged 6" waterline with new 8" waterline in Richmond Avenue from Greenville Avenue to Frontier Drive COST UPDATED from 2016 Draper Aden Study	\$ 2,200,000
TOTAL WATER PROJECTS FY2024				\$ 9,100,000
FY2025				
WATER LINES	FY2025	WF BUDGET	Annual replacement of old/undersized water lines throughout the City	\$ 400,000
TOTAL WATER PROJECTS FY2025				\$ 400,000

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
WATER FUND**

PROJECTS NOT SCHEDULED OR NOT FUNDED (NS/NF)		PROJECT DESCRIPTION	PROJECT ESTIMATE
NORTH RIVER RAW WATER LINE	NS/NF	Construction for repair, reline, replacement or new parallel raw water line from the Staunton Dam to the Water Treatment Plant COST UPDATED FROM 2018 Wiley Wilson Report.	\$ 18,500,000
GROUNDWATER WATER SUPPLY SOURCE (WELL) IMPLEMENTATION	NS/NF	Full development of new groundwater water supply source (well) for redundancy with water supply to Water Treatment Plant, based on 2018 Wiley Wilson Report	\$ 4,000,000
ENGLEWOOD DRIVE-PHASE IVB - MOVED TO NS/NF	NS/NF	Replace water line on Englewood Drive from Churchville Avenue to Shutterlee Mill Road during construction of storm drain project	\$ 260,000
GROUNDWATER MONITORING PROGRAM	NS/NF	Installation of a groundwater monitoring well at Gardner Spring to monitor water quality and conditions. 2018 Wiley Wilson Report. (Project will require an annual cost for well sampling, testing, and reporting estimated at \$44,000 /year)	\$ 110,000
MIDDLE RIVER INTAKE	NS/NF	Design and construction of improvements to the Middle River intake to improve the water supply source.	\$ 1,500,000
FRANKLIN HILL ZONE BOOSTER PUMP STATION	NS/NF	Installation of a booster pump in the Franklin Hill Zone to serve West Beverley Street (and adjacent street) west of Van Fossen Lane. Project is necessary should ACSA demand increase in Blackburn	\$ 900,000
NORTH RIVER RAW WATER LINE PIGGING	NS/NF	Cleaning (pigging) of North River raw waterline to restore capacity. Will be required by 2028	\$ 350,000
TOTAL PROJECTS NOT SCHEDULED / NOT FUNDED			\$ 25,620,000
TOTAL WATER FUND CIP			\$ 45,425,000

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
SEWER FUND**

		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION		PROJECT ESTIMATE
FY2021					
E. BEVERLEY STREET SEWER LINE	FY2021	SF BUDGET	Replace 410 LF of deteriorated sewer line - COMPLETED	\$	150,000
STUART STREET SEWER LINE	FY2021	Sewer Fund Balance	Replace 440 LF Sewer Line from Reservoir Street to Summerson Street	\$	150,000
UNION TOWN - WATERS / SEWER STUDY	FY2021	SF BUDGET	Commission a study for the installation of Water & Sewer lines in the Union Town Community in East Staunton	\$	25,000
LYLE - BLANDFORD STREETS SEWER LINE	FY2021	SF BUDGET	Replace 270 LF of deteriorated sewer line	\$	80,000
			TOTAL SEWER PROJECTS FY2021	\$	405,000
FY2022					
COMMERCE ROAD SEWER LINE - PHASE 2	FY2022	SF BUDGET	Survey and Design of Commerce Road Sewer Line - Phase 2	\$	100,000
			TOTAL SEWER PROJECTS FY2022	\$	100,000
FY2023					
COMMERCE ROAD SEWER LINE - PHASE 2	FY2023	SF BUDGET	Phase 2 - Replacement of the Commerce Road sewer line from end of Kalorama Street to Dominion Substation at Greenville Avenue sewer discharge point (old MH Nos. L190-L197). 2008 Draper Aden Study UPDATED COST. FIRST YEAR FUNDING.	\$	450,000
			TOTAL SEWER PROJECTS FY2023	\$	450,000
FY2024					
COMMERCE ROAD SEWER LINE - PHASE 2	FY2024	SF BUDGET	Phase 2 - Replacement of the Commerce Road sewer line from end of Kalorama Street to Dominion Substation at Greenville Avenue sewer discharge point (old MH Nos. L190-L197). 2008 Draper Aden Study UPDATED COST. SECOND YEAR FUNDING.	\$	450,000
			TOTAL SEWER PROJECTS FY2024	\$	450,000
FY2025					
LEWIS CREEK SEWER LINE PER (FORMERLY COMMERCE ROAD SEWER PHASES 3 AND 4)	FY2025	SF BUDGET	Preliminary Engineering Report (PER) to re-evaluate Lewis Creek sewer - Greenville Avenue and Johnson Street Sections (formerly Commerce Road Sewer Line Phases 3 and 4) for possible alternatives to 2008 Draper Aden	\$	100,000
DESIGN - LEWIS CREEK SEWER UPGRADE - GREENVILLE AVENUE SECTION (FORMERLY	FY2025	SF BUDGET	Upgrade of the Lewis Creek sewer - Greenville Avenue Section (formerly Commerce Road sewer - Phase 3) from Dominion Substation to South New Street (old MH Nos. L197-L243). 2008 Draper Aden Study	\$	300,000
			TOTAL SEWER PROJECTS FY2025	\$	400,000

NOT SCHEDULED/ NOT FUNDED PROJECTS (NS/NF)	PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE
LEWIS CREEK SEWER UPGRADE - GREENVILLE AVENUE SECTION (FORMERLY COMMERCE ROAD SEWER LINE - PHASE 3) NS/NF		Upgrade of the Lewis Creek sewer - Greenville Avenue Section (formerly Commerce Road sewer - Phase 3) from Dominion Substation to South New Street (old MH Nos. L197-L243). 2008 Draper Aden Study	\$2,000,000
DESIGN - LEWIS CREEK SEWER UPGRADE - JOHNSON STREET SECTION (FORMERLY COMMERCE ROAD SEWER LINE - PHASE 4) NS/NF		Upgrade of the Lewis Creek sewer - Johnson Street Section (formerly Commerce Road sewer - Phase 4) from South New Street to Wharf Parking Lot at Central Avenue sewer discharge point (old MH Nos. L243-L265). 2008 Draper Aden Study	\$250,000
LEWIS CREEK SEWER UPGRADE - JOHNSON STREET SECTION (FORMERLY COMMERCE ROAD SEWER LINE - PHASE 4) NS/NF		Upgrade of the Lewis Creek sewer - Johnson Street Section (formerly Commerce Road sewer - Phase 4) from South New Street to Wharf Parking Lot at Central Avenue sewer discharge point (old MH Nos. L243-L265). 2008 Draper Aden Study	\$800,000
ENGLEWOOD DRIVE SEWER PHASE IV-B NS/NF		Replace sewer line during construction of storm drain project	\$500,000
ROSE HILL CIRCLE SEWER LINE NS/NF		Install sanitary sewer in the 100 and 200 blocks to provide City sewer service to multiple homes currently being served by septic systems. 2014 COS Engineering Dept Study	\$350,000
GUY STREET SEWER EXTENSION NS/NF		Sewer line extension to remove six homes from septic tanks MOVED FROM FY2020 TO NS/NF	\$135,000
TOTAL PROJECTS NOT SCHEDULED / NOT FUNDED			\$ 4,035,000
TOTAL SEWER FUND CIP	FY2021-FY2025 + NS/NF PROJECTS		\$ 5,840,000

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
PARKING FUND**

		PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE
<u>FY2021</u>				
NEW STREET PARKING GARAGE	FY2020	PF BUDGET	Replace and upgrade New Street Parking Garage access and control equipment.	\$ 250,000
			FY2021 TOTAL PARKING FUND PROJECTS	\$ 250,000
<u>FY2022</u>				
POLICE DEPARTMENT LICENSE SCANNER PARKING ENFORCEMENT	FY2021	PF BUDGET	Hand Held License Scanners for Parking Enforcement	\$ 38,000
			FY2022 TOTAL PARKING FUND PROJECTS	\$ 38,000
<u>FY2023</u>				
WHARF PARKING LOT	FY2022	PF BUDGET	Replace and upgrade Wharf Parking Lot access and control equipment.	\$ 250,000
			FY2023 TOTAL PARKING FUND PROJECTS	\$ 250,000
<u>FY2024</u>				
JOHNSON STREET PARKING GARAGE	FY2023	PF BUDGET	Replace and upgrade Johnson Street Parking Garage access and control equipment.	\$ 250,000
NEW STREET PARKING GARAGE	FY2023	PF BUDGET	Seal/ repair concrete deck surfaces. Paint railings and other surfaces.	\$ 300,000
			FY2024 TOTAL PARKING FUND PROJECTS	\$ 550,000
<u>FY2025</u>				
WHARF PARKING LOT	FY2025	PF BUDGET	Seal/ repair concrete deck surfaces. Paint railings and other surfaces.	\$ 300,000
JOHNSON STREET PARKING GARAGE	FY2025	PF BUDGET	Seal/ repair concrete deck surfaces. Paint railings and other surfaces.	\$ 300,000
			FY2025 TOTAL PARKING FUND PROJECTS	\$ 600,000
TOTAL PARKING FUND CIP			FY2021-FY2025 + NS/NF PROJECTS	\$ 1,688,000

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Steven L. Rosenberg City Manager
Item #	4 & H	
Ordinance #		
Department:	City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	Uncodified Emergency Ordinance Ratifying, Confirming and Affirming Uncodified Emergency Ordinance 2020-04 and Extending the Time of Reenactment	

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. Subsequently:

- 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.
- At its September 24, 2020, regular meeting, City Council adopted Ordinance No. 2020-24, extending until January 15, 2021, the emergency procedures to ensure continuity of government.

Conditions merit a further extension of the emergency procedures, given the continuing emergency and disaster, to ensure continuity of government. Dr. Laura Kornegay, health director of the Central Shenandoah Health District, will attend Council's work session to brief Council concerning those conditions.

Council is requested to consider the attached draft ordinance, which provides for an extension of the continuity of government provisions to a date to be determined based on Council discussion.

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— September 24, 2020 Uncodified Emergency Ordinance Ratifying, Confirming and Affirming Uncodified Emergency Ordinance 2020-04
- Attachment 5— Draft Uncodified Emergency Ordinance Reratifying, Reconfirming and Reaffirming 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 reratifying, reconfirming and reaffirming uncodified Emergency Ordinance 2020-04, in part expressly reenacting the continuity of government provisions of such ordinance through _____, 2021.

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;

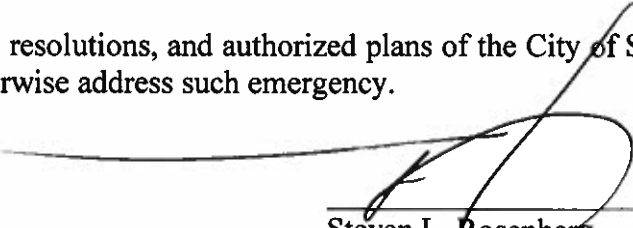
WHEREAS, such conditions and considerations necessitate the declaration of the existence of a local emergency, to the fullest extent permitted by law; and

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.

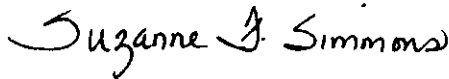
Adopted: March 24, 2020

Effective Date: March 16, 2020

Expiration Date: As provided



Carolyn W. Dull, Mayor



ATTEST:

Suzanne F. Simmons, Clerk of Council

Ordinance No. 2020 - 24

**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:

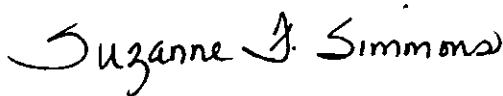
1. All actions of Council in the Emergency Ordinance and the provisions of such ordinance are **RATIFIED, CONFIRMED AND AFFIRMED**, including without limitation, the **CONTINUITY OF GOVERNMENT** provisions of such ordinance, which are expressly reenacted until January 15, 2021, in accordance with, and 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: September 24, 2020
Effective Date: September 24, 2020
Expiration Date: As provided



Andrea W. Oakes, Mayor



ATTEST: _____
Suzanne F. Simmons, Clerk of Council

Ordinance No. 2020 - ____

**AN UNCODIFIED EMERGENCY ORDINANCE
RERATIFYING, RECONFIRMING AND REAFFIRMING
UNCODIFIED EMERGENCY ORDINANCE 2020-04
AND
EXTENDING THE TIME OF REENACTMENT**

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 15,000,000 COVID-19 cases in the United States, with the number of deaths continuing to increase;

I. The Central Shenandoah Health District has reported a sharp increase in COVID-19 cases locally, with an increase from an average prior to Thanksgiving of 700-800 cases per week to an average in mid-December of 2,000 cases per week, and a correlated increase in local hospitalizations;

45 **J.** Outbreaks of COVID-19 cases are occurring in both community and
46 congregant settings, with an additional peak expected beginning in January due to travel
47 and gatherings during the holiday season;
48

49 **K.** The increase in cases subsequent to Thanksgiving resulted in the
50 implementation of new measures by the Governor and advice by public health
51 professionals to continue mitigation measures (e.g., face coverings, distancing and hand
52 washing);
53

54 **L.** Though in December the state embarked on the delivery of vaccinations,
55 because it is estimated that 70% participation will be required to develop herd immunity
56 and it is unclear whether the vaccination will protect from transmission, those vaccinated
57 are encouraged to continue to observe mitigation measures;
58

59 **M.** § 15.2-1413 of the Code of Virginia authorizes any locality to, by ordinance,
60 provide a method to assure continuity in its government in the event of a disaster;
61

62 **N.** On March 24, 2020, City Council adopted uncodified emergency Ordinance
63 2020-04 (the “Emergency Ordinance”), reratifying and reaffirming the declaration of a
64 local emergency and disaster due to novel coronavirus; implementing emergency
65 procedures to ensure continuity of government; ratifying and affirming the city manager’s
66 authority and exercise of authority and discretion in taking actions in the best interest of
67 the City; and authorizing the city manager to take actions to implement the provisions of
68 the ordinance;
69

70 **O.** On September 24, 2020, City Council adopted uncodified emergency
71 Ordinance 2020-24, ratifying, confirming and affirming uncodified emergency Ordinance
72 2020-04 and reenacted the continuity of government provisions of such ordinance until
73 January 15, 2021;
74

75 **P.** The Health Director of the Central Shenandoah Health District has
76 communicated to the City Manager her endorsement, given current and expected
77 conditions, of the continuation of authority to conduct electronic communications meetings
78 until the middle of calendar year 2021;
79

80 **Q.** City Council continues to recognize, confirm, affirm, and find that
81 emergency and disaster conditions and effects existed and continue to exist and the
82 occurrence and/or threat of COVID-19 continues to merit and even necessitates action by
83 City Council to provide for methods to help assure sustained continuity in local government
84 as to the City and its related public bodies, officials and others, and proceedings;
85

86 **R.** This matter has been properly heard and considered; and
87

88 **S.** These recitals are deemed an integral part of this ordinance.
89

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, RECONFIRMED AND REAFFIRMED**, including without limitation, the **CONTINUITY OF GOVERNMENT** provisions of such ordinance, which are expressly reenacted until _____, 2021, 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:	January 14, 2021	Councilmember Brenda Mead
Item #	5	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Timing and Format of City Council Retreat	

Background: At the request Councilmember Brenda Mead, this item has been added to Council's work session agenda for January 14, 2021, for discussion.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Councilmember Brenda Mead
Item #	6	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Access to Nominations Committee Meetings	

Background: At the request Councilmember Brenda Mead, this item has been added to Council's work session agenda for January 14, 2021, for discussion.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	City Council
Item #	7	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Closed Meeting for: (i) Discussion of Possible Acquisition of Real Property Within the City; (ii) Discussion of Prospective Candidates for Interim City Attorney; (iii) Discussion of Prospective Candidates for City Attorney; (iv) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such Counsel Pertaining to Legal Considerations and Discussion Involving Specific Pending Litigation/Claims; and (v) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such Counsel Pertaining to Legal Considerations and Discussion Involving Specific Land Use and Development Matters	

Suggested Motion: I move that Council enter a closed meeting for: (i) discussion of possible acquisition of real property within the City, where discussion in an open meeting would adversely affect the public body's bargaining position or negotiating strategy pursuant to Virginia Code Section 2.2-3711(A)(8), (ii) discussion of specific prospective candidates for employment or appointment as possible interim city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1); (iii) discussion of specific prospective candidates for possible employment or appointment as city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1); (iv) consultation and discussion with legal counsel requiring the provision of legal advice by such counsel pertaining to specific pending litigation/claims, pursuant to Virginia Code Section 2.2-3711(A)(8); and (v) consultation and discussion with legal counsel requiring the provision of legal advice by such counsel pertaining to specific land use and development matters, pursuant to Virginia Code Section 2.2-3711(A)(8).

Second. Discussion. Vote – Clerk of Council to poll members of Council.

After the closed meeting: I move that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

Second. Discussion. Vote – Clerk of Council to poll members of Council.



CITY OF STAUNTON, VIRGINIA

Proclamation

Deputy K9 Cara

- WHEREAS,** Deputy K9 Cara's end of watch was December 21, 2020 in the line of duty; and
- WHEREAS,** in November 2018, Deputy K-9 Cara and then Deputy Ryan Insana officially started in the City of Staunton's Sheriff's Office after an intensive five-week training session where both were trained and certified in the proper techniques and tactics to safely locate explosives and explosive related materials; and
- WHEREAS,** Deputy K9 Cara and her partner Captain Ryan Insana were often called to assist surrounding jurisdictions in locating possible explosive devices and firearms; and
- WHEREAS,** Deputy K9 Cara was known for her friendly demeanor, never meeting a stranger, not having a mean bone in her body and her love for everyone, especially the children she encountered.

NOW, THEREFORE, BE IT PROCLAIMED, by Staunton City Council that we do hereby honor the life and service of

Deputy K9 Cara

and **BE IT FURTHER PROCLAIMED,** that our great respect and sympathies are extended to her handler and partner Captain Ryan Insana and his family, and the City of Staunton Sheriff's Office.

ANDREA W. OAKES, MAYOR

ATTEST: _____

CLERK OF COUNCIL

SPECIAL MEETING OF STAUNTON CITY COUNCIL**Tuesday, December 1, 2020****7:30 p.m.****Rita S. Wilson Council Chambers**

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull
 R. Terry Holmes
 Brenda O. Mead

ALSO PRESENT: **Steven Rosenberg, City Manager**
 Leslie Beauregard, Assistant City Manager
 Suzanne F. Simmons, Clerk of Council

Mayor Oakes called the meeting to order: Mayor Oakes stated, "As Mayor I call this meeting of Staunton City Council to order. I note that this meeting is being broadcast over the City's cable channel and streamed lived on the City's website so that members of the public may hear our meeting. The meeting is also being recorded."

Mayor Oakes asked the Clerk of Council to call the roll for confirmation of those Council members present for today's meeting.

Clerk of Council Call the Roll of Council Members Present:

Mayor Oakes	aye	Vice Mayor Robertson	aye
Ms. Darby	aye	Ms. Dull	aye
Mr. Holmes	aye	Ms. Mead	aye
Mr. Claffey	aye		

Mayor Oakes asked that City Manager Steve Rosenberg note the participation of any City officials or colleagues, or anyone else, during today's meeting by Zoom or telephone.

Mr. Rosenberg stated Council members Dull and Mead were participating on the Zoom platform, as well as Craig Wood with the law firm McGuire Woods. All other City officials were present in Chambers.

Background Statement:

Mayor Oakes stated "Please let me mention that notice, reasonable under the circumstances, of this meeting has been given to the public contemporaneously with the notice provided to members of City Council. In addition to limited public seating in city hall, access to this meeting has been provided to the public by audio feed on the City's cable channel and the City's website. Since this meeting includes a work session and a closed meeting, there will be no opportunity for public comment."

“Also, let me highlight and have reflected in the meeting minutes that this meeting, although being conducted in person, is also being conducted by Zoom, with virtual participation of certain members of City Council, given the catastrophic nature of the declared emergency and disaster related to the Covid-19 outbreak, which as part of the total circumstances makes it impracticable or unsafe to assemble in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04, as extended by City Council Ordinance No. 2020-24.”

Mayor Oakes stated for the meeting, a closed meeting would be held first followed by an open work session.

SPECIAL MEETING

A. Closed Meeting for: (i) Discussion of Possible Acquisition of Real Property Within the City; (ii) Discussion of Prospective Candidates for Interim City Attorney; and (iii) Discussion of Prospective Candidates for City Attorney

Mr. Holmes moved that Council enter a closed meeting for: (i) discussion of possible acquisition of real property within the City, where discussion in an open meeting would adversely affect the public body's bargaining position or negotiating strategy pursuant to Virginia Code Section 2.2-3711(A)(8), (ii) discussion of prospective candidates for employment or appointment as interim city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1); and (iii) discussion of prospective candidates for employment or appointment as city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye		

Mr. Holmes moved that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

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

Ms. Mead	aye	Ms. Dull	aye
Mr. Holmes	aye	Ms. Darby	aye
Mr. Claffey	aye	Mayor Oakes	aye
Vice Mayor Robertson	aye		

B. Work Session to Discuss the Possible Recruitment and Appointment of an Interim City Attorney

97
98 Mayor Oakes stated Council's discussion in the closed meeting had dispensed with the need for a
99 work session to discuss an interim City Attorney. She noted it was her understanding that Vice
100 Mayor Robertson had a topic that he would like to bring up.

101
102 Vice Mayor Robertson stated he would like to ask for the approval of Council. He stated it had
103 come to his attention, and even himself, that he was having trouble last night trying to get in to
104 his email and to the City's website and look at items as far as related to City Attorney. He stated
105 he understood that there was an attorney and/or some attorneys that were trying to get on and were
106 having some technical difficulties.

107
108 Vice Mayor Robertson stated he would like to make a motion that Council extend the timeline for
109 7 days (one week) and then it would then be closed permanently for that job.

110
111 The motion was seconded by Ms. Darby.

112
113 Ms. Mead stated Council said it would be November 30, 2020 and dates seem to be very important.
114 She noted she thought that if Council were going to extend it for one attorney or two attorneys,
115 that 7 days seemed to be excessive and that Council should not extend it for more than 24 hours.

116
117 Vice Mayor Robertson stated he was OK with that. He stated he just wanted to be fair to the
118 attorney or attorneys that had some technical difficulties. He stated if Ms. Mead was agreeable to
119 24 hours, he would be agreeable to 24 hours. He noted he would like to amend his motion.

120
121 Vice Mayor Robertson moved to amend the motion that Council extend the application process by
122 24 hours.

123
124 Jon Venn, Chief Human Resources Officer, stated the closing date on the application was at
125 11:59:59 p.m. on November 30, 2020; therefore, it would need to be reopened as it was technically
126 not being extended.

127
128 Vice Mayor Robertson moved to reopen the application process and close it at 11:59:59 p.m. on
129 December 2, 2020.

130
131 Mr. Holmes questioned if this would affect City Council setting up any appointments with other
132 applicants.

133
134 Mr. Venn stated that would not be affected. He noted that it would not be 24 hours if he went
135 home that evening and extend it back, it would be less. He stated it would close at midnight
136 December 2, 2020 at 11:59:59 p.m.

137
138 Mayor Oakes called for a point of clarification. She asked Vice Mayor Robertson to restate his
139 amended motion.

140
141 Vice Mayor Robertson moved that City Council reopen the application process to the City
142 Attorney's position to close at midnight on December 2, 2020, no later than midnight.

143

144 Mayor Oakes asked Ms. Darby if she agreed to withdraw her original second and second this
145 motion.

146
147 Ms. Darby stated she did agree.

148
149 Ms. Mead asked Mr. Venn if the technical difficulties had been resolved.

150
151 Mr. Venn stated on his end there were no technical difficulties. He stated he could not speak to
152 individual applicants getting on there. He stated it could have been a browser issue, but he didn't
153 know specifically.

154
155 Ms. Mead questioned if it was a technical issue on the City's website or a technical issue on the
156 part of a potential applicant.

157
158 Mr. Venn stated it had not been brought to his attention that there was a system-wide issue.

159
160 Vice Mayor Robertson stated he'd had a problem, but noted that he was not the most
161 technologically advanced person. Discussion ensued.

162
163 Ms. Mead stated it seemed like Council was making some special concession for some specific
164 individual.

165
166 Vice Mayor Robertson stated he was just trying to be fair to the process and give that person time
167 to try and resolve that issue.

168
169 Mr. Holmes stated if wasn't that hard for Mr. Venn to reopen it, then go ahead.

170
171 Mr. Venn stated it was not difficult at all for him to reopen it up. He noted he wouldn't get to it
172 this evening, but it would be reopened and closed tomorrow night at 11:59:59.

173
174 Mayor Oakes questioned if during that extended time, there was the potential that other
175 applications could be received.

176
177 Mr. Venn asked Council to keep in mind that where the City advertised on at least five different
178 organizations, he would not be reaching back out to them. He noted there wasn't enough time to
179 do that. He stated it would only be open on the City of Staunton's employment website.

180
181 Ms. Mead clarified that the City was reopening the employment opportunity for some unnamed,
182 unknown person who waited until the last minute to get on the website. She stated it was not
183 known how many others might have waited until the last minute and had "technical difficulties".
184 She stated she was really not comfortable with that. She stated it seemed that Council was making
185 an unfair exemption for a particular person, who as she said, waited until the last minute, and then
186 couldn't figure out how to do it.

187
188 Mayor Oakes asked if it were possible to post something on the City's website that it had been
189 reopened for "x" amount of hours until 11:59 p.m. December 2, 2020.

190

Mr. Holmes questioned if this would put the City in any kind of position where they were violating any kind of laws as far as employment.

Mr. Venn stated Council had the right to reopen it if they wished to do so. He stated he felt it would be cumbersome and would need to work with the IT Department and figure out how and where they would put that advertisement on the City's website and not at the Human Resources employment website, and that was what he was hearing Council say. He noted the easiest would be on the employment website, but stated someone would have to know it was there and would have to intentionally go there and have knowledge that it was reopened through tomorrow night.

Mayor Oakes stated in order to be fair, it would be her belief that it should go on the City website then. She stated she needed a point of clarification again. She questioned what time it would shut down permanently - at what time and what day again.

Mr. Venn stated tomorrow night he believed the system shut down at approximately 11:59:59 p.m. He noted it would close on midnight December 2, 2020. Discussion ensued. Mr. Venn questioned if Council would like for him to work with IT to find somewhere on the City's website, in addition to the employment website, that stated the position was being reopened through midnight on December 2, 2020.

Vice Mayor Robertson asked that it be done.

Mayor Oakes asked that Vice Mayor Robertson state his motion one more time. She asked that he include in the motion, if it was the will of that Council, to instruct Mr. Venn to advertise it on the City website.

Vice Mayor Robertson moved that, if it be the will of City Council, that they reopen the application process for City Attorney on the City website and the employment website until 11:59:59 seconds on December 2, 2020.

The motion carried as follows:

Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	no
Ms. Mead	no	Ms. Darby	aye
Mr. Holmes	aye		

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 10:10 p.m.

Suzanne F. Simmons
Clerk of Council

SPECIAL MEETING OF STAUNTON CITY COUNCIL**Tuesday, December 8, 2020****8:15 a.m.****Electronic Communications Meeting**

PRESENT: **Mayor Andrea W. Oakes**
 Mark A. Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull
 R. Terry Holmes
 Brenda O. Mead

ALSO PRESENT: **Leslie Beauregard, Acting Clerk of Council**

Ms. Darby moved that Leslie Beauregard be appointed as Acting Clerk of Council for the recordation of the proceedings of Council in its special meeting of December 8, 2020, and that she be authorized and directed to sign and execute such documents as are necessary and proper regarding the presence of Council members, a quorum, consideration and voting.

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

Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye		

Mayor Oakes called the special called meeting to order: Mayor Oakes called this electronic communications meeting of Staunton City Council to order. She noted that this meeting is being convened with City Council members using the Zoom platform, broadcast over the City's cable channel, and streamed live on the City's website so that members of the public may hear the meeting. The meeting is also being recorded.

Mayor Oakes asked the Clerk of Council to call the roll for confirmation of those Council members present for today's meeting.

Clerk of Council Call the Roll of Council Members Present:

Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye		

Mayor Oakes asked that Assistant City Manager Leslie Beauregard note the participation of any City officials or colleagues, or anyone else, during today's meeting by Zoom or telephone.

Ms. Beauregard stated that Chief Human Resources Office Jon Venn was also participating on the Zoom platform.

Background Statement:

Mayor Oakes stated “Please let me mention that notice, reasonable under the circumstances, of the electronic communications nature of this meeting has been given to the public contemporaneously with the notice provided to members of City Council. This meeting has also been publicized on the City’s website. Access to this meeting has been provided to the public by audio feed on the City’s cable channel and the City’s website. During this meeting, there will be no opportunity for public comment.”

“Also, let me highlight and have reflected in the meeting minutes that this meeting is being conducted by Zoom, given the catastrophic nature of the declared emergency and disaster related to the COVID-19 outbreak, which as part of the total circumstances makes it impracticable or unsafe to assemble a quorum in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04, as extended by City Council Ordinance No. 2020-24.”

Mayor Oakes stated that the purpose of the meeting today was for City Council to discuss and interview candidates for the position of City Attorney. Shortly, Council will convene a closed meeting during which discussions and interviews will be conducted. Closed meetings are not broadcast or streamed live. It is anticipated that Council will recess during the closed meeting at several times during the day, particularly though not exclusively between interviews, and is not expected to reconvene in an open meeting until late this afternoon. When Council does so reconvene in an open meeting, the meeting will again be broadcast and live streamed until adjournment.

SPECIAL MEETING

A. Closed Meeting for: (i) Discussion of Possible Acquisition of Real Property Within the City; (ii) Discussion of Prospective Candidates for Interim City Attorney; and (iii) Discussion of Prospective Candidates for City Attorney

Vice Mayor Robertson moved that Council enter a closed meeting for discussion and interviews of prospective candidates for employment or appointment as city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye		

Mr. Claffey moved that Council reconvene in an open meeting and certify to the best of each member’s knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

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

Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye	Ms. Mead	aye
Ms. Darby	aye		

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 4:20 p.m.

Leslie Beauregard
Acting Clerk of Council

City Council
WORK SESSION
December 10, 2020
5:00 p.m.

Council Members Present: Mayor Oakes, Vice Mayor Robertson, Council Members Claffey, Darby and Holmes. Participating by Zoom platform were Council Members Dull and Mead.

Mayor Oakes called the meeting to order: Mayor Oakes called the meeting of Staunton City Council to order. Mayor Oakes noted that the meeting was being broadcast over the City's cable channel and streamed live on the City's website so that members of the public may hear our meeting. The meeting was also being recorded.

Mayor Oakes asked the Clerk of Council to call the roll for confirmation of those Council members present for today's meeting.

Clerk of Council Call the Roll of Council Members Present:

Vice Mayor Robertson	absent	Ms. Mead	aye
Ms. Dull	aye	Mr. Claffey	aye
Mr. Holmes	aye	Mayor Oakes	aye
Ms. Darby	aye		

City Manager Identifies City Officials Present:

Mayor Oakes asked City Manager, Steve Rosenberg, to note the participation of any City officials or colleagues, or anyone else, during today's meeting by Zoom or telephone.

Mr. Rosenberg stated Council members Dull, Holmes, and Mead were participating on the Zoom platform. Additionally, on Zoom, were Senator Emmett Hanger, City employees, Cindy Fitzgerald and Rodney Rhodes, and Kate Molinaro and Jessica, Lerz lawyers with the City's consultant, Morgan Mullen and Lonergan associates. Also, participating was Craig Wood with McGuire Woods.

Background Statement:

Mayor Oakes stated "Please let me mention that notice, reasonable under the circumstances, of this meeting has been given to the public contemporaneously with the notice provided to members of City Council. In addition to limited public seating in city hall, access to this meeting has been provided to the public by audio feed on the City's cable channel and the City's website. During this work session, as in the past, there will be no opportunity for public comment. Public comment will be received during Council's regular meeting, which will begin at 7:30 p.m. Instructions for public comment by telephone can be found on agenda for the regular meeting and on Council's website at: www.ci.staunton.va.us/government/city-council.

Also, let me highlight and have reflected in the meeting minutes that this meeting, although being conducted in person, is also being conducted by Zoom, with virtual participation by certain members of City Council, given the catastrophic nature of the declared emergency and disaster related to the Covid-19 outbreak, which as part of the total circumstances, makes it impracticable

or unsafe to assemble in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04, as extended by City Council Ordinance No. 2020-24.”

Mayor Oakes asked that the Clerk of Council record Vice Mayor Robertson as being present for the meeting.

Mayor Oakes requested citizens to wear a mask while in City Hall and Council Chambers.

1. Consideration of Work Session and Regular Meeting Agendas

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

Mr. Claffey moved to approve the Work Sessions agenda and the Regular Meeting agenda as presented.

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

Mayor Oakes	aye	Ms. Dull	aye
Ms. Mead	aye	Mr. Claffey	aye
Mr. Holmes	aye	Ms. Darby	aye
Vice Mayor Robertson	aye		

2. Discussion of the City’s 2021 Legislative Program with Senator Emmett W. Hanger, Jr. and Delegate John Avoli

Mayor Oakes thanked Senator Hanger and Delegate Avoli for attending the meeting. She stated she had several comments that she was going to read and then would open up the meeting for discussion.

“Once again, welcome and thank you Senator Hanger and Delegate Avoli for coming to the work session to discuss the city of Staunton’s 2021 legislative priorities. You both received the legislative program that City Council will discuss and finalize at our regular meeting later this evening. The plan for our time this evening is not to talk about or mention every single item in the program, but to cover some broad themes and especially new items that are included for this year.

The 2021 Legislative Program reflects both previous priorities that have not been addressed by the General Assembly, but are as important as ever, and new priorities that the City Council have identified as needing attention at this time. There are some broad themes that remain true year after year. The Governor and the 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 the local governments
- Impose state fees, taxes or surcharges on local government services
- Place additional unfunded mandates and other administrative burdens on local governments

The legislative program also covers several items in these stated priority areas and again, this is meant to simply highlight some, but not necessarily to go into an in-depth conversation. Some of these topics are old and some of them are new ones.

Education

The General Assembly should fully fund public education, including all mandated programs, the Virginia Preschool Initiative, Standards of Quality funding, construction and renovation funding, and provide for flexibility and the use of those funds to meet unique local needs.

Health and Welfare

There are several items that fall under Health and Welfare, including prioritization of funding for pediatric cancer research and establishment of new state efforts to tackle the opioid epidemic.

A critically important item, and the second year this has been in our legislative package, is related to the mental health of our first responders. Trauma and PTSD are realities in the lives of all first responders, yet vital funding to implement the required programs did not follow the mandates that were adopted in 2018. City Council requests that the General Assembly add funding that can be accessed by localities in order to better offer vital services, including access to providers who specialize in the needs of first responders and much needed training.

Transportation

City Council supports a Primary Seatbelt Law, and any efforts to reduce truck traffic on Interstate 81. City Council also 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.

Middle River Regional Jail

Staffing needs at the Regional Jail continued to be a priority and while we appreciate the additional five emergency jail officer positions added for FY 2021, additional positions are still necessary to appropriately supervise inmates.

Second, the Middle River Regional Jail is planning an expansion project which was presented to the Commonwealth of Virginia Board of Local and Regional Jails earlier this year. The Board approved the plan and requested funding from the state. The City requests that funding for the expansion be approved during the 2021 General Assembly session.

Economic Development

One new item related to the Conflicts of Interest Act changes made during the 2020 session. The City of Staunton supports the need for transparency and believes that the need must be balanced with any additional disclosure requirements on citizen volunteers to ensure that economic development authorities and industrial development authorities continue to operate with interested, knowledgeable and well qualified volunteers.

Other New Items Include:

The City of Staunton supports the position that any proposed changes to the Virginia Freedom of Information Act legislation be sent to the FOIA Advisory Council for an analysis and recommendations prior to General Assembly consideration or enactment.

The City of Staunton supports increased funding for the statewide network of planning district commission and regional councils.

The Virginia General Assembly should strengthen and must maintain the principles of sovereign immunity for local governments and their officials.

On behalf of City Council and the citizens of Staunton, I want to thank you for representing the interests of our community and region. We will certainly stay in touch during and after the legislative session and now welcome a discussion with you about the City's priorities and your priorities, you hope to carry with you this session.”

Mayor Oakes asked if Council members had any topic of interest that they would like to either discuss or just ask questions of the representatives.

Mr. Claffey stated he had questions regarding Economic Development revisions on page 5 and 6. He stated with all of the revisions that were passed on Item 3, he wondered if it were possible to simplify the little change in wording. He proposed that it state the 2020 General Assembly approved amendments to 2.2- 3115 of the state and local government Conflict of Interest Acts may have created a major deterrent to continued participation by citizen volunteers on local in Industrial Development Authorities and Economic Development Authorities. He stated the City of Staunton supported the need for transparency, but also wished to ensure further disclosure requirements were not placed on volunteers who wished to serve on Economic Development Authority, or Industrial Development Authorities, period. Mr. Claffey stated he was just trying to clarify that because he understood that somebody had crossed out the honors disclosure requirements and was trying to simplify the vocabulary to say that the City of Staunton wanted to see nothing further and had been aware already. He stated candidates for the Economic Development Authority were reluctant to join the organization because of the disclosure requirements. He asked to keep it simple, and noted there were plenty of disclosure requirements already in place.

Mayor Oakes asked Mr. Claffey if he was putting that in the form of a motion.

Mr. Claffey stated he would like to.

Vice Mayor Robertson stated he would second that.

Mayor Oakes asked if there was any further discussion.

Mr. Rosenberg suggested that the appropriate time to make those changes would be when Council actually considered the entire program for adoption during the regular meeting.

Mayor Oakes asked Mr. Claffey if he wanted to withdraw his motion.

Mr. Rosenberg stated Mr. Claffey could make a motion to approve the resolution and then he could state precisely how he would like to see it appear.

Vice Mayor Robertson asked Senator Hanger and Delegate Avoli if they'd had a chance to review the proposed revision and what were their feelings.

Senator Hanger stated if Vice Mayor Robertson was referring specifically to the conversation just held and the proposed revision, he would agree with that proposal and that the clarification would be good.

Delegate Avoli stated he was on Senator Hanger's side and felt it was at the point where it might deter people from running for, or applying for office, whether boards or commissions, and even running for office. He stated he was in support of the proposed changes.

Ms. Dull questioned if Council could be assured that if someone was proposing a bill, specifically to address Staunton property, Staunton ordinances, or anything like that, that Council be notified before a vote was taken.

Senator Hanger stated he would be willing to do that. He noted the situation that Council had here over the last couple of years had been a little bit convoluted and that they were all aware of that, but it was not a typical thing that was done in Richmond. He stated it was generally done in a more-broad sense.

Delegate Avoli stated his answer was very succinct, and was "yes."

Ms. Dull thanked them and stated that it hadn't happened in the past.

Mayor Oakes stated one point of interest for her was the fact that less than 4% of funding for cancer research went towards pediatric cancer. She asked if Senator Hanger and Delegate Avoli would support increasing the funding for research for pediatric cancer.

Senator Hanger stated he would support that and had entertained the budget amendment last year in addressing health, specifically behavioral health, mental health, and other areas of health.

Delegate Avoli stated he concurred with Senator Hanger. He noted it was about getting people together, other than the city of Staunton, for this legislation, and it would help going through Virginia Municipal League or other people if they could get a consortium on that. He noted it was a problem statewide and nationally, and it needed to be addressed.

Ms. Mead stated she was interested in efforts to reform the judicial system that would reduce the populations of inmates in prisons and jails in Virginia. She noted the issue of overcrowding had been greatly exacerbated by COVID-19. She asked if they were interested in efforts to reform the judicial system. Ms. Mead stated legalizing marijuana would be one of those things that might reduce inmate populations, but we're faced with a significant expense in the very near future, on

the Middle River Regional Jail (MRRJ), because that jail is extremely overpopulated. She questioned if they thought there were opportunities to use judicial reform as a means of reducing overpopulation in the jails.

Senator Hanger stated during the special session there were a number of pieces of legislation that dealt with judicial reform. He stated he was very supportive of jail diversion and they needed to look at the people that were entering the jail and have drug courts. He noted the City had a good drug court in Staunton. He stated another area was appropriate treatment for people with mental illness and behavioral health issues that ended up in jails. He further explained the Step Virginia program and the recently passed bill called the Marcus Alert system. Senator Hanger stated he didn't support decriminalizing marijuana, but instead needed to deal more adequately with what caused the problem. He stated he did support the medical use of marijuana.

Delegate Avoli stated as a longtime educator, former high school principal and with years at the current Technical Center, one of the best initiatives that had happened in Virginia was through First Lady Northam - the Early Childhood Initiative, which he championed and supported 100%. He stated he agreed with Senator Hanger and would rather build school buildings than jails. Delegate Avoli stated he did not support the legalization of marijuana, but did support medical use.

Ms. Mead asked Delegate Avoli for clarification about him stating that people were using the jail as a hotel.

Delegate Avoli stated they weren't using the jail as a hotel, but instead there was a sentencing process that was creating a situation where young people with minimal offenses leave to go work for public entities and return in the evening to the jail. He stated his question was if additional rooms were built at the jail, would that create that situation? He stated he felt the diversion program was the better alternative.

Mayor Oakes thanked Senator Hanger and Delegate Avoli for all of their hard work that they were doing to represent the City of Staunton.

This will be Item A on the Regular meeting agenda.

3. Presentation by Valley Community Services Board

Dr. Kimberley McClanahan, Executive Director of Valley Community Services Board (VCSB), noted she was also joined by Deborah Pyles, Vice Chair, as well as Rita, a consumer of VCSB's services.

Dr. McClanahan stated community service boards work for the people in four localities, who really have the greatest needs in terms of serious mental illness, serious emotional disturbance for children, serious substance use disorders developmental and intellectual disabilities. CSBs are the single point of entry into the public mental health system. She noted Staunton was about 20% of the total population of the four localities. In FY 2020, VCSB served 1,143 Staunton residents and that was out of a total of 3,625 residents. She noted they provided 35,955 services in FY 2020. VCSB is considered to be a medium budget, community service board with a budget between \$19-35 million.

Dr. McClanahan stated that in years past, the formula for VCSB's budget request from the City is for 10%. She noted at the end of September 2020, VCSB was running a surplus of \$110,000 for the year. She noted a new CFO had been hired two months ago. She stated according to their contract with the state, they have to have at least two months of operating capital.

Mayor Oakes asked Council members if they had any questions.

Ms. Mead stated that was a much better report than she would have expected to hear at that point in time. She asked Dr. McClanahan if the improvement in their finances were due to cost cutting or was VCSB collecting revenues and fees for services more efficiently than had been done in the past.

Dr. McClanahan stated she would answer that both were true. She noted some programs had been closed and lost some staff. She noted VCSB had done a better job of doing their billing, getting pre-authorizations, getting the billing out the door, getting clean billing, and getting the money back in the door.

Vice Mayor Robertson asked Dr. McClanahan, with that increased revenue, was VCSB planning on possibly reinstituting some of the closed programs.

Dr. McClanahan stated VSCB hoped to, but would still need time to see what's in the Medicaid array of services in the state of Virginia, that they can capitalize on. She stated that she knew the Clubhouse was another one and would look into. She stated they were looking at areas to expand or change as well as school-based programs in particular.

Vice Mayor Robertson asked if VCSB was working with or dealing with methadone.

Dr. McClanahan stated VCSB did not use methadone, but did use Suboxone. She stated the client, Rita, would talk about that program when telling her story.

Mayor Oakes stated in Council's 2021 legislative program they had an item on behavioral health and development disability, under number four - the Valley Community Services Board had proposed to community Crisis Center, and that Council was pushing for our representatives at the state level to support this community crisis center.

Dr. McClanahan stated crisis stabilization units were wonderful and they're a great step up or step down. She stated she would be happy to return to Council in January 2021 to discuss further.

Rita Summers, gave a presentation to Council regarding treatment and services she had received from VCSB.

Mayor Oakes stated VCSB was essential to the community and the City of Staunton.

4. Discussion of FY2019 Consolidated Annual Performance and Evaluation Report Relating to the Community Development Block Grant Program of the U.S. Department of Housing and Urban Development for the City of Staunton as a HUD Entitlement Community

Billy Vaughn, Director of Economic Development, stated this item was for Council's consideration of the HUD-required Consolidated Annual Performance and Evaluation Report (CAPER) for the City's first year as a HUD entitlement community. He noted Jessica Lerz, HUD consultant, would provide a summary of the report provided to Council.

Ms. Lerz stated the City became a HUD entitlement community in 2019 and started receiving community development block grant funds. She noted the City looked at using some of those dollars for public service activities, public infrastructure projects, administrative costs, and some housing rehabilitation costs. Ms. Lerz stated the City's 2019 program started on October 1, 2019 and ended September 30, 2020. She explained Miller and Longeran Associates started working on helping get sub-grantees and sub-recipients learn how to utilize federal dollars, regulations and requirements, as well as provided training. In March, 2019, many projects had to be put on hold due to the Covid-19 pandemic.

Ms. Lerz stated during this project period, 197 residents were assisted with public services. Those ranged from Meals on Wheels, to transportation for seniors, and working with Blue Ridge CASA, and also six housing units were identified for the housing rehab program, but had to be halted due to the pandemic. During that time, the City also started to receive additional CARES Act funds and were able to make a couple of accomplishments using those dollars. She noted there was assistance to homeless shelters to expand capacity for shelter, so that people who are experiencing homelessness, could be sheltering and practicing social distancing. There were rental and utility assistance programs created with the Salvation Army and other programs. There was also food assistance provided for the Salvation Army, and more education and prevention around Covid-19. She noted those particular CARES Act funding activities would be reported at a different time to HUD. Ms. Lerz stated they would be asking for approval on the CAPER tonight and then would be reporting that to HUD. She noted that had to be sent to HUD by the end of December.

Mayor Oakes asked Council members if they had any questions.

Mr. Claffey stated on page 17 of the report it noted public service was 38% in General Administrative and Planning was \$70,000 which was 72% of the total expenditure. He noted it then stated that the City was in compliance with the 20% two-part administration test and asked for clarification. He stated that it looked like almost \$71,000 was spent for General Administration and Planning, which concerned him when only \$26,000 was spent in public services. He asked for an explanation on how that was in compliance.

Ms. Molinaro, representative with Miller & Lonergan Associates, stated HUD has a limit on how much of the City's grant could be obligated and how much could be expended for administrative costs. She noted that was where the two-part test came in. She noted the \$70,886.60 was 20% of the City's total grant award for the 2019 year. She stated 20% of the grant could be obligated for administrative expenses and was called the origin test. Of the City's grant, up to 20% of the grant could be obligated for administration for a cost of \$70,886.60. Likewise, the City can only expend 20% of your total expenditures on that grant for administration. Due to the way the pandemic hit, HUD had granted some waivers for the way the City's expenditures work and why the City is able to stay in compliance with both parts. As this is the City's first year in the program, she explained it was a startup year and wasn't unusual to have a heavy administration expense in that first year.

She stated that \$70,000 were the costs that the City incurred to hire a consulting firm that prepared their five-year Consolidated Plan. She stated they had also prepared some environmental review records to keep the City in compliance, conducted a lot of training for both City staff as well as City sub recipients. She stated all of those things that the City was required to do to start up its CDBG program were included in that \$70,000 administrative fee.

Mr. Claffey asked if the City had a build-up now and would be allowed to spend more money that wasn't able to be spent this year because of the pandemic that shut everything down since March. He stated the period ran from October 1, 2019 to September 30, 2020; therefore, the period was complete yet the City only spent \$26,000 on public services. He asked if there was any excess money that the City could look forward to receiving next year.

Ms. Molinaro stated she did not have the total amount of the City's grant in front of her, but whatever remained unspent of the City's total 2019 grant was available for the City to spend in future program years.

Mr. Claffey asked if that would be spent without administrative expenses since the City had already incurred all of the administrative expenses.

Kate noted the City would get another administrative allocation out of its 2020 grant that could be used to administer both 2019 and 2020 funds.

Mr. Vaughn stated the City's FY 2019 budget was \$352,000. He explained a lot of the proposed projects that were earmarked for FY 2019, but were not started because of the pandemic. He noted a significant amount of paperwork had been started by Miller & Loneragan Associates, as well as City staff. Mr. Vaughn stated he would provide a breakdown to Council.

Council members did not have any further questions.

This will be Item B on the Regular meeting agenda.

5. Discussion of Ordinance Authorizing One-Time Payments to City of Staunton Employees

Mr. Rosenberg stated staff had detailed in the agenda briefing a proposal to provide one-time payments to City employees. He stated, in consultation with the City Attorney, it was determined that these might be more commonly referred to as bonuses and the state code requires that the award of bonuses be approved by the governing body of the locality.

Mr. Rosenberg stated the item before Council was for a proposed ordinance that provides for varying amounts to be paid for different classes of employees in recognition, in part, for their efforts during the pandemic and also accounting for the fact that the City had been unable to

provide any salary increases to employees in the current fiscal year. He noted those increases were eliminated when the budget was adopted by City Council in May, 2019.

Mr. Rosenberg stated the proposed ordinance provides for different treatment to certain employees as detailed below:

- Full-time Police, Fire-Rescue, Public Works, Parks Maintenance, and Sheriff's office employees employed as of December 10, 2020, are eligible for the following payments:
 - \$1,250 if hired on or before July 31, 2020
 - \$625 if hired between August 1, 2020 and November 14, 2020, both inclusive
- All other full-time employees employed as of December 10, 2020, are eligible for the following payments:
 - \$1,000 if hired on or before July 31, 2020
 - \$500 if hired between August 1, 2020 and November 14, 2020, both inclusive
- Each part-time employee will receive an amount based on the number of hours actually worked by the part-time employee between March 22, 2020 and November 14, 2020, both inclusive.
- A part-time employee employed by the City prior to August 1, 2020, involuntarily terminated by the City in response to the public health emergency, and rehired by the City on or after August 1, 2020, for these purposes will be deemed employed by the City as of the employee's original hire date.
- No payment if hired on or after November 15, 2020.
- Constitutional officers and their employees included in the city's employment classification system pursuant to a memorandum of agreement with the city (which currently include the offices of Clerk of the Circuit Court, Commissioner of the Revenue, Sheriff and Treasurer) are eligible for one-time payments. The Sheriff and employees in the Sheriff's Office are eligible for the same payments as Police, Fire-Rescue, Public Works and Parks Maintenance employees; others are eligible for the same payments as all other employees.

If the ordinance is adopted by City Council, payment will be included in the December 18 payroll.

Mayor Oakes asked Council members if they had any questions.

Ms. Mead stated it was mentioned that those amounts were less than those that had been announced by other localities. She asked Mr. Rosenberg what approximately was the difference.

Mr. Rosenberg stated it varied considerably. He stated Augusta County was paying \$2,500 to each employee across the board with no distinction being made between Public Safety and other employees. He stated the counties in the Commonwealth had been less affected by the economic downturn associated with the pandemic in terms of their realization of revenue whereas the City relies on transient lodging and meals tax. He stated those had borne the brunt of the effect of the downturn. Mr. Rosenberg stated a county like Augusta was not affected to the same extent and thought perhaps they had more resources available in order to take care of those payments to their employees. In Waynesboro, their full-time employees are receiving between \$1,200 and \$1,600, and public safety employees are receiving \$2,000. Mr. Rosenberg stated there were other localities in the region that don't vary as much. He noted Lexington was paying \$1,000 and \$2,000 to public safety employees; Harrisonburg is paying \$1,500 and \$2,500 to public safety employees. He noted the City had a rather lengthy history of consistent and regular salary increases for our employees and over, an eight-year or nine-year period, the City had compared very favorably to Augusta County and Waynesboro. Mr. Rosenberg stated there had two years in which the City had not

provided a salary increase to employees since FY 2012. In comparison, he stated it had been three years in Augusta County where they have not had salary increases and in Waynesboro it had been four years out of that total period where there were no salary increases. He noted an employee who had been with Staunton over that time period had been recognized through regular and consistent salary increases and a very generous benefits package. He noted, under the circumstances, Phil Trayer, Chief Finance Office, and himself had taken a very conservative approach in the response to the pandemic and they felt that it was important to recognize the efforts of the employees in these difficult circumstances, but given the totality of the circumstances, that those amounts are appropriate.

Ms. Mead asked Mr. Rosenberg if what he was saying was that the base compensation and benefits package for City employees compared essentially better than those of Augusta County, Waynesboro, and other areas.

Mr. Rosenberg stated he didn't know that he would say that the base compensation package was better. He questioned if Jon Venn, Chief Human Resources Officer, was present to speak in terms of how the City compared for salary study purposes. He noted over that nine year period, that in terms of progressing in compensation, that the City's workforce had been treated favorably in comparison to those two localities.

Mr. Venn stated he would like point out how generous City Council and the School Board have been in regards to health insurance for their employees since he came to this role in 2012. He noted employees have not seen an increase in the employee share of their insurance premium for eight years. He explained costs of insurance for employees in Waynesboro and Augusta County.

Ms. Dull stated she'd asked early in the week regarding how much would it cost to give all City employees the same amount and it was right under \$30,000. She stated that she would like for City Council to consider doing that because none of the employees were going to get a raise this year. To her, she stated it seemed to be the fair thing to do would be to give all City employees the same bonus amount. Ms. Dull stated she would like for City Council to consider that and felt like the City could come up with \$30,000 from somewhere to make that happen.

Mr. Trayer stated currently that was not a budgeted line item; however, there were fund balance reserves that the City could dip into. From a revenue standpoint, he stated, as of today, the City was in good shape, but he wasn't sure what the next 90-100 days would bring as far as the pandemic. In answer to Ms. Dull's question, he stated he could find \$30,000.

Vice Mayor Robertson asked Mr. Rosenberg for clarification regarding the bonuses.

Mr. Rosenberg stated the bonuses were one-time payments and what was referred to in the proposed ordinance. He noted they weren't increases, but were one-time payments.

Vice Mayor Robertson asked if Council made what was originally suggested, what would that total bill come to, if Council stayed with the \$1,250 and the \$625, and the \$1,000 and the \$500, based on when an employee was hired.

Mr. Trayer stated it would be approximately \$370,000.

Vice Mayor Robertson clarified, that what Ms. Dull proposed, that would be an additional \$30,000 and would then total \$400,000.

Mr. Trayer stated that was correct.

Mr. Rosenberg stated that now that the subject has been raised by Ms. Dull, he had prepared a revised ordinance that would provide for that treatment, and during the break, he could distribute it and forward it to Ms. Dull, Ms. Mead, and Mr. Holmes so that they could have a chance to look at it if that would be Council's pleasure.

Mr. Holmes stated he thought that money was coming out of CARES Act money.

Mr. Trayer stated the majority of those funds were a part of Budget Amendment Number 4 which Council was due to consider during the Regular meeting. He stated the additional \$30,000 would be brought forward at a later date for reconciliation. For the time being, Mr. Trayer stated there was enough appropriation to fund that and then would true up a reconciliation once it was paid up.

Council members did not have any further questions.

This will be Item H on the Regular meeting agenda.

6. Presentation on the City's Debt Service Capacity

Mr. Trayer gave a PowerPoint present to Council regarding the City of Staunton's debt capacity.

He stated debt service levels for localities in Virginia were capped by State Code 15.2-2634 and to be no more than 10 percent of assessed valuation of real estate as of the most recent tax assessment.

Slide 3 provided a calculation to quantify this cap. This calculation uses assessed values used in the FY2021 Budget and outstanding debt as of July 1, 2020 for its calculation.

He stated it started off with the debt limit calculation which took the most recent real estate value of \$2,051,607,000 and multiplied by 10%. This would give a debt ceiling level of \$205,160,000. In other words, this was the total debt capacity the City of Staunton can legally issue at this time per State Code.

Mr. Trayer stated he applied all debt obligations of the City, both General Fund and Enterprise Funds of Water, Sewer, and Parking. This amount equaled \$83,039,686 or 40.48% of Assessed Real Estate value. This calculation indicates our excess legal debt margin as of July 1, 20220 is equal to \$122, 121,000 or 59.52% of assessed real estate value.

565

566 Mr. Trayer stated slide 4 quantified what that expense might look like to the City. He stated he
567 used an interest rate of 3.5% to be conservative although something at 2% or lower may be a more
568 realistic if debt were to be issued today. Slide 4 takes the amount of excess debt capacity of \$122,
569 121,000 and amortized over 30 years at 3.5% which equates to an additional debt service expense
570 of \$6.6 million above our current debt levels...in fact it would more than double it.

571 On slide 5, Mr. Trayer stated City Council had never considered even approaching the debt
572 capacity provided for in the State Code. Instead, City Council had worked with our financial
573 advisor, Davenport and Company, to create non-binding debt ratio policies designed to ensure
574 affordability and to bolster its bond ratings. The ratios are as follows and we apply these to General
575 Fund supported debt:

576

- 577 • Direct Debt as a Percentage of Taxable Assessed Value = 4% or less
- 578 • Debt Service Expense as a Percentage of Total Government Expenditures = 15% or less
- 579 • Ten-year payoff ratio of 50% of current outstanding debt principal

580

581

582 On slide 6, Mr. Trayer stated he would walk through the Direct Debt as a Percentage of Taxable
583 Assessed Value which again is to equal 4% or less. Once again, we start with Current Real Estate
584 Assessed Value and we divide our outstanding General Fund supported debt as of July 1st 2020 of
585 \$69,372,724 which gives us a ratio of 3.38%. We then compare our General Fund ratio cap using
586 the ceiling of 4% of our assessed real estate value and we get an amount equal to \$82 million, 64
587 thousand dollars. The difference between our cap and outstanding debt as of July 1, 2020 equals
588 \$12,691,575 which represents the amount of additional debt allowed under this ratio. Our debt
589 capacity will increase \$3.5 by the end of the fiscal year as we continue to pay down our debt
590 obligations as scheduled giving us allowable debt of \$16.2 million.

591

592 Slide 7 looks at Debt Service Expense as a Percentage of Total Government Expenditures which
593 is to equal 15% or less. On that slide, we have scheduled out our FY2021 General Fund Operating
594 Budget of \$56,374,701 and back out debt service expense of \$4,844,415 for a net FY2021 Budget
595 of \$51,530,286. When actual debt service payments of \$5,710,527 is divided into the Net
596 Government Expense of \$51,530,286 we have a debt service ratio of 11%

597 When compared to our debt service limit under this ratio of \$7,729,523, which is (15% x our
598 FY2021 Budget of \$52,622,859), we have a debt payment variance of \$2,019,016. This variance
599 of \$2 million equates to roughly \$37 million of additional debt service amortized over 30 years at
600 an interest rate of 3.5%. The level of additional debt under this ratio changes if we were to amortize
601 over a shorter period. The amount of additional debt the City can issue if it were to amortized
602 over 18 years which allows for approximately a 50% reduction of principal within 10 years is
603 \$26.5 million. This payoff ratio comes into play with our third policy ratio which calls for 50% of
604 our outstanding debt principal to be paid down within ten years.

605

606 On slide 8, we have a schedule of our current 10 year paydown ratios through the year of
607 compliance which is FY2033. Again, under this ratio we are measuring the percentage of our
608 current outstanding debt that will be paid down within the next ten years. As can be seen by the
609 schedule on the left, the current debt paydown ratio is under water and actually fluctuates
610 downward as various issuances are paid off in FY28 and FY29.

611 The effects on this ratio of issuing additional debt of \$13.5 million and amortizing over 30 years,
612 25 years, and 18 years can be seen to right of the current ratios. Under these scenarios the additional
613 annual debt service payments would be \$734,013, \$819,099, and \$1,023,527 respectively.

614

615 Slide 9 was brief look at our Moody's bond rating. Our current Moody's rating is Aa2 which means
616 we are considered to have a high-quality credit rating with low credit risk.

617 Moody's Rating Scorecard which is used to determine our rating includes the following
618 components:

- 619 •Economy and Tax Base = 30% This measures market value of taxable property; full property
620 value per capita; medium family income of the residents
621 • Finances = 30% and takes into account Financial resources relative to operating revenue, 5-year
622 change in fund balance, liquidity levels relative to operating revenue
623 • Management = 20% Institution framework which measures the city legal ability to match
624 revenues and expenditure; and compares revue and expenditures over time.
625 •Debt / Pension Obligations = 20% long term debt outstanding relative to tax base value and
626 operating revenue; net pension liability (OPEB); and "Other Considerations"

627

628 Mr. Trayer stated the main point that the financial advisor stressed to him was that 80% of the
629 City's bond rating relied upon other factors outside of debt levels. According to Davenport, the
630 City's policy ratios helps keep it strong from a rating stand point, even if the City exceeded one of
631 the three ratios.

632

633 Slide 10 outlined major capital improvement projects which required debt service and had been
634 proposed between FY2021 and FY2025. The first section of the slide scheduled Police, Fire, and
635 School Warehouse projects which had been incorporated into previous CIP plans and have held
636 the same placeholder amounts.

637

638 The next section updates the cost of the emergency radio system which will interface with
639 neighboring jurisdictions and replace equipment which has reached the end of its useful life. The
640 project has moved from \$1 million placeholder to a \$4 million estimate as the scope of the work
641 has materialized.

642

643 The final section outlines additional school requests which are scheduled in outer years.

644

Slide 11 demonstrated the cashflow impact of issuing an additional \$13.5 million in debt for 30 years with an interest rate of 3.5%. Under this scenario we will need to increase our annual debt expense by roughly \$252K to keep the debt service sinking solvent.

Slide 12 calculated the impact of the issuance of an additional \$13.5 million in debt over 30 years with an interest rate of 2%. Under this scenario, the City would need to increase its annual debt expense by roughly \$140K to keep the debt service sinking solvent.

On slide 13, we schedule \$13.5 million in debt over 18 years with an interest rate of 3.5%. Under this scenario, the City would need to budget an additional \$501K a year to keep the debt service sinking fund solvent. Again, an 18-year amortization period allows for approximately 50% of the new principal to be paid down in 10 years.

On Slide 14, we schedule \$13.5 million in debt over 18 years with an interest rate of 2.0%. Under this scenario, the City will require an additional \$396K a year in budgeted debt expense to keep the debt service sinking fund solvent.

Slide 15 provided a heads up of other known major expenditures the city will need to address in the upcoming FY22 Budget which is the proposed Middle River Regional Jail expansion.

- Middle River Regional Jail Expansion which, if approved, will bring an estimated additional operational/debt costs of between \$1.64 to \$2.2 million by FY2025. Ramp up costs will begin as early as FY22, accelerate in FY23 and fully impact our statement in FY24/FY25.
- The debt service will remain on the Middle River Regional Jails books.
- And finally, the Regional Jail buy in compensation from the City Harrisonburg and Rockingham County will be completed in FY24 leaving a revenue gap of over \$600K.

Mayor Oakes asked Council members if they had any questions.

Vice Mayor Robertson asked if the City had the funds or how much of a tax increase might be needed.

Mr. Trayer stated one cent of real estate was probably \$205,000 so if the City were to do 30 years at 2%, it would be 0.7% of that roughly. If the City were to do 18 years at 3.5%, you talk about 2.5%. Mr. Trayer stated a lot of it would depend on the timing of when the debt was issued and what the interest rates were. He stated right now was a particularly good time, but that could change in the next year. He noted it would fluctuate and currently the City had placeholders in those projects and that too could fluctuate. Mr. Trayer stated he felt good about the police station and the emergency radio. He noted he would have to see about the warehouse. He stated the firehouse was just a placeholder.

Vice Mayor Robertson asked what was the current rate was.

Mr. Trayer stated he didn't have that information in front of him. He stated the City had

refinanced last year at 1.88%, and it's gone down a bit since then.

Ms. Mead asked Mr. Trayer if he knew approximately what was the impact on the total value of the City's taxable real estate was as a percentage at its low point in the last recession and did he know how much it actually declined during that period of time

Mr. Trayer stated he did not, but would obtain that information.

Ms. Mead asked if the 3.5% shown on slide four in the debt capacity update state, was that what the state guideline was or is that simply percentage that Mr. Trayer was using to be conservative.

Mr. Trayer stated it was simply a percentage that he was using to be conservative.

Ms. Mead stated if the interest rate was for instance 2%, then the annual payment would be closer to \$4 to \$5.4 million than \$6.6 million.

Ms. Mead stated she noted that in the City's debt capacity update the City did not use the VRA loans that the state guidelines used. She questioned if there was a reason for that and did the City just use the general obligation loans, but not the VRA loans.

Mr. Trayer stated what he was comparing those ratios to was the tax supported debt and not so much the enterprise funds.

Ms. Mead questioned the emergency radio system. She noted it was a CIP issue, but was a significant increase that went from \$1 million to \$4 million

Mr. Trayer stated the \$1 million was a placeholder that was put in a number of years ago. He noted Kurt Plowman, IT Director, had been coordinating with the County of Augusta and some state agencies also. He noted once Mr. Plowman was able to ascertain exactly what was required, he then revised the estimated costs and felt comfortable with the \$4 million.

Ms. Mead noted on the last slide regarding the Middle River Regional Jail expansion and the additional debt and operational costs of between \$1.6 and \$2.2 million. She asked if that was Staunton's share, or the additional total additional debt and operational costs of the expansion.

Mr. Trayer stated that was Staunton's share. He noted if the \$2.2 million came through, the City would have the potential by FY 2024 of having our jail expenditures going up over 600% since 2015. He stated it was absolutely significant. He noted that was the worst-case option, but was certainly looking to bring that down.

Ms. Mead clarified that was \$600,000 annually - the revenue gap from Harrisonburg and Rockingham County. She asked if that would be in addition to the \$1.6 to \$2.2 million.

Mr. Trayer stated that was correct and would be lost revenue.

Ms. Dull stated had a comment for Council members. She noted if they looked at any of the pages 11, 12, 13, 14, and looked at when debt was getting paid off for Bessie Weller, McSwain and Ware, it didn't take up a rocket scientist to know that by the time it's paid off, they need renovating again.

Mr. Holmes stated he felt the next quarter was going to be, as far as meals tax and room and board tax, would be much lower than it had been. He stated he was worried about the City expending any money that we can keep from expending and that some businesses might be closing after Christmas. He questioned if there was any assistance coming from the state or the federal government. He noted he was concerned about the City's revenue.

Discussion ensued.

Mr. Trayer stated the City's meals tax right now was roughly 8% down from last year. He noted it had been budgeted 25% down. He stated from a budget perspective, the City was holding its own and was doing better than projected. He stated if the City were to go down an additional 25% of what it was currently doing, the City would be under water a little bit with the meals tax. Mr. Trayer stated the City had a cushion to budget of about \$284,000. He stated the City did budget conservatively because of the pandemic and why staff budgeted at 25%. He stated lodging tax was taking a hit. Mr. Trayer stated staff had budgeted 80%, because it was hoped hotels along the interstate would overperform. He noted it was currently running at 63% and then if it dropped even more that could put the City in a substantial hole. From a net revenue standpoint, lodging tax was probably the tax that the City could absorb the hit the best on because of additional incentives that are tied to the lodging tax. Mr. Trayer stated currently the City was okay and had planned for a dip. He noted the City would take it one month at a time. He noted the CIP wasn't scheduled to be approved until February, and then even if it is approved, staff would cautiously go about moving forward.

Council members did not have any further questions.

7. Closed Meeting for: (i) Discussion of Possible Acquisition of Real Property Within the City; and (ii) Discussion of Prospective Candidates for City Attorney

Ms. Darby moved that Council enter a closed meeting for: (i) discussion of possible acquisition of real property within the City, where discussion in an open meeting would adversely affect the public body's bargaining position or negotiating strategy pursuant to Virginia Code Section 2.2-3711(A)(3); and (ii) discussion of prospective candidates for employment or appointment as city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

Ms. Mead	aye	Mr. Claffey	aye
Mr. Holmes	aye	Ms. Darby	aye

780 Vice Mayor Robertson aye Mayor Oakes aye
781 Ms. Dull aye
782

783 Ms. Mead moved that Council reconvene in an open meeting and certify to the best of each
784 member's knowledge that only lawfully exempted public business matters were discussed
785 and that only public business matters as identified in the closed meeting motion were heard,
786 discussed or considered in the meeting.
787

788 The motion was seconded by Vice Mayor Robertson and carried as follows:
789

790 Mr. Holmes aye Ms. Darby aye
791 Vice Mayor Robertson aye Mayor Oakes aye
792 Ms. Dull aye Ms. Mead aye
793 Mr. Claffey aye
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796 The work session adjourned at 7:17 p.m.
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Suzanne F. Simmons
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, December 10, 2020
7:30 p.m.
Rita S. Wilson Council Chambers

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull
 R. Terry Holmes
 Brenda O. Mead

ALSO PRESENT: **Steven Rosenberg, City Manager**
 Leslie Beauregard, Assistant City Manager
 Douglas Gwynn, City Attorney
 Suzanne F. Simmons, Clerk of Council

Mayor Oakes called the meeting to order: Mayor Oakes called this meeting of Staunton City Council to order. Mayor Oakes noted that this meeting is being broadcast over the City's cable channel and streamed live on the City's website so that members of the public may hear our meeting. The meeting is also being recorded.

Mayor Oakes asked the Clerk of Council to call the roll for confirmation of those Council members present for today's meeting.

Clerk of Council Call the Roll of Council Members Present:

Mayor Oakes	aye	Vice Mayor Robertson	aye
Ms. Darby	aye	Ms. Dull	aye
Mr. Holmes	aye	Ms. Mead	aye
Mr. Claffey	aye		

Mayor Oakes asked that City Manager Steve Rosenberg note the participation of any City officials or colleagues, or anyone else, during today's meeting by Zoom or telephone.

Mr. Rosenberg stated Council members Dull, Holmes, and Mead were participating on Zoom as would be City employees Cindy Fitzgerald and Rodney Rhodes.

Background Statement:

Mayor Oakes stated "Please let me mention that notice, reasonable under the circumstances, of this meeting has been given to the public contemporaneously with the notice provided to members of City Council. In addition to limited public seating in city hall, access to this meeting has been provided to the public by audio feed on the City's cable channel and the City's website. During Matters from the Public on Council's agenda, toward the end of the meeting, public comments will be taken, in person and by telephone. Members of the public who wish to participate in such

matters by telephone, at the appropriate time, may call (844) 854-2222 and, when prompted enter the access code 619358#. Callers will be recognized in order. The public is reminded that Matters from the Public are times for Council simply to listen to your comments. Each speaker will be limited to five minutes. Detailed instructions for public participation by telephone have been publicized over the course of the past week on the City's website and Facebook page and can be found now on the agenda for this meeting and on Council's website at www.ci.staunton.va.us/government/city-council.

"Also, let me highlight and have reflected in the meeting minutes that this meeting, although being conducted in person, is also being conducted by Zoom, with virtual participation of certain members of City Council, given the catastrophic nature of the declared emergency and disaster related to the Covid-19 outbreak, which as part of the total circumstances makes it impracticable or unsafe to assemble in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04, as extended by City Council Ordinance No. 2020-24."

Mayor Oakes then asked that everyone wear a mask while in City Hall and Council Chambers.

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Ms. Dull.

MAYOR'S REPORT

Mayor Oakes stated the Celebration of Holiday Lights was working with the Staunton Downtown Development Association in Gypsy Hill Park and invited citizens to visit Santa and his elves. She noted the 3rd annual Holiday Tree Lighting took place in the park with Greg Beam being the honoree for the lighting along with several members from Council, the SDDA, and the School Board. Mayor Oakes stated Ware Elementary School's 5th grade festivities included painted snowmen rocks that had been placed throughout the city.

Mayor Oakes wished everyone Happy Holidays and a Happy New Year.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Ms. Mead stated she and Ms. Dull virtually attended the Augusta Health update meeting on their plans and strategies relative to the Covid-19 pandemic. She urged all citizens to follow the health guidelines.

Vice Mayor Robertson stated the FDA had just approved the first Covid-19 vaccine.

Mr. Rosenberg stated he'd sent the PowerPoint presentation of the Augusta Health meeting to all Council members.

Mr. Claffey stated it was time to update the Staunton Augusta Waynesboro Metropolitan Planning Organization (SAW MPO). He moved to appoint Public Works Director, Jeff Johnston, to the Technical Advisory Committee of the Staunton Augusta Waynesboro Metropolitan Planning Organization as a voting member and City Engineer, Lyle Hart, as a designated alternate in place of former Public Works Director, Tom Sliwoski, and former City Engineer, Nickie Mills, respectively and to the extent required and retroactively to January 18, 2017 to reaffirm the prior

administrative appointments to the Committee of Senior Planner, Rodney Rhodes, as a voting member, and City Planner, Tim Hartless, as a designated alternate.

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

Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye		

Ms. Dull stated she wanted to send out a Happy Hanukkah to all Jewish friends. She noted she had virtually attended the SAW MPO meeting, an executive committee meeting for the Central Shenandoah Planning District Commission, the Augusta Health Covid-19 webinar, and attended the committee on training for the Criminal Justice Services Board for the state as well as the board meeting.

APPROVAL OF MINUTES

Ms. Dull moved to approve the work session and regular meeting minutes of November 12, 2020 with the amendment that the materials that she provided would be added to the Work Session minutes.

The motion was seconded by Ms. Mead.

Mayor Oakes asked Ms. Dull for clarification of the amendment being requested by Ms. Dull.

The motion carried as follows:

Vice Mayor Robertson	aye	Mayor Oakes	aye
Mr. Holmes	aye	Ms. Mead	aye
Ms. Darby	aye	Mr. Claffey	aye
Ms. Dull	aye		

REGULAR MEETING

A. Consideration of Resolution Establishing the City of Staunton's 2021 Legislative Program

Leslie Beauregard, Assistant City Manager, stated this was part two of this item tonight. She noted Senator Hanger and Delegate Avoli were present earlier and felt that went really well with a good discussion. She stated this was actually for the approval of the legislative program. Each year City staff works with City Council to put a legislative program together which is then sent to the governor, local General Assembly members, the Virginia Municipal League, and Virginia First Cities.

Ms. Beauregard stated Council first discussed the legislative program at their work session on October 22, 2020 and then again on November 12, 2020. She noted staff provided Council with the draft. She stated there were a few things that she was asked to follow up on, and hopefully would suffice to have the program adopted this evening. The first item was on pediatric cancer

research. Ms. Beauregard stated she did confirm that the correct percent was 4%, and was still the case. She stated the second item was the item that Mr Claffey brought up during the work session. She noted she had provided some suggested language in Council's packet. She stated she would turn it over to Mr Claffey to have him talk again through his motion, in the language that he was suggesting in lieu of what I was suggesting.

Mr. Claffey stated, in an attempt to make it more easily understandable, that Economic Development, under item Q-3, be revised to say "The 2020 General Assembly approve the amendments to 2.2 -3115 and state and local government Conflict of Interest Act may have created a major deterrent to continued participation by citizen volunteers or local Industrial Development Authorities and Economic Development Authorities. The City of Staunton supports the need for transparency, but also wishes to ensure further disclosure requirements are not placed on volunteers who wish to serve on Economic Development Authority, or Industrial Development Authorities."

Mayor Oakes asked Council members if they had any comments.

Ms. Mead asked if that was in the form of a motion.

Mr. Claffey stated it was a motion.

Council members did not have any further comments.

Vice Mayor Robertson seconded the motion.

Ms. Mead stated she would ask that that language be changed because she felt that because she felt that Council would have to say that they supported the need for transparency and believed that that need must be balanced with any additional disclosure requirements on citizens. She stated that she believed that it was important to say that we want to ensure that EDA and Industrial Development Authorities have to operate with interested knowledgeable and well qualified volunteers. Ms. Mead stated she had worked in the financial services industry for 30 years, including 15 years as a registered securities representative, and the disclosure requirements were onerous. She noted that she felt that it was fair and right that as a member of my profession, that she had the utmost transparency. She stated that she believed that was the effort of the General Assembly amendments. Ms. Mead stated she supported having a lot of detail in what we ask volunteers. She stated that she did not think that it was appropriate to have citizens on the EDA who have filed bankruptcy and felt it was an important bit of information that we need to get from citizens who want to serve in that capacity.

Mr. Claffey stated the General Assembly had already mandated this and thought that they were in agreement that. He noted he thought that they did not need to have further impediments placed on people that would like to serve on these volunteer organizations. He stated that was why he was trying to reduce the amount of legal paperwork that you have to ask people to fill out for the purpose of serving as a volunteer to help our city.

Vice Mayor Robertson noted he would further say that both Senator Hanger and Delegate Avoli were both in favor of the language that Mr. Claffey put forth. He noted they were the ones that

were going to be taking that to and representing City Council. He noted he would vote in favor of Mr. Claffey's motion.

Ms. Dull stated she was confused. She noted that was what the language sent in the briefing was saying - that we support the need for transparency, but the need had to be balanced with any additional disclosure requirements on citizen volunteers to ensure that we keep having interested, knowledgeable, and well qualified volunteers. She noted she was confused as to why that was being changed because it was saying the same thing.

Mr. Claffey stated it was similar and we want to ensure that further disclosure requirements are not placed on volunteers who wish to serve. He stated that basically Council was following the requirements mandated by the state and not making those requirements more tedious.

Council members did not have any further discussion.

The motion carried as follows:

Vice Mayor Robertson	aye	Ms. Dull	no
Ms. Mead	no	Ms. Darby	aye
Mr. Holmes	no	Mayor Oakes	aye
Mr. Claffey	aye		

Mayor Oakes asked if there any other bullet points that Council wanted to discuss, as far as the legislative program for 2021. She stated she was taken aback by what Delegate Avoli indicated that Staunton was one of the only localities in the area that was lobbying for increased pediatric cancer research when it sits at 4%. She stated she was pleased to know that Council was taking a hard stand on that and that she would really like to see VML to lobby on our behalf.

Vice Mayor Robertson asked if Council could take to, or can we comment from our Mayor to VML and say we would like to encourage VML to go to bat for a greater percentage of that and then maybe they can come together in their meetings.

Mayor Oakes stated Council could certainly have the conversation. She asked Mr Rosenberg if he had any ideas or thoughts.

Mr. Rosenberg stated if that was Council's desire, then the issue could be raised with VML staff. He noted he was hoping to get a clarification before moving on. He stated in its current posture, the resolution adopting the program was now before Council with the revision proposed by Mr. Claffey having been approved.

Mayor Oakes stated they had gone ahead and made the change towards the EDA.

Vice Mayor Robertson stated, as a Council, they would like to encourage VML to try to lobby for a greater percentage on pediatric cancer if that was what he was hearing.

Mayor Oakes stated that would certainly be her desire. She stated Council had already voted on the change for the EDA portion of the Legislative Program only. She stated Council now needed to vote on the City of Staunton's 2021 Legislative Program with the said changes.

Mr. Holmes moved that City Council adopt the resolution establishing the City of Staunton's 2021 Legislative Program, as amended.

The motion was seconded by Mr. Claffey.

Ms. Mead stated she was felt that the amendment that was made was unnecessary, but stated she would vote in favor.

Mayor Oakes stated she would like for Council to send a letter to VML to push them for more lobbying towards pediatric cancer research.

The motion carried as follows:

Mr. Holmes	aye	Ms. Mead	aye
Ms. Darby	aye	Mr. Claffey	aye
Ms. Dull	aye	Vice Mayor Robertson	aye
Mayor Oakes	aye		

RESOLUTION ESTABLISHING THE CITY OF STAUNTON'S 2021 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 them, 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.
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. 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 Local 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 the use of non-motorized transportation, including trails, pathways and green corridors, for health, energy conservation and cost reasons for all Virginians.
4. 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.

J. 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 continuing epidemic.

K. 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

L. 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.

M. Behavioral Health and Development Disability

1. 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.
2. The General Assembly should increase the Medicaid Early Intervention case management reimbursement rate to its data-determined adequacy.
3. The General Assembly should fund 800 additional Family and Individual Supports (FIS) Waivers and 250 Community Living (CL) Waivers.
4. The Valley Community Services Board has proposed a community crisis center that will offer both detox and crisis intervention services. And while the needs of our citizens are great, the closest center is 29 miles away in Harrisonburg. For instance, the suicide rate in our area is higher than both the Virginia and national averages and drug induced deaths are 16.6 per 100,000 as compared to 10.6 statewide. The General Assembly should provide the necessary funding and support this new center that will better serve our City and region.

N. 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.

O. Middle River Regional Jail Staffing and Construction Funds

1. The City of Staunton requests the General Assembly fund required staffing positions for the Middle River Regional Jail (MRRJ). In 2018, the Virginia Department of Corrections published a staffing analysis for MRRJ based on an

average daily population (ADP) for 2017 of 775 member jurisdiction inmates. This resulted in a recommendation for an additional 76 jail officer positions and 17 support positions. The member jurisdiction ADP for 2018 was 857, exceeding the 2017 ADP that resulted in the recommendation of additional fully-funded staff positions and demonstrating the continued need. The City of Staunton appreciates the additional five emergency jail officer positions added for FY2021; however, as noted in the referenced staffing analysis, additional positions are needed to appropriately supervise inmates.

2. In December 2019, the Middle River Regional Jail Authority submitted a Community Based Corrections Plan to the Virginia Department of Corrections proposing expansion of the Middle River Regional Jail. The Jail Authority presented that plan to the Commonwealth of Virginia Board of Local and Regional Jails in September 2020. The board approved the plan and requested funding from the Commonwealth of Virginia. The City supports state funding for the proposed jail expansion that will be considered during the 2021 legislative session and requests its approval by the General Assembly.

P. Mental Health of First Responders

In 2018, the Code of Virginia was amended to require mental health awareness programs for fire and EMS personnel, prescribing specific actions and training that must occur, including managing stress, self-care techniques and resiliency in addition to the provision of peer support. Trauma and PTSD are realities in the lives of all first responders, yet vital funding to implement the required programs did not follow the mandates. City Council requests that the General Assembly add funding that can be accessed by localities in order to better offer vital services, including access to providers who specialize in the needs of first responders and much needed training.

Q. Economic Development

1. Because site readiness, characterization and development are key to Virginia's and the City of Staunton's economic development efforts, City Council supports increased funding for the Virginia Business Ready Sites Program (VBRSP).
2. City Council supports maintenance of funding for GO Virginia that will encourage collaboration among Virginia's localities in order to spur economic growth, diversification and higher paying jobs.
3. The 2020 General Assembly-approved amendments to § 2.2-3115 of the State and Local Government Conflict of Interests Act may have created a major deterrent to continued participation by citizen volunteers on local industrial development authorities and economic development authorities. The City of Staunton supports the need for transparency but also wishes to ensure further disclosure requirements are not placed on volunteers who wish to serve on economic development or industrial development authorities.

R. Plastics Recycling Facility

On April 1, 2019, the City stopped collection of plastic of any sort for recycling. Because of a stressed recycling market and a processing capacity that has become very limited in recent years, plastic is now ending up in the landfill as trash. This is very undesirable for the environment, our citizens and our economy. Therefore, City Council requests that the General Assembly provide funding or offer incentives so a plastic recycling facility can be located in the Shenandoah Valley.

S. Freedom of Information Act (FOIA)

The City of Staunton supports the position that any proposed changes to the Virginia Freedom of Information Act legislation be sent to the FOIA Advisory Council for analysis and recommendations prior to General Assembly consideration or enactment.

T. Planning District Commissions

The City of Staunton supports increased state funding for the statewide network of planning district commission/regional councils (PDCs). PDCs carry out efforts supported by state and local policymakers to advance and sustain regional coordination, cooperation and technical assistance for the benefit of regions across the Commonwealth.

U. Sovereign Immunity

Expanding liability and eroding immunities at the state level across the nation have had a chilling effect on the actions of local government officials contributing to local government insurance problems, creating immense financial risks (particularly for legal costs), and posing a substantial obstacle to the provision of needed public services. The Virginia General Assembly should strengthen and must maintain the principles of sovereign immunity for local governments and their officials.

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

A. Eminent Domain by Private Utilities for Surveying

City Council opposes the eminent domain rights extended to Dominion Energy 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.

C. Water Quality Funding

The Commonwealth's Final Chesapeake Bay TMDL Phase III Watershed Implementation Plan (August 2019) (WIP III) includes language imposing a new "floating" wasteload allocation on larger wastewater treatment plants. This new requirement would cut the total wasteload allocation to Augusta County Service Authority (with which the City of Staunton contracts for wastewater treatment) by more than 45% (based on 2018 flow data), possibly requiring expensive upgrades which would significantly impact ratepayers with minimal additional benefit. Budget language was included during the 2020 General Assembly session that directs the Virginia Department of Environmental Quality to establish a task force to evaluate the most cost-effective methods to realize goals in WIP III and report to the General Assembly in December 2020. While the solutions from this group may result in a "glass half full" situation, the City supports the position of the Virginia Association of Municipal Wastewater Agencies that this requirement is completely unnecessary in order to meet nutrient targets and asks that the General Assembly reconsider the WIP III mandate. City Council further requests, to facilitate continued successful local water quality improvement projects, full capitalization by the Commonwealth of the Water Quality Improvement Fund and provision for the necessary appropriations for local government water quality improvement projects, to continue the substantial progress made in the restoration of the Chesapeake Bay.

D. Land Use Control

Localities must maintain control of local land use decisions. Neither the state nor the federal government should usurp or pre-empt a locality's authority to make such decisions; nor should they impose requirements that weaken planning and land use functions. This includes the authority to promote affordable and mixed income housing as well as the required infrastructure to facilitate in-fill development, redevelopment and mixing of uses. City Council opposes legislation which would affect the City's authority in these areas.

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 10th day of December, 2020.

/s/ Andrea W. Oakes

Andrea W. Oakes, Mayor

ATTEST: /s/ Suzanne F. Simmons

Suzanne F. Simmons

Clerk of Council

B. Consideration of FY2019 Consolidated Annual Performance and Evaluation Report Relating to the Community Development Block Grant Program of the U.S. Department of Housing and Urban Development for the City of Staunton as an Entitlement Community

Billy Vaughn, Director of Economic Development, stated earlier during the work session, there was an overview provided of the CAPER. He stated he was there requesting Council's consideration of that draft document. He noted since there were some questions during the work session, he would like to take the liberty to provide some clarification and more details on some of the revenue and expenditure numbers.

Mr. Vaughn stated for the FY 2019 Annual Plan, which is the City's first year as an entitlement community, the City received \$354,433 from HUD. He noted \$125,000 was allocated for nonprofits, six agencies, and \$158,000 for two public facility projects – water line and sidewalks on West Beverley. He stated no more than 20% (\$70,000) could be spent on program administration. Mr. Vaughn stated because of the pandemic, funds to the nonprofits were not expended, and of course, the funds for City projects delayed, would roll to the next HUD fiscal year. He noted approximately \$250,000 would roll over and agencies and the City projects would still receive those funds.

Mr. Vaughn stated as part of the expenditures for the FY 2019 year under tasks that the consultant provided, he wanted to list those for Council:

- Prepared all mandated public notices and advertisements.
- Prepared the draft five year Consolidated Plan.
- Prepared the annual action plan for FY 19.
- Prepared all six sub recipient agreements, for the non-profits.
- Conducted the environmental review for each activity of their course attended public meetings. Prepared the HUD CDBG policy and procedure manual.
- Conducted training for all the sub recipients.

Mr. Vaughn stated a lot of time was spent on email or phone calls with those non-profits who needed the funds, but were not aware of all the federal regulations that they have to go through in order to obtain those funds.

Mr. Vaughn stated for the COVID-19 funds, they had already prepared public notices and advertisements, sub recipient agreements for six entities and environmental reviews. He noted they were spending some of that money from FY 2019 from the COVID administrative pool to do those things. Mr. Vaughn stated they had also prepared the FY 2020 Consolidated Plan and annual action plan that Council acted on in August. He noted they were working through that and was using their services to help finish out those other tasks as required that we didn't in FY 2019. Mr. Vaughn stated so far the City has spent \$97,000 of the \$1,040,500 allocated for the four funding cycles. The sub recipients will receive \$623,000 over the four funding cycles. Mr. Vaughn stated he could go through each agency that would receive funding for each of the funding cycles.

Ms. Mead asked Mr. Vaughn if the grant would provide for \$354,000 over a period of four years or five.

Mr. Vaughn stated, first of all, this was not a grant. He noted it was a housing program, and the first year is \$354,433 for FY 2019. He noted the first round of the COVID-19 funds was for \$207,590. A second round of the COVID funds was for \$125,136, which the City had not begun to attempt to allocate. Moving into the FY 2020 year was \$352,891.

Ms. Mead asked if there were additional years beyond that.

Mr. Vaughn stated they had just worked through FY 2019 and the Annual Action Plan for FY 2020 was just approved in August. He noted those funds would be expended as soon as the sub recipient agreements could be generated for the eight entities that would receive funding.

Ms. Mead asked what was the expectation for FY 2021.

Mr. Vaughn stated the City would not know that until the process was started in June or July, 2021 and put together a consolidated plan, revision, and an Annual Action Plan for the FY 2021 federal fiscal year.

Ms. Mead asked if the City would have the opportunity to do the same thing for FY 2022.

Mr. Vaughn stated that was correct. He noted this was not a grant program. He stated the funds were granted, but was truly a housing program and that the city had become an entitlement community. He stated the City would receive approximately \$350,000 each year to provide services to non-profits and City public facilities.

Ms. Mead asked if the last year of the entitlement program would be for FY 2023.

Mr. Vaughn stated the City was required to do a five-year consolidate plan.

Ms. Mead clarified, after Mr. Claffey's concern regarding administrative costs spent in FY 2019, that the program provided for expenditures of 20% of the entitlement each year.

Mr. Vaughn stated that was correct.

Ms. Mead stated the administration up front certainly was significant and that there were parts of that would over time not have to spend as much as the City became more comfortable with the process and better understanding of the process. She clarified that for each entitlement year, there was up to 20% of the entitlement allocated to administrative funds.

Mr. Vaughn stated that was correct.

Mayor Oakes then asked Mr. Vaughn to provide the list.

Mr. Vaughn stated for: FY 2019 –

- Blue Ridge Casa
- Valley Supportive Housing
- VPAS Meals on Wheels

- VPAS Transportation Systems
- Valley Mission Financial Assistance
- Renewing Homes in Greater Augusta - a reroofing program
- Habitat
- Two public facility projects for the Rockway waterline and the sidewalk West Beverley Street.

For the Covid-19 first round of funding:

- Valley Mission shelter operations
- Salvation Army -homeless prevention
- Salvation Army - food assistance
- Shenandoah Central Shenandoah Health District - education
- Community foundation homeless provision
- Blue Ridge legal services

Mr. Vaughn stated the second round of funding for COVID-19 had not yet been allocated. He noted there were a number of steps to go through, but would begin doing that after the first of the year.

For the FY 2020 Annual Action Plan, approved in August:

- Valley Mission - initial housing support program
- VPAS - senior transportation program
- VPAS Meals on Wheels
- Blue Ridge Legal Services
- Blue Ridge Casa public services
- Renewing Homes of Greater Augusta
- Valley Supportive Housing
- Habitat - street aging in place, they're rehabbing the entire street
- Valley Supportive Housing, which is on pump Street
- City public facility project - Rockway waterline and West Beverley Street sidewalk, where the second year of funding is using the total funding comes from HUD instead of matching it with City funds

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Ms. Dull moved to adopt the FY2019 Consolidated Annual Performance and Evaluation Report, as presented.

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

Mr. Claffey	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Vice Mayor Robertson	aye		

C. Consideration of Resolution in Support of the Staunton, Augusta County, and Waynesboro COVID-19 Private Public Partnership's Commitment to the Health and Well-Being of the Region

Mr. Rosenberg stated when the pandemic first appeared, under the leadership of Augusta Health, a Private Public Partnership was formed to provide residents and businesses with effective guidance about Covid-19. He noted the partnership was comprised of representatives from organizations throughout the region including the chief administrative offices of each one of the three localities. This included the City Manager from Waynesboro and Staunton as well as the County Administrator from Augusta County.

Mr. Rosenberg stated the partnership had different groups that address different issues including an isolation quarantine group, a business and industry group, a vulnerable communities and non-profits group, a mass fatality group, and a public awareness campaign group.

Mr. Rosenberg stated what Council had before them was a resolution that was related to a project of the public awareness campaign group. He noted that campaign would kick off in the next several days. He noted it would include public service announcements, social media posts, a coordinated effort to communicate information to residents and businesses unique to this region. Mr. Rosenberg stated the campaign was built around a community commitment. He noted it was developed with the input of communications professionals from all of the participating organizations in the partnership. He stated Lee Catlin was the City's representative. He noted the public awareness campaign group had asked each one of the three participating localities to adopt resolutions that supported the commitments that were in that community commitment document. that's a part of your package. Mr. Rosenberg stated the Board of Supervisors of Augusta County and the City Council of the City of Waynesboro had already adopted similar resolutions. He stated Council now had a resolution before them this evening to evidence the support of this council for the community commitments that had been developed for the public awareness campaign.

Mayor Oakes clarified that this was for a resolution only and not an ordinance.

Mr. Rosenberg stated that was correct.

Mayor Oakes asked Council members if they had any questions.

Ms. Darby asked, for the other two localities that had passed a similar resolution, what the difference was.

Mr. Rosenberg stated the bulleted items were the same in both resolutions, but the formatting, the style, and some of the other recitals were a little bit different. In terms of evidencing support for the community commitment and the various points of that commitment, he stated those were the same in the resolutions adopted by both of the other governing bodies.

Council members did not have any further questions.

Mr. Claffey moved that Council adopt the proposed resolution supporting the commitments advanced by the Staunton, Augusta County, and Waynesboro COVID-19 Private Public Partnership, as presented.

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

Mayor Oakes	aye	Mr. Holmes	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Claffey	aye	Ms. Dull	aye
Vice Mayor Robertson	aye		

RESOLUTION

IN SUPPORT OF THE STAUNTON, AUGUSTA COUNTY AND WAYNESBORO COVID-19 PRIVATE PUBLIC PARTNERSHIP'S COMMITMENT TO THE HEALTH AND WELL-BEING OF THE REGION

WHEREAS, the Staunton, Augusta County, and Waynesboro COVID-19 Private Public Partnership, comprised of representatives of local health, public safety, education, government and business entities and coordinated by Augusta Health, has been working for months to provide residents and businesses in the Staunton-Augusta-Waynesboro region with effective guidance about COVID-19; and

WHEREAS, the Partnership, as a part of a public awareness campaign, has developed a set of commitments to protect and support our community, which reads as follows:

- We will protect the health of our community by encouraging mask-wearing, social distancing, frequent handwashing, and staying away from public areas when we are not feeling well
- We will follow public health guidelines and medical recommendations, including testing, self-isolate, and/or quarantine as needed
- We will support people who are taking care of themselves and loved ones if they are sick or exposed
- We will support and avoid contact whenever possible with those who are sick, as well as stay home and avoid public areas when we are not feeling well
- We will support the mental well-being of all community members
- We will share all relevant public health information regarding testing and safety to ensure the health and well-being of the community; and

WHEREAS, the City of Staunton has been an active member of the Staunton, Augusta County, and Waynesboro COVID-19 Private Public Partnership and continues to support the Partnership's ongoing initiatives.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Staunton, Virginia supports the Partnership's commitments to protect and support our community and encourages residents, businesses and visitors to join in such support as we continue to deal with the effects of the global pandemic in our own region.

Adopted this 10th day of December, 2020.

/s/ Andrea W. Oakes
Andrea W. Oakes, Mayor

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

D. Consideration of Ordinance to Amend the FY2021 Budget for the City of Staunton by Adding Budget Amendment Number Four

Mr. Trayer stated this item was for Budget Amendment Number Four for consideration. He noted Budget Amendment Number Four totaled \$12,923,776 and required a Public Hearing which was properly advertised and conducted on November 12, 2020.

The breakout of the budget amendment includes:

City portion of this Budget Amendment = \$9,915,508

School portion of this Budget Amendment = \$3,008,268

Mr. Trayer stated details had been summarized in Council's packet and were reviewed during the November 12, 2020 work session. Budget Amendment Number Four included the following:

\$5,096,305 in General Fund provisions includes

- \$230,724 - Mandated Carry Forward Funds
- \$2.5 million CIP Appropriation
- \$500K for flood damages expense provisions
- \$1,000,000 to debt service sinking fund to increase debt capacity
- \$200K police cars
- \$100K district overlay software
- Misc. grant, donations, and insurance recovery provisions

\$2,515,000 - CIP Fund Appropriations to Fund FY22 CIP Projects as approved in latest plan

\$1,000,000 - Debt Service Fund Sink Fund

\$1,020,227 – Community Development Fund

\$247,756 - Blue Ridge Court Services Fund

\$27,566 Grants Fund

\$8,654 Water Fund

\$1,879,578 – Education Fund

\$1,053,280 – School CIP Fund

\$60,189 – Cafeteria Fund

\$15,222 - School State Operated Program Fund

Mr. Trayer stated the City Manager had reviewed the amendment and recommended approval as presented.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Ms. Darby moved to adopt an ordinance amending the fiscal year 2021 budget by adding Budget Amendment Number Four, totaling \$12,923,776, as presented.

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

Ms. Mead	aye	Mr. Holmes	aye
Mr. Claffey	aye	Ms. Darby	aye
Ms. Dull	aye	Mayor Oakes	aye
Vice Mayor Robertson	aye		

(SEE ATTACHMENT 1)

E. Consideration of Ordinance to Appropriate an Additional 20% of FY2021 Adopted Budget

Mr. Trayer stated this item was for an additional budget appropriation for FY2021 adopted budget. In response to the uncertainty of the pandemic, the City's budget was appropriated at a level of sixty percent (60%) to allow staff to assess the impact the pandemic was having on the City's revenue as the fiscal year unfolded. Mr. Trayer stated, to date, the City was showing local revenues exceeding budget projections and feel comfortable with appropriating an additional 20% at this time bringing the total budget appropriation to eighty percent (80%). He stated staff's intent was to review the revenue again in another 90-120 days before recommending final approval of the FY2021 budget. Mr. Trayer stated the appropriation request equaled \$22,858,124 and did not require a public hearing as one was held during the budget process for the full budget amount.

Mr. Trayer stated the City portion of the budget appropriation was \$15,417,704 and the School portion was \$7,440,420. Break down included:

Fund	Additional Appropriation
General Fund	\$ 11,274,940
Debt Service	968,883
Blue Ridge Court Services	218,595
Water Fund	1,009,362
Sewer Fund	912,479
Parking Fund	108,024
Stormwater Fund	258,463
Environmental Fund	666,959
Sub Total	\$ 15,417,704
Education Fund	\$ 6,494,295
Cafeteria Fund	294,342
School Textbook Fund	55,455
State Operated Programs	596,329
Sub Total	\$ 7,440,420
Total Appropriation	\$ 22,858,124

Mr. Trayer stated this ordinance was introduced on November 12, 2020. He noted the City Manager recommended approval as presented.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Ms. Mead moved to adopt an ordinance amending the fiscal year 2021 budget by adding an additional twenty percent (20%) of the FY2021 adopted budget in an amount equal to \$22,858,124, as presented.

The motion was seconded by Mr. Claffey.

Ms. Mead stated that she thought it was wise to proceed with an additional 20% at that time given the unknowns that the City continued to face related to the pandemic and that she would support it.

The motion carried as follows:

Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye		

(SEE ATTACHMENT 2)

F. Presentation by City Auditors on the FY 2020 Comprehensive Annual Financial Report

Mr. Trayer stated this item was for the year end presentation of the FY2020 Comprehensive Annual Financial Report (CAFR). As everyone is aware, FY2020 proved to be one of the most challenging years in recent memory. Fortunately, throughout this year and into FY2021, the City has had the luxury of being able to draw upon two tremendous financial resources, one internal, Cindy Fitzgerald, and one external, Megan Argenbright of Brown Edwards & Company, L.L.P., the City's auditor.

Mr. Trayer stated Ms. Fitzgerald had worked in the Finance Department for 21+ years. No one has a better grasp of our balance sheet and CAFR than Ms. Fitzgerald. He noted she was an absolute pillar of our Finance Department and our City for that matter.

Mr. Trayer stated the other great woman who supported the City in FY2020 and into FY2021 was Megan Argenbright. Megan has made herself available throughout the CARES Act process in FY2020 and 2021. Her willingness to take our many calls to help us vet the CARES Act guidance has been instrumental in ensuring compliance with the ever-changing guidance the City had received from the federal and state agencies.

Ms. Argenbright stated the CAFR was issued on time this year. The General Assembly actually moved the deadline back from November 30 to December 15, 2020, but it was already issued and been submitted to the state on time. She explained the process for the CAFR report. She noted they tested Title One and Special Ed this year and had no findings related to the single audit.

Ms. Argenbright stated there were no audit adjustments for the FY2020 audit. She noted overall the City should be very proud as a city and as a Finance Department.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Ms. Darby moved that City Council accept the Fiscal Year 2020 Comprehensive Annual Financial Report, as presented.

The motion was seconded by Vice Mayor Robertson.

Ms. Mead stated earlier when Council discussed the debt capacity, they learned what the impact of our management and financial reporting had on credit rating. She noted it was in fact more important that we are well managed, including financially managed, then it is that we maintain certain levels of debt. She stated in having read many attorneys and many accounting opinions on financial statements in her career in banking, that this is not a small accomplishment. She stated this was a huge accomplishment and great credit to Mr. Trayer, Ms. Fitzgerald, all folks in our Finance Department.

The motion carried as follows:

Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye		

G. Consideration of Ordinance Regarding Updates to Section 6.05.010 of Chapter 6.05 of Title 6, Animals and Fowl

Doug Guynn, City Attorney, stated this particular matter was simply an update to bring our City Code revisions, as presented to you, in line with the state. He stated Council had already considered this before and recommended that Council adopt it tonight.

Mr. Holmes moved that City Council adopt the proposed ordinance amending Section 6.05.010, Definitions, of Chapter 6.05, In General, of Title 6, Animals and Fowl, to align with changes to the Code of Virginia as enacted by the General Assembly and to amend the definition of “wild or exotic animal,” as presented.

The motion was seconded by Ms. Mead.

The motion carried as follows:

Ms. Mead	aye	Ms. Dull	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye	Ms. Darby	aye
Vice Mayor Robertson	aye		

Ordinance No. 2019 - 29

**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 AND TO AMEND THE DEFINITION OF “WILD OR EXOTIC ANIMAL”**

Recitals

A. The General Assembly has enacted changes at various times to the Code of Virginia which merit amendments relating to the definitions under Title 6 of the Staunton City Code (SCC) of “adequate shelter,” “adequate space,” and “companion animal” to align the SCC with the Code of Virginia related to “companion animals”;

B. Pursuant to Staunton City Charter Section 11, Thirteenth, 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;

C. The City Council finds that it is in the interest of the City and its citizens to amend the SCC provisions relating to the definitions of “adequate shelter,” “adequate space,” “companion

animal” and “wild or exotic animal” consistent with the changes enacted to Section 3.2-6500 of the Code of Virginia;

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

E. 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 6.05.010, Definitions, and 6.15.010, Definitions, of the Staunton City Code be and hereby is amended as follows:

6.05.010 Definitions.

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

...

“Adequate shelter” means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; during hot weather, is properly shaded and does not readily conduct heat; during cold weather, has a windbreak at its entrance and provides a quantity of bedding material consisting of ~~straw~~ hay, cedar shavings, or the equivalent that is sufficient to protect the animal from cold and promote the retention of body heat; and, for dogs and cats, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Under this chapter, shelters whose wire, grid, or slat floors (1) permit the animals’ feet to pass through the openings, (2) sag under the animals’ weight, or (3) otherwise do not protect the animals’ feet or toes from injury are not adequate shelter. The outdoor tethering of an animal shall not constitute the provision of adequate shelter unless the animal is safe from predators and well suited and well equipped to tolerate its environment during the effective period for a hurricane warning or tropical storm warning issued for the area by the National Weather Service, or during a heat advisory issued by a local or state authority, when the actual or effective outdoor temperature is 85 degrees Fahrenheit or higher or 32 degrees Fahrenheit or lower, or during the effective period for a severe weather warning issued for the area by the National Weather Service, including a winter storm, tornado, or severe thunderstorm warning, unless an animal control officer, having inspected an animal's individual circumstances has determined the animal to be safe from predators and well suited and well equipped to tolerate its environment.

“Adequate space” means sufficient space to allow each animal to (1) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal and (2) interact safely with other animals in the enclosure. When the animal is tethered, “adequate space” means that the tether to which the animal is attached permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter, or harness, not of the choker type, that is configured so as to protect the animal from injury and prevent the animal or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the animal; is at least the greater of 150 feet in length or ~~three~~four times the length of the animal, as measured from

the tip of its nose to the base of its tail, except when the animal is being walked on a leash or is attached by a tether to a lead line or when an animal control officer, having inspected an animal's individual circumstances, has determined that in such an individual case, a tether of at least 10 feet or three times the length of the animal, but shorter than 15 feet or four times the length of the animal, makes the animal more safe, more suited, and better equipped to tolerate its environment than a longer tether; does not, by its material, size, or weight or any other characteristic, cause injury or pain to the animal; does not weigh more than one-tenth of the animal's body weight; and does not have weights or other heavy objects attached to it. The walking of an animal on a leash by its owner shall not constitute the tethering of the animal for the purpose of this definition. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space. The provisions of this definition that relate to tethering shall not apply to agricultural animals.

...

"Companion animal" means any domestic or feral dog, domestic or feral cat, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal which is bought, sold, traded, or bartered by any person. No Agricultural animals, game species, or any animals regulated under federal law as a research animals shall not be considered a companion animals for the purposes of this chapter.

...

6.05.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

...

(4) "Wild or exotic animal" shall mean any live monkey (nonhuman primate), raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx or any other warm-blooded animal, poisonous snake or tarantula which can normally be found in the wild state or any other member of crocodilian, including, but not limited to, alligators, crocodiles, caimans, and gavials. Animals Ferrets, guinea pigs, nonpoisonous snakes, rabbits, and laboratory rats which have been bred in captivity and which have never known the wild shall and are lawfully made available for sale or otherwise by a pet shop located and lawfully operating in the corporate limits of the City of Staunton shall be excluded from this definition.

...

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: November 12, 2020

Adopted: December 10, 2020

Effective Date: December 10, 2020

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/s/ Andrea W. Oakes
Andrea W. Oakes, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons, Clerk of Council

H. Consideration of Ordinance Authorizing One-Time Payments to City of Staunton Employees

Mr. Rosenberg stated as he shared with Council during the work session, staff had come forward with a proposed ordinance for Council's consideration that would recognize our City employees for their efforts to maintain continuity of operations and services during the pandemic in the form of one-time monetary payments on a schedule that set forth in the proposed ordinance.

Generally, it provided for payments of \$1,250 or \$625, depending on the date on which the employee was hired for Police, Fire and Rescue, Public Works, Park Maintenance, and Sheriff's employees, and one-time payments to all other employees in the amount of \$1,000 or \$500, again depending upon the date on which the employee was hired.

Mr. Rosenberg stated the ordinance further provided for payments to part time employees determined proportionately based on the number of hours that those part-time employees worked during a certain time period between March and November. Finally, it does also provide for the inclusion of employees of the four constitutional officers who have entered into agreements with the City to participate in the City's employment classification system and would include the Sheriff's office, the Commissioner of the Revenue's office, the Treasurer's office and the Office of the Clerk of Circuit Court. During the work session, Mr. Rosenberg stated there was some discussion about collapsing this treatment of employees into a single set. He stated he had distributed at the place of Council members here in chambers and emailed to Council members participating on Zoom, a revised ordinance that would provide for the same treatment for all employees of \$1,250 if hired on or before July 31, 2020 and \$625 if hired between August 1, 2020 and November 14, 2020. He noted there were some other conforming changes to that document that Council had before them. As Mr Trayer noted during the work session, and had been communicated to Council previously, that to treat all the employees in the same manner would require an additional \$30,000 approximately.

Mayor Oakes asked Council members if they had any questions.

Vice Mayor Robertson asked Mr. Trayer if there was an extra \$30,000.

Mr. Trayer stated that would not be a problem to cover.

Council members did not have any further questions.

Ms. Mead moved to adopt an ordinance authorizing and directing the City Manager and the Chief Finance Officer to award and apply the one-time monetary payments to employees' payroll on December 18, 2020, as revised.

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

Mayor Oakes	aye	Vice Mayor Robertson	aye
Ms. Darby	aye	Ms. Dull	aye
Mr. Holmes	aye	Ms. Mead	aye
Mr. Claffey	aye		

Ordinance No. 2020 - 30

AN UNCODIFIED ORDINANCE OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA, AUTHORIZING A ONE-TIME MONETARY PAYMENT TO CITY OF STAUNTON EMPLOYEES

Recitals

A. *Virginia Code § 15.2-1508* sets forth the procedure, including the adoption of an ordinance, by which the governing body of a locality may provide for payment of monetary bonuses to its employees, and provides, in part:

Notwithstanding any contrary provision of law, general or special, the governing body of any locality may provide for payment of monetary bonuses to its officers and employees. The payment of a bonus shall be authorized by ordinance.

B. In recognition of the hard work and dedication of City employees to maintain the continuity of operations and services for the citizens of Staunton during the unprecedented conditions occasioned by the COVID-19 pandemic, and given the lack of a salary increase in the FY2021 budget, the Staunton City Council has determined that a one-time monetary payment shall be granted to City employees.

C. At its November 12, 2020 regular meeting, Staunton City Council considered Ordinance 2020-30 regarding an amendment to the FY2021 Budget which also contemplated an appropriation for such possible monetary payments, under the category Operational Contingency, and subsequently adopted Ordinance 2020-30 at its December 10, 2020 regular meeting.

D. This matter has been properly heard and considered.

E. 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 it **AUTHORIZES** and **DIRECTS** the City Manager and the Chief Finance Officer to award and apply the one-time monetary payments to employees' payroll on December 18, 2020, as follows:

1209 1. For the purposes of this ordinance, a “one-time monetary payment” is defined as a
1210 lump-sum payment to an employee that is not part of the employee’s base salary.
1211

1212 2. A one-time monetary payment of \$1,250.00 shall be paid to all full-time who are
1213 employed as such as of December 10, 2020, and were hired on or before July 31, 2020.
1214

1215 3. A one-time monetary payment of \$625.00 shall be paid to all full-time employees
1216 who are employed as such as of December 10, 2020, and were hired between August 1, 2020, and
1217 November 14, 2020, both inclusive.
1218

1219 4. A one-time monetary payment shall be paid to each part-time employee in an
1220 amount equal to the product of (i) the one-time payment paid to an equivalent full-time employee,
1221 multiplied by (ii) a fraction, the numerator of which is the number of hours actually worked by
1222 such part-time employee between March 22, 2020 and November 14, 2020, both inclusive, and
1223 the denominator of which is the number of hours which a full-time employee would have worked
1224 in the aggregate on the same days.
1225

1226 5. A part-time employee employed by the City prior to August 1, 2020, involuntarily
1227 terminated by the City in response to the COVID-19 pandemic, and rehired by the City on or after
1228 August 1, 2020, for purposes of this ordinance shall be deemed employed by the City as of such
1229 employee’s original hire date.
1230

1231 6. Constitutional officers and their employees included in the City’s employment
1232 classification system pursuant to a memorandum of agreement with the City (which as of the date
1233 of adoption of this ordinance include the offices of Clerk of the Circuit Court, Commissioner of
1234 the Revenue, Sheriff and Treasurer) are eligible for one-time payments.
1235

1236 7. No one-time monetary payment shall be made to any employee hired on or after
1237 November 15, 2020.
1238

1239 Adopted: December 10, 2020

1240 Effective Date: December 10, 2020
1241

1242 /s/ Andrea W. Oakes
1243 Andrea W. Oakes, Mayor
1244

1245
1246 ATTEST: /s/ Suzanne F. Simmons

1247 Suzanne F. Simmons, Clerk of Council
1248
1249

1250 **I. Consideration of the Draft Staunton Greenways Plan-2020**
1251

1252 Rodney Rhodes, Senior Planner, stated for Council’s consideration tonight was the 2020 Staunton
1253 Greenways Plan. Although there have been various other Greenway Plan drafts prepared over the
1254 years, he noted none of them had ever been adopted by City Council; therefore, the City never had
1255 an official Greenways Plan that would provide direction to staff and various committees and also
1256 would support grant applications. Mr. Rhodes stated the current draft was initiated by City Council
1257 and directed staff to work on a Greenways Plan and include other Committees and Commissions

and the City and provide opportunities for public input. The Bicycle and Pedestrian Advisory Committee (BPAC) undertook this task about two and a half years ago. He noted in drafting the plan they had a member of the Planning Commission, that served on the committee in drafting this, updates were provided to the Parks and Recreation Advisory Committee during the drafting of the plan and provided opportunities for public input. He noted the various drafts were on the City's website. An informational meeting was held at the Public Library, and also conducted an online survey, all of which were well participated by the public.

Upon receiving that information, the Bike and Pedestrian Advisory Committee plan completed the draft and provided updates to the Planning Commission who conducted a public hearing in July, 2020. At that public hearing, two individuals spoke in favor of the plan, no one spoke in opposition, and on a four to zero vote, the Commission voted unanimously to recommend approval of the plan. Prior to City Council's public hearing on this matter, the BPAC prepared an online survey so that the citizens could review the plan online and submit comments. In one week, over 260 people submitted comments, and over 250 of them noted that they were very supportive of the Greenways Plan. Over 200 of those respondents noted the greenways were very important and that they would use them often. At City Council's public hearing on October 22, 2020 there were three individuals that spoke in favor of the plan and no one spoke in opposition. Mr. Rhodes stated he didn't intend to go into the details of the plan at tonight's meeting, but would answer any questions.

Mayor Oakes asked Council members if they had any questions.

Vice Mayor Robertson noted Mr. Rhodes made a statement that former Council's had never adopted a plan. He asked if one was never presented or what was the reason one was never adopted.

Mr. Rhodes stated some of the original plans were done by committees, by citizens, and one was done by a graduate student. He noted it wasn't an initiative of Council. He stated there was a plan that was initiated in 2016 by Council and was drafted. In early 2017, Council decided that there needed to be some more work on that plan and that was what initiated this review. Mr. Rhodes stated Council told staff to look over that plan, see what was good in that, see what staff could pull from that, but basically start the process over.

Ms. Dull stated on the previous plan there were there were projects in there that were going to be very difficult to fund and very difficult to get easements. She noted it was almost like we were afraid that they would never have a result because they were so difficult. She stated by incorporating BPAC, various other ones, and reworking it, she felt Council had multiple options now where as opportunities present itself, Council could actually achieve good results instead of just waiting years to do one project. She noted that was the discussion back in that time

Council members did not have any further questions.

Ms. Darby moved that City Council adopt the Staunton Draft Greenways Plan – 2020, as proposed by the Staunton Bicycle and Pedestrian Advisory Committee, and recommended by the Planning Commission.

The motion was seconded by Vice Mayor Robertson.

Ms. Mead stated earlier Delegate Avoli said something about how refreshing it was to be in place where things got accomplished quickly compared to the length of time it took to get things accomplished in the General Assembly. She stated she believed that the input from citizens had been invaluable in the process and believed that Council had a plan that was doable, would not cost a fortune, and was something that all citizens could enjoy and support. She stated she would support the motion.

The motion carried as follows:

Ms. Darby	aye	Ms. Dull	aye
Mr. Holmes	aye	Ms. Mead	aye
Mr. Claffey	aye	Mayor Oakes	aye
Vice Mayor Robertson	aye		

MATTERS FROM THE CITY MANAGER

Mr. Rosenberg repeated instructions for the public to call and be placed in the queue.

Mr. Rosenberg stated Council members were likely aware, but for the benefit of the public, the Central Avenue Streetscape Improvement project had commenced. He noted there was a project webpage on the City's website where the public could go for up-to-date information about the project. He noted it was 20-month project and involved the closure of the northbound lane of Central Avenue on a fairly regular basis during project hours.

Secondly, also a construction project, a bit smaller in scale, but certainly have a significant long-term impact, was the installation of bollards on Beverley Street and was expected to be completed that weekend. He noted the bollards would actually be deployed in place of the concrete and water filled barriers on portions of Beverley Street.

Mr. Rosenberg stated today the Governor announced new restrictions effective at 12:01 a.m, on Monday next week. He stated the revised or amended executive order had not yet been issued on the Governor's website, but we'll be waiting for that and we will digest it. At first glance, based on the Governor's remarks and a prior briefing for local government officials, Mr. Rosenberg stated he did not think it would have much of an effect on what we are doing on a day-to-day basis. He stated the new restrictions did not affect the operations of restaurants. The other most significant change was in the size of permitted public and private gatherings, which would be reduced from 25 to 10. Mr. Rosenberg stated staff would keep eye for the amended executive order, would review it, and then make any appropriate changes that are required in the City operations.

Ms. Darby stated someone complimented the excellent work that the Public Works Department had been doing to install the bollards and that they were very impressed.

Mr. Rosenberg stated it was a local contractor that was handling the job, but Public Works employees had also participated and been on site as a part of the project.

Discussion ensued with Mr. Johnston regarding installation of the bollards. He stated the entire project, including the purchase of a trailer to help store and distribute them, came in at just over \$57,000.

Mr. Rosenberg stated the impetus for the bollard project was the Shop and Dine Out Downtown initiative. Discussion ensued.

Ms. Beauregard stated the project was funded by CARES money. She thanked Mr. Johnston for coming in under budget.

Mr. Holmes stated at the Tourism Advisory Board meeting that morning, a lot of the downtown businesses would like to see that continue on through the winter - weather permitting. He stated Council was going to revisit it in January. He noted he felt it was a good idea and to have them ready to use this whenever.

MATTERS FROM THE PUBLIC

There was no one to speak in person.

There were no callers on the line.

CLOSED MEETING FOR:

Mr. Claffey moved that Council enter a closed meeting for discussion of possible acquisition of real property within the City, where discussion in an open meeting would adversely affect the public body's bargaining position or negotiating strategy pursuant to Virginia Code Section 2.2-3711(A)(3).

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

Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye		

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:28 p.m.

Suzanne F. Simmons
Clerk of Council

Ordinance No. 2020- 27
AN ORDINANCE TO AMEND
THE FY 2021 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER FOUR

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	\$	4,913,354
Recovered Costs		59,826
Capital Grants and Contributions		114,361
Total Revenue	\$	5,096,305

Appropriations

General Government	\$	374,944
Judicial Administration		62,824
Public Safety		312,851
Public Works		704,071
Parks, Recreation, Cultural		6,615
Community Development		120,000
Transfers to Other Funds		3,515,000
Total Appropriations	\$	5,096,305

GRANTS FUND

Anticipated Revenue

Capital Grants and Contributions	\$	27,566
Total Revenue	\$	27,566

Appropriations

Public Safety	\$	27,566
Total Appropriations	\$	27,566

BLUE RIDGE COURT SERVICES

Anticipated Revenue

Capital Grants and Contributions	\$	247,756
Total Revenue	\$	247,756

Appropriations

Public Safety	\$	247,756
Total Appropriations	\$	247,756

CITY CAPITAL IMPROVEMENTS FUND

Anticipated Revenue

Transfer from the General Fund	\$	2,515,000
Total Revenue	\$	2,515,000

Appropriations

Capital Projects	\$	2,515,000
Total Appropriations	\$	2,515,000

DEBT SERVICE SINKING FUND

Anticipated Revenue

Transfer from the General Fund	\$	<u>1,000,000</u>
Total Revenue	\$	<u>1,000,000</u>

Appropriations

Debt Service	\$	<u>1,000,000</u>
Total Appropriations	\$	<u>1,000,000</u>

COMMUNITY DEVELOPMENT FUND

Anticipated Revenue

Capital Grants and Contributions	\$	<u>1,020,227</u>
Total Revenue	\$	<u>1,020,227</u>

Appropriations

Operations	\$	<u>1,020,227</u>
Total Appropriations	\$	<u>1,020,227</u>

WATER FUND

ENVIRONMENTAL FUND

Anticipated Revenue

Capital Grants and Contributions	\$	<u>8,654</u>
Total Revenue	\$	<u>8,654</u>

Appropriations

Operations	\$	<u>8,654</u>
Total Appropriations	\$	<u>8,654</u>

EDUCATION FUND**Anticipated Revenue**

General Revenue	\$	145,496
Capital Grants and Contributions		<u>1,734,082</u>
Total Revenue	\$	1,879,578

Appropriations

Operations	\$	<u>1,879,578</u>
Total Appropriations	\$	1,879,578

EDUCATION SOP FUND - 920**Anticipated Revenue**

Capital Grants and Contributions	\$	15,222
Total Revenue	\$	<u>15,222</u>

Appropriations

Operations	\$	<u>15,222</u>
Total Appropriations	\$	15,222

CAFETERIA FUND - 930**Anticipated Revenue**

Capital Grants and Contributions	\$	12,961
Transfer from Cafeteria Fund Balance	\$	<u>47,228</u>
Total Revenue	\$	60,189

Appropriations

Operations	\$	<u>60,189</u>
Total Appropriations	\$	60,189

SCHOOL CIP FUND- 966**Anticipated Revenue**

Transfer from the Education Fund	\$	1,053,280
Capital Grants and Contributions		<u>-</u>
Total Revenue	\$	1,053,280

Appropriations

Capital Projects	\$	<u>1,053,280</u>
Total Appropriations	\$	1,053,280

GRAND TOTAL BUDGET AMENDMENT NO 4	\$	12,923,776
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INTRODUCED: November 12, 2020

PUBLIC HEARING: November 12, 2020

Public Hearing Advertisement Date: November 5, 2020

Approved this 10th day of Dec, 2020Effective Date: 12/10/2020

ATTEST: Suzanne F. Simmons
Suzanne F. Simmons
Clerk of Council

CERTIFIED: 

Andrea Oakes
Mayor of Council

FY 2021 BUDGET AMENDMENT NO. 4

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
GENERAL FUND			
GENERAL GOVERNMENTAL ADMINISTRATION			
GENERAL GOVERNMENT			
Donations	11013-41735	\$ 7,314	
Contingency	11099800-56997		\$ 7,314
To appropriate flood relief donations			
To appropriate Operational Contingency			
Appropriation of prior year reserves	11001-41930	\$ 367,630	
Contingency	11011310-58389		\$ 367,630
JUDICIAL ADMINISTRATION			
COMMONWEALTH ATTORNEY			
Appropriation of Prior Year Fund Balance	11001-41930	\$ 10,347	
State forfeited assets	11022210-55472		\$ 10,347
To carry forward the balance of the state forfeited assets confiscated as a result of criminal drug operations, as mandated by state requirements			
CLERK OF THE CIRCUIT COURT			
Circuit Court Technology trust funds	11023-45318-40310	\$ 16,929	
Technology Trust Funds for records management/indexing	11022160-55429-40310		\$ 16,929
To appropriate additional Comm of VA funds from the Supreme Court of Virginia			
VICTIM WITNESS PROGRAM			
Victim/Witness Grant - Federal	11023-46204	\$ 32,411	
Victim/Witness Grant - State	11023-45567	\$ 3,137	
Non-Capital equipment	11022190-55486		\$ 35,548
To appropriate additional grant funds for Victim Witness			
PUBLIC SAFETY			
POLICE DEPARTMENT			
Appropriation of Prior Year Fund Balance	11001-41930	\$ 114,227	
State forfeited asset expenditures	11033110-55472		\$ 100,591
Federal forfeited asset expenditures	11033110-55473		\$ 13,636
To carry forward the balance of the state and federal forfeited asset funds. Carry forward is mandated by state and federal regulations.			
US Marshall Forfeited Asset	11033-46207-53300	\$ 8,901	
Police Overtime	11033110-51530-53300		\$ 8,901
To appropriate US Marshal Services Joint Law Enforcement Operations Task Force Funding - Carry Over Funding			
Insurance recovery	11031-41928	\$ 1,112	
Police Maintenance and Repairs-vehicles	11033110-55305		\$ 1,112
To appropriate insurance proceeds for damages to Police Interceptor			

FY 2021 BUDGET AMENDMENT NO. 4

	LEDGER CODE	AMOUNT	
		REVENUE	EXPENDITURE
GENERAL FUND			
PUBLIC SAFETY			
DOS CESF COVID-19 grant	11033-46252-53400	\$ 6,912	
Police Overtime	11033110-51530-53400		\$ 6,912
Appropriate CESF Law Enforcement COVID Grant # 20-A5114CE20			
DMV grant	11033-46205-52900	\$ 12,352	
Police Overtime	11033110-51530-52900		\$ 11,252
Police Training	11033110-55005-52900		\$ 1,100
To appropriate Selective Enforcement Grant from the National Highway Traffic Safety Administration			
Insurance Recovery	11031-41928	\$ 54,643	
Police Auto Equipment	11033110-58316		\$ 54,643
To appropriate insurance recovery of Flood Damage to Police Cars			
FIRE DEPARTMENT			
Appropriation of Prior Year Fund Balance	11001-41930	\$ 102,218	
Four for Life funds expenditures	11033290-55602		\$ 118
Fire Programs funds expenditures	11033290-55639		\$ 102,100
To carry forward the balance of state funds received, as mandated by state requirements.			
Fire Programs fund grants	11033-45525	\$ 4,009	
Fire Programs funds expenditures	11033290-55639		\$ 4,009
To appropriate additional fire programs grant funds			
SAFER grant	11033-46250-40244	\$ 8,477	
Fire salaries	11033210-51006-40244		8,477
To appropriate remainder of three year SAFER grant funds			
Appropriation of Prior Year Fund Balance	11001-41930	\$ 200,000	
Auto Equipment	11033110-58316		200,000
Appropriate 4 Cars			
PUBLIC WORKS			
ADMINISTRATION			
Insurance recovery	11041-41928	\$ 4,071	
Maintenance / Repair Vehicles	11044120-55305		\$ 4,071
To appropriate recovered costs from insurance proceeds for damages to Traffic Control Box			
Appropriation of prior year reserves	11001-41930	\$ 500,000	
Contingency	11044210-58389		\$ 500,000

FY 2021 BUDGET AMENDMENT NO. 4

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
PARKS AND RECREATION			
RECREATION			
Appropriation of prior year reserves Materials and Supplies To carry forward the balance of donated funds to build a nature park.	11001-41930 11077110-55415-31200	\$ 1,056	\$ 1,056
Appropriation of prior year reserves Building improvements/ capital outlay. To carry forward the balance of donated funds for the Booker T. Washington facility kitchen.	11001-41930 11077110-58385-34400	\$ 2,876	\$ 2,876
Donations Maintenance of facilities To appropriate flood relief donations	11073-41730 11077210-53165-19200	\$ 1,450	\$ 1,450
HORTICULTURE			
Donations - Parks & Recreation Materials and Supplies To appropriate Susan Blackley grant funds	11073-41730-33200 11077120-55415-33200	\$ 1,233	\$ 1,233
COMMUNITY DEVELOPMENT			
TOURISM			
VTC grants Advertising Professional Services To appropriate Va Tourism Corporation WanderLove grant	11083-44126-47001 11088210-53001-47001 11088210-53010-47001	\$ 10,000	\$ 6,500 \$ 3,500
Appropriation of Prior Year Fund Balance Professional Services To appropriate overlay software	11001-41930	\$ 100,000	\$ 100,000
VTC grants Advertising Professional Services To appropriate VTC Recovery Marketing Leverage Program	11083-44126-47004 11088210-53001-47004 11088210-53010-47004	\$ 10,000	\$ 7,000 \$ 3,000
TRANSFERS TO OTHER FUNDS			
CAPITAL IMPROVEMENTS			
Appropriation of Prior Year Unassigned Fund Balance Transfer to the City Capital Improvements Fund	11001-41930 11099600-59339	\$ 2,515,000	\$ 2,515,000
DEBT SERVICE SINKING FUND			
Appropriation of Prior Year Unassigned Fund Balance Transfer to the Debt Service Sinking Fund- Debt Reserve	11001-41930	\$ 1,000,000	\$ 1,000,000
TOTAL GENERAL FUND		\$ 5,096,305	\$ 5,096,305

FY 2021 BUDGET AMENDMENT NO. 4

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE

BUDGET AMENDMENT NO. 4 GENERAL FUND SUMMARY

GENERAL FUND REVENUE SUMMARY

General Revenues

<u>Appropriation of Prior Year Fund Balance</u>		\$ 4,913,354	
Operational Contingency	\$ 367,630		
Forfeited Assets for Police - State	100,591		
Forfeited Assets for Comm Attorney	10,347		
Forfeited Assets for Police - Federal	13,636		
EMS Four for Life Funds for Fire Department	118		
Fire Programs Fund	102,100		
Recreation- Nature Park Donations	1,056		
Recreation-Donations- Booker T. Community Center	2,876		
Police Department Cars	200,000		
Flood Contingency	500,000		
Planning & Development	100,000		
Transfer to the Capital Improvements Fund	2,515,000		
Transfer to the Debt Service Sinking Fund	1,000,000		
<u>Recovered Costs</u>		59,826	
Public Works	4,071		
Public Safety	55,755		
<u>Miscellaneous Revenue</u>		8,764	
General government-Donations- Flood relief	7,314		
Recreation-Donations- Flood relief	1,450		
<u>Non-Capital Grants and Contributions</u>		114,361	
Clerk of the Court	16,929		
Victim Witness	35,548		
Police Department	40,651		
Parks & Recreation	1,233		
Tourism	20,000		
Total General Fund Revenues		\$ 5,096,305	

GENERAL FUND EXPENDITURE SUMMARY

General Government	\$ 374,944		
Judicial Administration	62,824		
Public Safety	312,851		
Public Works	704,071		
Parks, Recreation, Cultural	6,615		
Community Development	120,000		
Transfer to Other Funds	\$ 3,515,000		
Total General Fund Expenditures		\$ 5,096,305	

CITY CAPITAL IMPROVEMENTS FUND			
Transfer from the General Fund	39001-49211	\$ 2,515,000	
CIP Contingency Account	39099800-58400		\$ 2,515,000
To appropriate funds transferred from the General Fund			
TOTAL CAPITAL IMPROVEMENTS FUND		\$ 2,515,000	\$ 2,515,000

FY 2021 BUDGET AMENDMENT NO. 4

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
DEBT SERVICE SINKING FUND			
Transfer from the General Fund	11101-49211	\$ 1,000,000	
Debt Service Sinking Fund Reserve	11199500-59500		\$ 1,000,000
To appropriate funds transferred from the General Fund			
TOTAL DEBT SERVICE SINKING FUND		\$ 1,000,000	\$ 1,000,000
COMMUNITY DEVELOPMENT FUND			
HUD Grant	22083-46242	\$ 223,598	
Professional Services	22088535-53010	59,948	
Public Service Grants	22088535-55207		\$ 50,000
Housing Rehabilitaion	22088535-58386		\$ 75,000
Water Lines	22088535-58365		\$ 145,796
Sidewalks	22088535-58379		\$ 12,750
To appropriate remaining FFY19 HUD Entitlement Program grant funds			
HUD Grant	22083-46242-COVID	\$ 207,590	
Professional Services	22088535-53010-COVID		\$ 41,518
Public Service Grants	22088535-55207-COVID		\$ 166,072
To appropriate HUD CDBG-CV COVID-19 grant funds			
HUD Grant	22083-46242	\$ 352,891	
Professional Services	22088535-53010		\$ 65,000
Public Service Grants	22088535-55207		\$ 167,313
Housing Rehabilitaion	22088535-58386		\$ 10,000
Water Lines	22088535-58365		\$ 40,000
Sidewalks	22088535-58379		\$ 70,578
To appropriate FFY20 HUD Entitlement Program grant funds			
VIDA Grant	22083-46250-46011	\$ 176,200	
Contractual Agreements	22088566-53011-46011		\$ 25,000
Other Expenses	22088566-55670-46011		\$ 151,200
To appropriate remainder of HUD CDBG VIDA program grant funds			
TOTAL COMMUNITY DEVELOPMENT FUND		\$ 1,020,227	\$ 1,020,227

FY 2021 BUDGET AMENDMENT NO. 4

	LEDGER CODE	AMOUNT	
		REVENUE	EXPENDITURE
GRANTS FUND			
<u>FIRE DEPARTMENT</u>			
LEMPG grant funds	21534-46250-40104	\$ 7,500	
Special equipment To appropriate federal grant funds awarded from the Virginia Department of Emergency Management for the 2020 Local Emergency Management Performance Grant (LEMPG) to purchase drones	21533210-58341-40104		* 7,500
OEMS Rescue Squad Assistance grant	21034-45558-40232	\$ 4,942	
OEMS RASF grant expenditures To appropriate additional Rescue Squad Assistance Fund grant funds	21533210-54109-40232		\$ 4,942
GRANTS FUND			
<u>POLICE DEPARTMENT</u>			
DOS CESF COVID-19 grant	21534-46252-53400	\$ 10,000	
Special equipment Appropriate CESF Law Enforcement COVID Grant # 20- A5114CE20	21533110-58341-53400		\$ 10,000
<u>HORTICULTURE</u>			
Va Forestry grant	21573-46248-33300	\$ 3,430	
Forestry grant expenses To appropriate Va Department of Forestry Emerald Bore Removal / Replacement Grant	21577120-55456-33300		\$ 3,430
Federal Forestry Tree / Plant Purchases To appropriate remaining Va Department of Forestry Street tree planting and replacement grant funds	21573-46250-33110 21577120-55456-33100	\$ 1,694	\$ 1,694
TOTAL GRANTS FUND		\$ 27,566	\$ 27,566

FY 2021 BUDGET AMENDMENT NO. 4

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
BLUE RIDGE COURT SERVICES FUND			
Community Corrections grant	21033-45556	\$ 7,434	
Other salaries	21033340-51009		\$ 6,905
FICA	21033340-52010		\$ 529
To appropriate additional Community Corrections grant funds			
Other grants	21033-44122	\$ 17,000	
Other salaries	21033340-51009		\$ 17,000
To appropriate Rockbridge Regional Jail Emergency grant funds			
Appropriation of prior year reserves	21001-41930	\$ 18,219	
Augusta Health grant funds	21033-44122-40237		\$ 25,000
Contractual services-Augusta Health DBT group	21033341-53011-40237		\$ 18,219
Contractual services	21033340-53011	\$ 25,000	
To carry forward the balance of August Health grant funds from CY 2020 and remove grants funds not yet awarded			
VCSB-Therapeutic docket grant	21033-44121	\$ 55,369	
VCSB-MH Court	21033-44122-40236		\$ 55,369
VCSB-MH Rural Jail Diversion grant	21033-44125	\$ 48,000	
MH Court grant	21033-45560-40236		\$ 48,000
To correct appropriate of VCSB grant funds			
JAG grant	21033-46253		\$ 37,500
Other salaries	21033342-51302	\$ 40,747	
Group Life insurance	21033342-52001	\$ 546	
Health insurance	21033342-52005	\$ 8,916	
Social Security	21033342-52010	\$ 3,117	
Retirement-VRS	21033342-52020	\$ 6,226	
Worker's Compensation	21033342-52025	\$ 1,000	
Unemployment insurance-VEC	21033342-52030	\$ 25	
Other salaries	21033340-51302		\$ 3,247
Group Life insurance	21033340-52001		\$ 546
Health insurance	21033340-52005		\$ 8,916
Social Security	21033340-52010		\$ 3,117
Retirement-VRS	21033340-52020		\$ 6,226
Worker's Compensation	21033340-52025		\$ 1,000
Unemployment insurance-VEC	21033340-52030		\$ 25
To remove appropriate for Supreme Court Therapeutic Docket/Behavior Health grant not received.			
DCJS CESF COVID-19 grant	21033-46252-40102	\$ 16,157	
Non-Capital equipment	21033340-55486-40102		\$ 16,007
Dues and Subscriptions	21033340-55002-40102		\$ 150
Appropriate CESF Courts COVID Grant # 20-A5161CE20			
TOTAL BLUE RIDGE COURT SERVICES FUND		\$ 247,756	\$ 247,756
WATER FUND			
Insurance recovery	53001-41928	\$ 8,654	
Auto equipment	53004321-58316		\$ 8,654
To appropriate insurance proceeds for damages to vehicle			
TOTAL WATER FUND		\$ 8,654	\$ 8,654

FY 2021 BUDGET AMENDMENT NO. 4

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE

FY 2020 BUDGET AMENDMENT NO. 4 SUMMARY

CITY GOVERNMENT FUNDS

GENERAL FUND	\$ 5,096,305
CAPITAL IMPROVEMENTS FUND	\$ 2,515,000
DEBT SERVICE SINKING FUND	\$ 1,000,000
COMMUNITY DEVELOPMENT FUND	\$ 1,020,227
GRANTS FUND	\$ 27,566
BLUE RIDGE COURT SERVICES FUND	\$ 247,756
WATER FUND	\$ 8,654

TOTAL CITY GOVERNMENT FUNDS	\$ 9,915,508
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EDUCATION FUND	\$ 1,879,578
SCHOOL CIP FUND 966	\$ 1,053,280
CAFETERIA FUND	\$ 60,189
SCHOOL SOP FUND 920	\$ 15,222

TOTAL EDUCATION FUNDS	\$ 3,008,268
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TOTAL FY2021 BUDGET AMENDMENT NO. 4	\$12,923,776
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**STAUNTON CITY SCHOOLS
FY 2021 BUDGET
AMENDMENT NO. 4**

EDUCATION FUND		REVENUES	EXPENDITURES
STATE AND FEDERAL GRANT REVENUE/PROGRAMS			
TITLE III Part A- limited English Proficient			
To appropriate additional federal grants for the Limited English Proficient Program - Carryover Funding	900100-49302	\$ 2,715.97	
Educational supplies	91103195-56013-T3-00		\$ 1,357.98
Educational supplies	91102195-56013-T3-00		\$ 1,357.99
TITLE III Part D Neglected and Delinquent			
To appropriate additional federal grant funds for neglected and delinquent students	900300-43015-T1D00	\$ 97,754.93	
Contingency	91101100-59100-T1D00		\$ 97,754.93
Special Education Preschool Program			
To appropriate the balance of grant funds from the 2019 federal award for the preschool program			
Special Education Preschool 619 Funds - 2019 award	900300-43173-PRE00	\$ 35,410.32	
PRESCHOOL Contingency-Grant Balance	91101100-59100-PRE00		\$ 35,410.32
TITLE VIB Federal Grant			
To appropriate remaining grant funds from prior year grant funds awarded for T6B00			
Federal Revenue	900300-43027-T6B00	\$ 642,092.06	
T6B00 Contingency	9110H00-59100-T6B00		\$ 642,092.06
TITLE 1 Federal Funds			
To appropriate remaining grant funds from prior years for TITLE 1	900300-43010-T1-00	\$ 266,552.48	
TITLE 1 Contingency -Grant Balances	91101100-59100-T1-00		\$ 266,552.48
TITLE II Federal Funds			
To appropriate remaining grant funds from prior year for TITLE II	900300-43345-RT-00	\$ 3,984.81	
Teacher Salaries	91102187-51120-RT-00		\$ 3,984.81
TITLE IV Federal Funds- Student Support and Enrichment			
To appropriate remaining grant funds from prior year and new grant funds for FY2020 for TITLE IV	900300-43378-T4-00	\$ 9,290.33	
TITLE IV Contingency	91102195-59100-T4-00		\$ 9,290.33
PERKINS V - TITLE 1			
To appropriate additional federal grants for the Pre School Expai	900400-43243-PRK00	\$ (2,458.27)	
Replace - Computers / Technology	91103395-58107-PRK00		\$ (2,458.27)

STAUNTON CITY SCHOOLS
FY 2021 BUDGET
AMENDMENT NO. 4

EDUCATION FUND		REVENUES	EXPENDITURES
STATE AND FEDERAL GRANT PROGRAMS			
Adjust appropriation for Industry Certification Costs			
Industry Certification Costs	900300-42349	\$ 3,799.79	
Testing Services	91103395-53563		\$ 3,799.79
Adjust appropriation for Workplace Readiness			
VA Workplace Readiness	900300-42365	\$ 640.38	
Testing Services	91103395-53563		\$ 640.38
Adjust appropriation for Industry Credential STEM H			
CTE STEM H Industry Funds	900300-42365	\$ 1,037.36	
Testing Services	91103395-53563		\$ 1,037.36
Adjust appropriation for Updating CTE Equipment to Industry Standards			
CTE STEM H Industry Funds	900400-42252	\$ 3,900.46	
Additional Computer - Voc	91103395-58207		\$ 3,900.46
Adjust appropriation for Updating CTE Equipment Allocations			
CTE STEM H Industry Funds	900400-42252	\$ 5,062.30	
Testing Services	91103395-58207		\$ 5,062.30
Additional Computer - Voc			
To appropriate CRF Act Funding			
Miscellaneous Federal Aid	11001-46250-CFR	\$ 467,163	
Transfer to School CIP	98909095-59394-CFR		\$ 278,231
Transfer to Cafeteria Fund	98909095-59392-CFR		\$ 8,554
Contingency Funds	94209099-56014-CFR		\$ 180,378
To appropriate VDOE Vision Grant Funding			
Miscellaneous Federal Aid	900300-43999-VISIQN	\$ 197,136	
Additional Computer Technology	97109095-58207-VISON		\$ 197,136
TOTAL STATE AND FEDERAL GRANT PROGRAMS		\$ 1,734,081.92	\$ 1,734,081.92

STAUNTON CITY SCHOOLS
FY 2021 BUDGET
AMENDMENT NO. 4

EDUCATION FUND		REVENUES	EXPENDITURES
LOCAL GENERAL REVENUE/PROGRAMS			
<u>Equity Initiatives</u>			
Donations for Equity Initiatives Within Staunton City Schools	900300-40580-EQUIT	\$ 124,587.43	
Contingency	91101100-59100-EQUIT		\$ 124,587.43
To appropriate Staunton Rotary Donation			
Donations Private Gifts	900300-40580	\$ 450.00	
Books & Subscriptions	91323188-56012		\$ 450.00
To appropriate Newman Donation to Shelburne MS			
Donations Private Gifts	900300-40580	\$ 2,500.00	
Donations Private Gifts	900300-40580-EQUIT	\$ 100.00	
Band Instruments	91102587-58108		\$ 2,500.00
Contingency	91101100-59100-EQUIT		\$ 100.00
<u>Bessie Weller Elementary Thacker Fund</u>			
To appropriate the balance of donated funds received from the Thacker Fund for Bessie Weller Elementary School			
Prior Year Donated Funds	900100-49302	\$ 17,858.16	
Bessie Weller Elementary Thacker Fund	91101181-56109-THACK		\$ 17,858.16
TOTAL LOCAL GENERAL REVENUE/PROGRAMS		\$ 145,495.59	\$ 145,495.59
TOTAL EDUCATION FUND		\$ 1,879,577.51	\$ 1,879,577.51

STAUNTON CITY SCHOOLS
FY 2021 BUDGET
AMENDMENT NO. 4

STATE OPERATED PROGRAMS FUND		REVENUES	EXPENDITURES
TITLE VIB Federal Grant - CCCA			
To appropriate remaining grant funds from prior year grant funds awarded for T6B00 Regional			
Federal Revenues	920393-43027-T6BCC	\$ 34,287.88	
TITLE VIB Federal Grant - CCCA	S1109993-56210-T6BCC		\$ 21,287.88
Educational Supplies	\$1109993-56013		\$ 13,000.00
 TITLE I Part D Neglected and Delinquent - SOP			
To appropriate additional federal grant funds for neglected and delinquent students			
	920391-43015-T1D00	\$ (19,066.31)	
Other Professional Services	S1109991-51120-T1D00		\$ (19,066.31)
TOTAL STATE OPERATED PROGRAMS FUND 920		\$ 15,221.57	\$ 15,221.57
 SCHOOL CIP FUND 966			
<u>Capital Improvement Projects</u>			
Transfer from Education Fund	966100-49290	\$ 710,819.11	
Dixon Infrastructure Upgrades	K6609084-58120		\$ 250,000.00
Repave all school parking lots and roadways. Annual funding \$1	K6209000-58113		\$ 100,000.00
CIP Projects- Undesignated- Pending Approval of CIP Plan	K9009000-58100		\$ 360,819.11
Transfer from Education Fund	966100-49290	\$ 278,231.00	
School Bus Equipment	K9009000-58100		\$ 278,231.00
 To appropriate insurance recoveries of HVAC Chiller damage			
Transfer from Education Fund	966100-49290	\$ 64,230.00	
Replace HVAC / Chiller	K6609095-58104		\$ 64,230.00
TOTAL SCHOOL CIP FUND 966		\$ 1,053,280.11	\$ 1,053,280.11

STAUNTON CITY SCHOOLS

FY 2019 BUDGET

AMENDMENT NO. 4

CAFETERIA FUND			
Donations	930395-40580	\$ 125.00	
Food Service Supplies	H5109081-56002		\$ 25.00
Food Service Supplies	H5109082-56002		\$ 25.00
Food Service Supplies	H5109083-56002		\$ 25.00
Food Service Supplies	H5109087-56002		\$ 25.00
Food Service Supplies	H5109088-56002		\$ 25.00
To re-appropriate additional grant funds from the Chef Anne Foundation Grant for the Cafeteria Fund for a point of sale system and food supplies.			
Other Grants	930100-49302	\$ 34,918.41	
Other Purchased Services	H5209095-53611-CHEF		\$ 34,918.41
To appropriate CRF Funding			
Transfer From Education Fund	930100-49290	\$ 8,554.00	
Other Operating Supplies	H5109000-56014-CFR		\$ 8,554.00
To re-appropriate Miles for Meals balance			
Appropriation from fund balance	930100-49302	\$ 3,627.24	
Supplies	H5109000-56003-MM5K		\$ 3,627.24
To re-appropriate of donations for hardship lunch			
Miles for Meals 5K	930100-49302	\$ 4,281.61	
Contingency	H5109000-59100		\$ 4,281.61
Appropriation from fund balance			
Share our Strength Contingency	930100-49302	\$ 8,682.54	
Share our Strength Contingency Breakfast	H5109000-51620		\$ 5,000.00
Other Operating Supplies	H5109081-56014-SOSB		\$ 1,000.00
Food Service Supplies	H5109000-56014-NKHVA		\$ 2,182.54
	H5109087-56000-CACFP		\$ 500.00
TOTAL SCHOOL CAFETERIA FUND 930		\$ 60,188.80	\$ 60,188.80

GRAND TOTAL BUDGET AMENDMENT NO. 4	\$ 3,008,267.99	\$ 3,008,267.99
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**CITY OF STAUNTON, VIRGINIA
FY 2021 ADOPTED BUDGET ADDITIONAL APPROPRIATION****GENERAL FUND****ANTICIPATED REVENUE**

General Property Taxes	\$ 5,072,150
Other Local Taxes	2,592,900
Commonwealth of Virginia	2,519,778
Current Service Charges	360,667
Federal Revenue	256,995
Recovered Costs	232,375
Licenses and Permits	47,080
Use of Money and Property	49,300
Fines and Forfeitures	46,400
Miscellaneous	97,296
Total Revenue	<u>\$ 11,274,940</u>

APPROPRIATIONS

Transfer to Education Fund	\$ 2,408,882
Public Safety	2,408,704
Health and Welfare	1,472,476
Public Works	1,194,353
General Government Administration	1,220,092
Transfer to Debt Service Sinking Fund	968,883
Parks, Recreation, Library, and Cultural	734,044
Judicial Administration	447,951
Community Development	417,755
Transfer to the City CIP Fund	-
Educational Agency Contributions	1,800
Total Appropriations	<u>\$ 11,274,940</u>

DEBT SERVICE SINKING FUND**ANTICIPATED REVENUE**

Transfer from the General Fund	\$ 968,883
Total Revenue	<u>\$ 968,883</u>

APPROPRIATIONS

Debt	\$ 968,883
Total Appropriations	<u>\$ 968,883</u>

CAPITAL IMPROVEMENTS PROJECT FUND**ANTICIPATED REVENUE**

Transfer from the General Fund	\$0
Total Revenue	<u>\$0</u>

APPROPRIATIONS

Capital Improvements	\$0
Total Appropriations	<u>\$0</u>

BLUE RIDGE COURT SERVICES FUND**ANTICIPATED REVENUE**

Non Capital Grants/ Contributions	\$ 158,941
Miscellaneous	23,574
Charges for Services	36,080
Total Revenue	<u>\$ 218,595</u>

APPROPRIATIONS

Operations	\$ 218,595
Total Appropriations	<u>\$ 218,595</u>

WATER FUND**ANTICIPATED REVENUE**

Charges for Service	\$	927,245
General Revenues		82,117
Total Revenue	\$	1,009,362

APPROPRIATIONS

Operations	\$	689,143
Debt		204,219
Capital		116,000
Total Appropriations	\$	1,009,362

SEWER FUND**ANTICIPATED REVENUE**

Charges for Services	\$	781,000
General Revenues		131,479
Total Revenue	\$	912,479

APPROPRIATIONS

Operations	\$	481,180
Debt		282,241
Capital		149,058
Total Appropriations	\$	912,479

PARKING FUND**ANTICIPATED REVENUE**

Charges for Services	\$	89,100
General Revenues		18,924
Total Revenue	\$	108,024

APPROPRIATIONS

Operations	\$	64,741
Debt		35,683
Capital		7,600
Total Appropriations	\$	108,024

STORMWATER FUND**ANTICIPATED REVENUE**

Charges for Services	\$	157,000
General Revenues		101,463
Total Revenue	\$	258,463

APPROPRIATIONS

Operations	\$	76,483
Capital		181,980
Total Appropriations	\$	258,463

ENVIRONMENTAL FUND**ANTICIPATED REVENUE**

Charges for Services	\$	641,729
General Revenues		24,000
Non Capital Grants/ Contributions		1,230
Total Revenue	\$	666,959

APPROPRIATIONS

Operations	\$	539,558
Capital		127,401
Total Appropriations	\$	666,959

EDUCATION FUND**ANTICIPATED REVENUE**

Commonwealth of Virginia	\$	3,196,898
Transfer from the General Fund		2,408,882
Federal Government		510,971
Charges for Services		184,397
General Revenues		193,147
Total Revenue	\$	6,494,295

APPROPRIATIONS

Administration and Operation of Schools	\$	6,494,295
Total Appropriations	\$	6,494,295

CAFETERIA FUND

ANTICIPATED REVENUE

Operating Grants	\$	251,542
Charges for Service		37,726
General Revenues		5,074
Total Revenue	\$	294,342

APPROPRIATIONS

Operations	\$	294,342
Total Appropriations	\$	294,342

SCHOOL TEXTBOOK FUND

ANTICIPATED REVENUE

Commonwealth of Virginia	\$	33,955
General Revenues		21,500
Total Revenue	\$	55,455

APPROPRIATIONS

Operations	\$	55,455
Total Appropriations	\$	55,455

SCHOOL CAPITAL IMPROVEMENTS PROJECT FUND

ANTICIPATED REVENUE

General Revenues		\$0
Total Revenue		\$0

APPROPRIATIONS

Capital Improvements		\$0
Total Appropriations		\$0

STATE OPERATED PROGRAMS

ANTICIPATED REVENUE

Operating Grants	\$	506,802
General Revenues		89,527
Total Revenue	\$	596,329

APPROPRIATIONS

Operations	\$	596,329
Total Appropriations	\$	596,329

Grand Total Revenues	\$	22,858,124
Grand Total Expenditures	\$	22,858,124

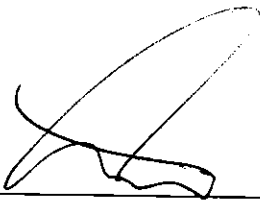
INTRODUCED: November 12, 2020

Approved this 10th day of Dec, 2020

Effective Date: 12/10/2020

ATTEST: Suzanne F. Simmons

Suzanne F. Simmons
Clerk of Council

CERTIFIED: 

Andrea Oakes
Mayor of Council

SPECIAL MEETING OF STAUNTON CITY COUNCIL**Tuesday, December 17, 2020****7:15 p.m.****Rita S. Wilson Council Chambers**

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull
 R. Terry Holmes
 Brenda O. Mead

ALSO PRESENT: **Leslie Beauregard, Assistant City Manager**
 Suzanne F. Simmons, Clerk of Council

Mayor Oakes called the meeting to order: Mayor Oakes stated” As Mayor I call this meeting of Staunton City Council to order. I note that this meeting is being recorded.”

Mayor Oakes asked the Clerk of Council to call the roll for confirmation of those Council members present for today’s meeting.

Clerk of Council Call the Roll of Council Members Present:

Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye		

Mayor Oakes asked that Assistant City Manager Leslie Beauregard note the participation of any City officials or colleagues, or anyone else, during today’s meeting by Zoom or telephone.

Ms. Beauregard stated Council members Dull and Mead were participating on the Zoom platform, as well as Craig Wood with the law firm McGuire Woods. Jon Venn, Director of Human Resources, was present in Council Chambers.

Background Statement:

Mayor Oakes stated “Please let me mention that notice, reasonable under the circumstances, of this meeting has been given to the public contemporaneously with the notice provided to members of City Council. Since this meeting includes a closed meeting, there will be no opportunity for public comment.”

“Also, let me highlight and have reflected in the meeting minutes that this meeting, although being conducted in person, is also being conducted by Zoom, with virtual participation of certain members of City Council, given the catastrophic nature of the declared emergency and disaster related to the Covid-19 outbreak, which as part of the total circumstances makes it impracticable

or unsafe to assemble in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04, as extended by City Council Ordinance No. 2020-24.”

Mr. Claffey moved that Council enter a closed meeting for discussion and interviews of prospective candidates for employment or appointment as city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye		

Mr. Claffey moved that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

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

Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye		

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 8:31 p.m.

Suzanne F. Simmons
Clerk of Council

SPECIAL MEETING OF STAUNTON CITY COUNCIL**Tuesday, December 18, 2020****12:45 p.m.****Rita S. Wilson Council Chambers**

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull
 R. Terry Holmes
 Brenda O. Mead

ALSO PRESENT: **Leslie Beauregard, Assistant City Manager**
 Suzanne F. Simmons, Clerk of Council

Mayor Oakes called the meeting to order: Mayor Oakes stated” As Mayor I call this meeting of Staunton City Council to order. I note that this meeting is being recorded.”

Mayor Oakes asked the Clerk of Council to call the roll for confirmation of those Council members present for today’s meeting.

Clerk of Council Call the Roll of Council Members Present:

Mayor Oakes	aye	Vice Mayor Robertson	aye
Ms. Darby	aye	Ms. Dull	aye
Mr. Holmes	aye	Ms. Mead	aye
Mr. Claffey	aye		

Mayor Oakes asked that Assistant City Manager Leslie Beauregard note the participation of any City officials or colleagues, or anyone else, during today’s meeting by Zoom or telephone.

Ms. Beauregard stated Craig Wood with the law firm McGuire Woods was participating on Zoom and that Jon Venn, Chief Human Resources Officer, was present in Chambers. Council members Dull, Holmes, and Mead were participating on the Zoom platform.

Background Statement:

Mayor Oakes stated “Please let me mention that notice, reasonable under the circumstances, of this meeting has been given to the public contemporaneously with the notice provided to members of City Council. Since this meeting includes a closed meeting, there will be no opportunity for public comment.”

“Also, let me highlight and have reflected in the meeting minutes that this meeting, although being conducted in person, is also being conducted by Zoom, with virtual participation of certain members of City Council, given the catastrophic nature of the declared emergency and disaster related to the Covid-19 outbreak, which as part of the total circumstances makes it impracticable

or unsafe to assemble in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04, as extended by City Council Ordinance No. 2020-24.”

Mr. Claffey moved that Council enter a closed meeting for discussion and interviews of prospective candidates for employment or appointment as city attorney, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye		

Mr. Claffey moved that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

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

Ms. Mead	aye	Ms. Dull	aye
Mr. Holmes	aye	Ms. Darby	aye
Mr. Claffey	aye	Mayor Oakes	aye
Vice Mayor Robertson	aye		

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 2:33 p.m.

Suzanne F. Simmons
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Staff Members: Rodney Rhodes Tim Hartless
Item #	A	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Public Hearing and Consideration of a Request by Jon and Margaret Pearson to Rezone 919 Middlebrook Avenue from I-1, Light Industrial Conditional to R-3, Medium Density Residential Conditional	

Background: Jon and Margaret Pearson have applied for a rezoning for 919 Middlebrook Avenue from I-1, Light Industrial Conditional District, to R-3, Medium Density Residential Conditional District. The property consists of 11.511 acres and is located on Middlebrook Avenue between Middlebrook Park and the Tannehill Wheat neighborhood. The property was annexed into the City in 1948, and had already been developed at that time. Originally, the house was constructed as a single-family dwelling; however, it is now used as three dwelling units. There is a fourth unit on the property, located in a separate structure near Middlebrook Avenue. The Pearsons acquired the property in 1979. The Pearsons are pursuing this rezoning in an attempt to make the zoning of the property correspond with its actual use. Having residential uses on industrial zoned property is presenting insurance issues.

As part of the conditional zoning, the applicant has proffered a limit to 10 units for the entire 11.511-acre parcel. The limit would apply regardless of any future subdivision of the parent parcel. This would result in a density of less than one unit per acre, far less than the approximate 20 units per acre allowed in standard R-3 zoning.

Review: City staff conducted a review of the proposed rezoning, during which concerns were raised regarding access to the property. Currently, there are three potential access points. These are: Middlebrook Avenue, Stack Street, and an undeveloped portion of Burnett Street. Access from Middlebrook Avenue would require crossing Lewis Creek and traversing the floodplain. Stack Street does not meet City street standards and may not be suitable access for fire service. The undeveloped portion of Burnett Street would need to be constructed and dedicated to the City before it could provide access to the property. Existing water and sewer may not be adequate for future residential development and would need to be addressed prior to any additional development of the property. The development of any additional units on the property will require a site plan or subdivision plat. Access and water and sewer would be thoroughly reviewed during the site plan or subdivision process.

Zoning to the north is R-3, Medium Density Residential District, and R-3, Medium Density Residential Conditional District, to the east is I-1, Light Industrial District, to the west is R-3, Medium Density Residential Conditional District, and B-1, Local Business Conditional District, and to the south, across Middlebrook Avenue, R-4, High Density Residential District.

The “Generalized Land Use and Development Guide, Future Land Use Map” *Staunton, Virginia, Comprehensive Plan 2018 – 2040*, designates this area as Medium Density Residential. This designation is characterized as areas near major thoroughfares or commercial areas. These areas, either vacant or already developed, contain a variety of housing types such as single-family, duplex, and two- or three-story apartments. Depending on the specific site characteristics, densities in these areas may range from 4 to 20 units per acre. The proposed rezoning is consistent with the Comprehensive Plan’s designation for the property.

Planning Commission Recommendation: At its meeting of December 17, 2020, the Planning Commission considered the request and conducted a public hearing on the matter. During the public hearing, no one spoke in opposition to the request. Prior to the meeting, staff received a telephone call from a neighbor on Stack Street who expressed concerns with increased traffic on a street that is already very narrow. On a 5-0 vote, the Commission voted unanimously to recommend approval of the rezoning with the condition proffered by the applicant, concurring with staff’s recommendation.

Attachments:

Attachment 1—Application for Zoning Classification Change - Rezoning
Attachment 2—Vicinity Map - 919 Middlebrook Ave
Attachment 3—Future Land Use - 919 Middlebrook Avenue
Attachment 4—Current Zoning - 919 Middlebrook Avenue
Attachment 5—Proposed Rezoning - 919 Middlebrook Avenue
Attachment 6—Draft Ordinance of Rezoning

Suggested Motion (to be made after the public hearing is conducted): I move that Council approve the rezoning and adopt the ordinance, as presented, rezoning 919 Middlebrook Avenue from I-1, Light Industrial Conditional District, to R-3, Medium Density Residential District Conditional, as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg



COMMUNITY DEVELOPMENT
Planning & Zoning Division

Applicant: MARGARET & JON PEARSON Date: 11-11-2020

Address: 919 MIDDLEBROOK AVE, STAUNTON, VA 24401

Telephone #s: Primary: (540) 849-9974 Secondary: N/A

Email address: mephome@gmail.com

If the applicant is NOT the owner of the property in question, explain. A copy of a pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant and/or property owner:

Name: RAY BURKHOLDER

Address: 1561 COMMERCE ROAD, SUITE 401, VERONA, VA 24482

Phone #: (540) 248-3220

Email address: RBURKHOLDER@BALZER.CC

Location of property:
919 MIDDLEBROOK AVE, STAUNTON, VA 24401, PID# 6060

Legal description of property:
LOT 35 BLK B 11.371 ACS

Purpose of request: REZONING EXISTING PROPERTY

Map Provided: YES ☒ NO ☐

Present zoning classification of property: LIGHT INDUSTRIAL (I-3)

Requested zoning classification: MEDIUM DENSITY RESIDENTIAL (R-3) WITH PROFFERS

List permits pending approval of this rezoning: N/A

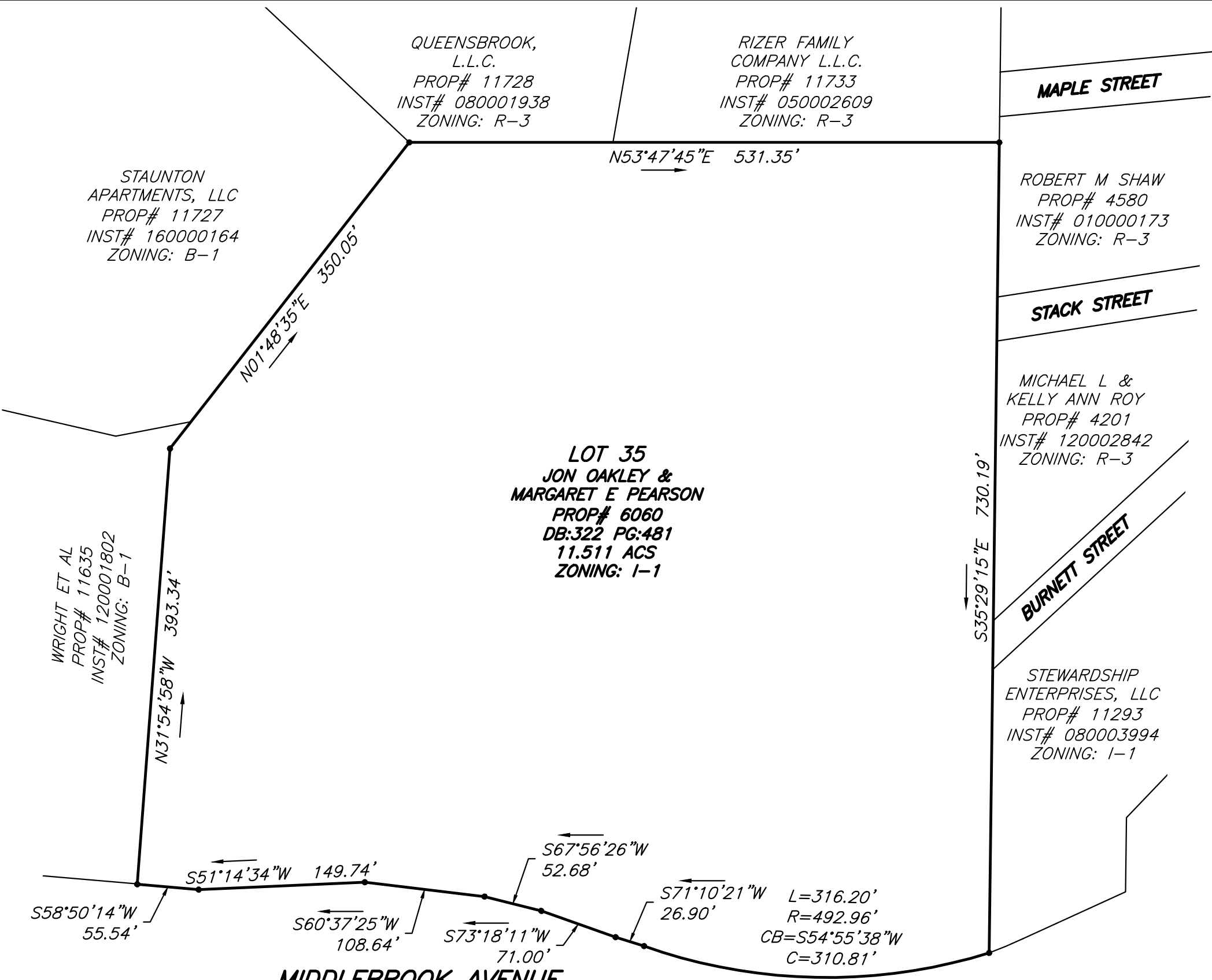
Fee Paid (\$250) YES ☒ NO ☐ *check or cash only

Applicant must provide 19 copies of complete application

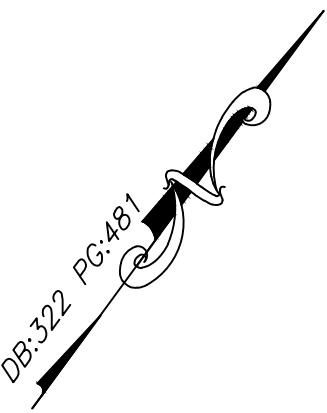
Signature of applicant: Margaret E Pearson
(Owner / Agent)

Proffer to Accompany Rezoning Request for Property #6060

1. Maximum number of dwelling units permitted on the overall 11.511 acres shall be ten (10), regardless of any division that may occur.



- NOTES:
- 1) THIS EXHIBIT COMPILED FROM RECORDS.
 - 2) NO IMPROVEMENTS SHOWN.
 - 3) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION DISCLOSED BY SUCH.
 - 4) IS IS THE INTENTION OF THIS EXHIBIT TO SHOW THE PROPOSED REZONING OF ENTIRE 11.511 ACRES OF PROP# 6060 FROM LIGHT INDUSTRIAL (I-1) TO MEDIUM DENSITY RESIDENTIAL (R-3) WITH PROFFERS.



DATE: 11-12-2020
SCALE: 1" = 100'
JOB: 34200043.00
DRAWN BY: FJE

0' 100' 200' 300'

SCALE: 1"=100'

EXHIBIT SHOWING THE REZONING OF PROP# 6060

CITY OF STAUNTON, VIRGINIA

PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS

ROANOKE / RICHMOND / NEW RIVER VALLEY / STAUNTON / HARRISONBURG / LYNCHBURG

1561 Commerce Road, Suite 401 / Verona, Virginia 24482 / Phone (540) 248-3220 / www.balzer.cc



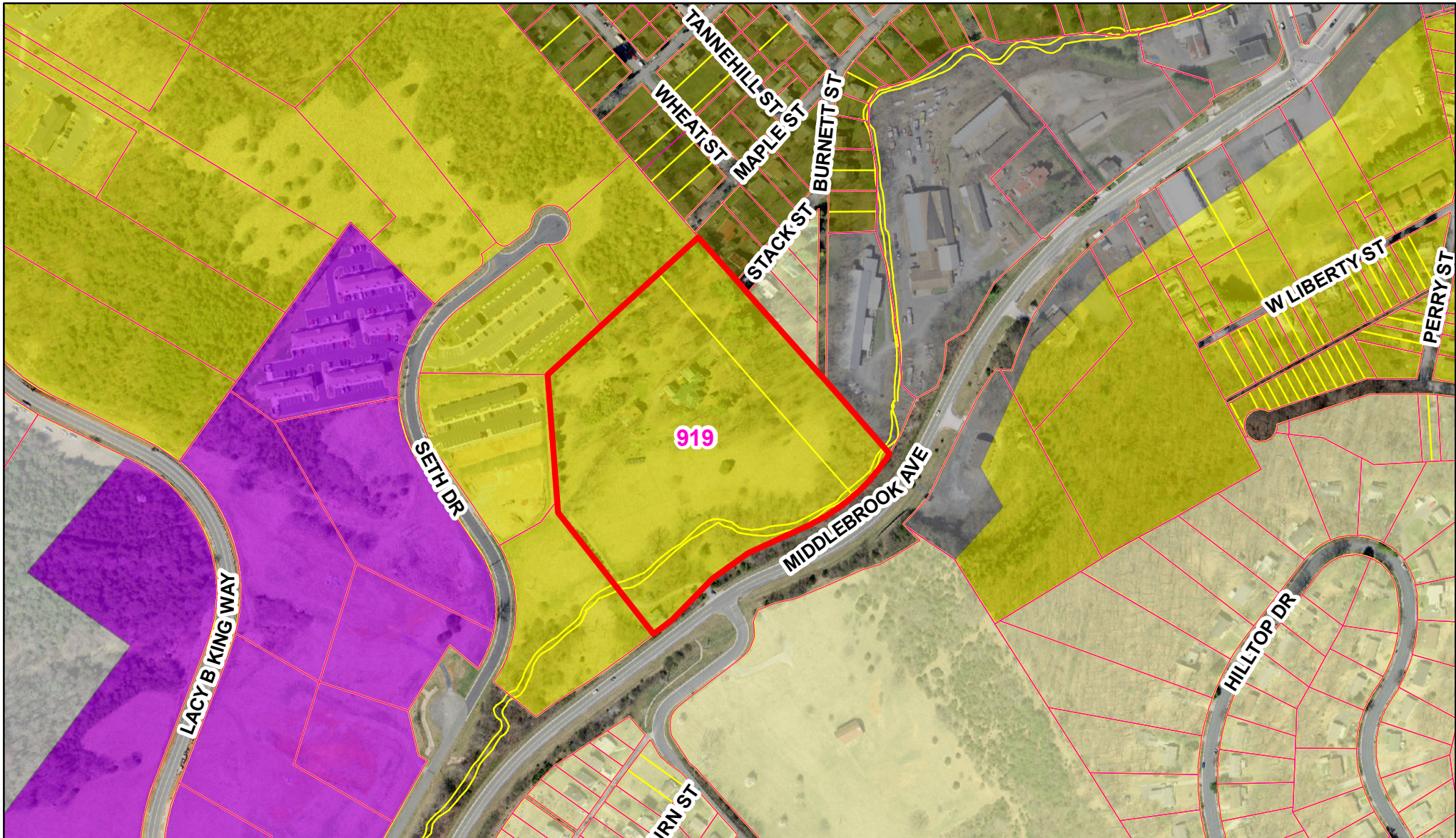
Vicinity Map – 919 Middlebrook Ave

Attachment 2



Future Land Use – 919 Middlebrook Ave

Attachment 3



Future Land Use

- CONSERVATION/RECREATION/OPEN SPACE
- PLANNED FARM DEVELOPMENT
- PUBLIC/SEMI-PUBLIC

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY PLANNED RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

- TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- LOW DENSITY PLANNED RESIDENTIAL
- NEIGHBORHOOD RESIDENTIAL
- PROFESSIONAL

- PLANNED BUSINESS
- BUSINESS
- PLANNED INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL

Additional Layers

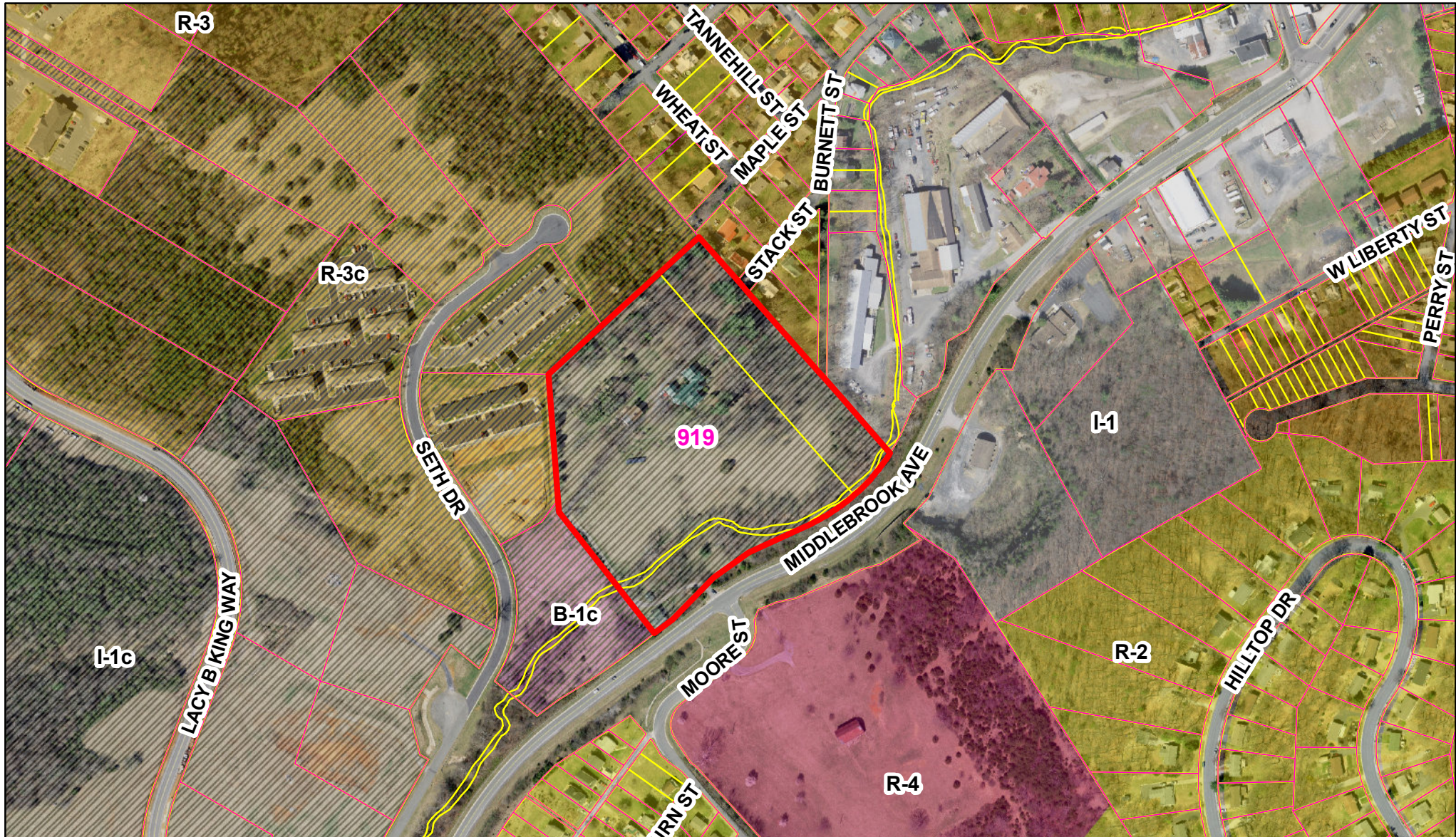
- Selected Property
- Parcels
- Lots



0 175 350 700 ft

Current Zoning – 919 Middlebrook Ave

Attachment 4



0 175 350 700 ft

Zoning

- B-1
- B-1(conditional)
- B-2
- B-2(conditional)

- B-3
- HE-1
- I-1
- I-1(conditional)
- I-2

- I-2(conditional)
- I-3(conditional)
- P-1
- P-1(conditional)
- R-1

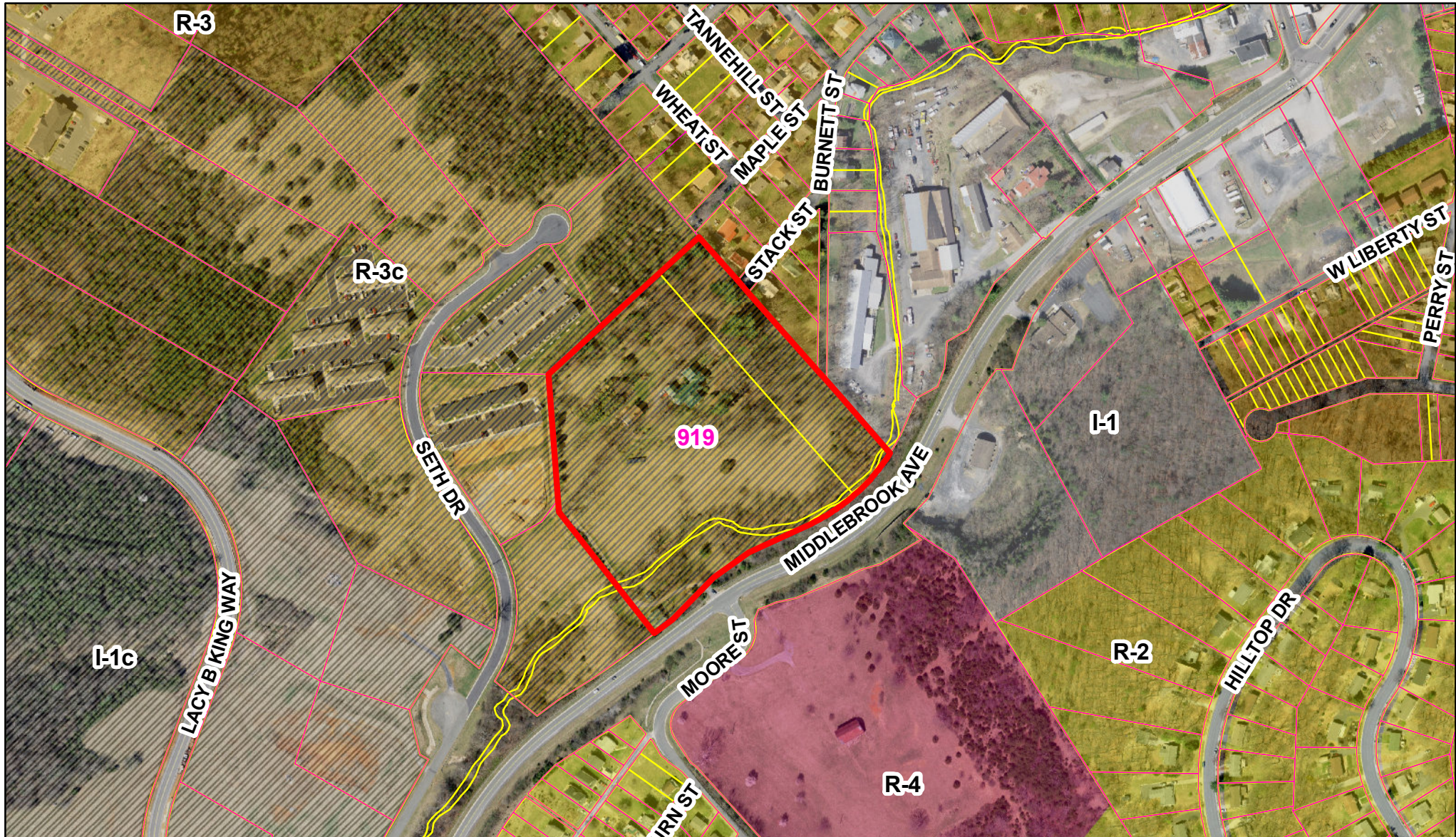
- R-2
- R-2(conditional)
- R-3
- R-3(conditional)
- R-4

Additional Layers

- Selected Property
- Parcels
- Lots

Proposed Rezoning – 919 Middlebrook Ave

Attachment 5



0 175 350 700 ft

Zoning

- B-1
- B-1(conditional)
- B-2
- B-2(conditional)

- B-3
- HE-1
- I-1
- I-1(conditional)
- I-2

- I-2(conditional)
- I-3(conditional)
- P-1
- P-1(conditional)
- R-1

- R-2
- R-2(conditional)
- R-3
- R-3(conditional)
- R-4

Additional Layers

- Selected Property
- Parcels
- Lots

DRAFT 12.18.20

Ordinance No. 2021-____

**AN ORDINANCE REZONING
FROM I-1, LIGHT INDUSTRIAL CONDITIONAL,
TO R-3, MEDIUM DENSITY RESIDENTIAL CONDITIONAL,
THAT CERTAIN TRACT OR PARCEL OF LAND
LOCATED AT 919 MIDDLEBROOK AVENUE (PID 6060), STAUNTON, VIRGINIA**

Recitals

A. It appears by deed dated September 4, 1979, recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia, in Deed Book 228, Page 416, that Jon O. Pearson and Margaret E. Pearson acquired the property known as 919 Middlebrook Avenue (PID 6060), with further description provided in the deed, a copy of which is annexed and incorporated by reference (**Exhibit A**);

B. Jon O. Pearson and Margaret E. Pearson have submitted an application, a copy of which is annexed and incorporated by reference (**Exhibit B**) for a zoning classification change for the parcel from I-1, Light Industrial Conditional to R-3, Medium Density Residential Conditional;

C. As part of the rezoning request, the applicants have proffered to limit the density of the property to ten (10) dwelling units regardless of any division of land that may occur;

D. The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, "Generalized Land Use and Development Guide," designates this area as Medium Density Residential and the proposed rezoning is consistent with this designation;

E. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter and recommended approval of the proposed rezoning on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice;

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that the property known as 919 Middlebrook Avenue (PID 6060), in the City of Staunton, Virginia, is **HEREBY REZONED** from I-1, Light Industrial Conditional to R-3, Medium Density Residential Conditional on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice.

As proffered by the applicant, the maximum number of dwelling units permitted on the overall 11.511 acres shall be ten (10), regardless of any division that may occur. In all other respects, the provisions of Chapter 18.130, R-3, Medium Density Residential District, of the Staunton City Code shall apply.

Introduced:

Adopted:

Effective Date:

Andrea W. Oakes, Mayor

ATTEST: _____

Suzanne F. Simmons
Clerk of Council

DRAFT

BOOK 228 PAGE 416

VIRGINIA: In the Clerk's Office of the Circuit Court of the City of Staunton. This instrument, with the certificate of acknowledgment annexed, is admitted to record at

10:40 o'clock A. M. September 7, 1979. I certify that taxes were paid when applicable: Sect. 58-54-\$ 34.95 Sect. 58-54.1-\$ -----

Teste: *Margaret St. White* Clerk

*Original mailed to
grantee at:
919 Middlebrook Ave.
Staunton, Va.*

Oct. 1, 1979

*Teste: Margaret St. White,
Clerk*

(57832) THIS DEED, made this 4th day of September, 1979, by and between JOHN W. ARMSTRONG, JR., ^{Divorced} party of the first part, and JON OAKLEY PEARSON and MARGARET E. PEARSON, husband and wife, and DOUGLAS B. HURON and ANNE YARBROUGH HURON, husband and wife, parties of the second part;

- - : W I T N E S S E T H : - -

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand, and other valuable consideration not herein specifically enumerated, paid by the parties of the second part unto the party of the first part, at and before the sealing and delivery of this deed, the receipt of all of which is hereby acknowledged, the said JOHN W. ARMSTRONG, JR., party of the first part, does hereby grant, bargain, sell and convey, WITH GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto JON OAKLEY PEARSON and MARGARET E. PEARSON, husband and wife, a one-half undivided interest as tenants by the entireties with the right of survivorship as at common law, and the other one-half undivided interest to DOUGLAS B. HURON and ANNE YARBROUGH HURON, husband and wife, as tenants by the entireties with the right of survivorship as at common law, the following described real estate, to-wit:

All of that certain tract or parcel of land, together with all improvements thereon and all rights, privileges and appurtenances thereto belonging, situated in the City of Staunton, Virginia, containing 12.64 acres, designated as Tract No. One (1) on a plat entitled "Plat of Division of Property of Mayo Cabell, City of Staunton & Augusta County, Virginia", dated April 3, 1973, made by J. W. Harris, C.L.S., which plat is recorded in the Clerk's Office of the Circuit Court for the City of Staunton, Virginia, in Deed Book 190, Page 47, said tract being further described by metes and bounds as follows: Beginning at a point in the center of Middlebrook Avenue, a corner to Colossal Cattle Company, thence with lines of the same N 32° 09' 29" W 435.19 ft., passing an iron on the west side of Middlebrook Avenue at 16.24 ft., to an old iron, thence N 1° 38' 26" E 349.29 ft. to an iron, a corner to Tract 2, thence with Tract 2 N 53° 23' 42" E 531.39 ft. to an iron, in a line of Houlihan and Bosserman Addition, thence with a line of the

latter and Knopp S 35° 50' E 796.11 ft. to a point in the center of Middlebrook Avenue, thence along the center of Middlebrook Avenue S 37° 11' W 47.99 ft., thence S 39° 21' 43" W 47.70 ft., thence S 43° 43' 18" W 47.10 ft., thence S 50° 27' 25" W 39.25 feet, thence S 56° 22' 20" W 55.55 ft., thence S 64° 28' 35" W 43.36 ft., thence S 73° 38' 05" W 42.23 ft., thence S 83° 06' 42" W 98.35 ft., thence S 77° 20' 03" W 36.52 ft., thence S 68° 59' 29" W 35.56 ft., thence S 62° 51' 22" W 39.95 ft., thence S 57° 45' 11" W 70.84 ft., thence S 56° 13' 46" W 120.02 ft., thence S 58° 03' 57" W 72.29 ft. to the beginning; and being the same property in which the party of the first part acquired full title by the deed of Carole M. Armstrong, dated April 24, 1978, and recorded in the above mentioned Clerk's Office in Deed Book 219, Page 279.

A reference to the aforementioned plat and deed and the references therein contained is here made for a more particular description of the real estate hereby conveyed, as well as for derivation of title.

This conveyance is made expressly subject to the fifty (50) foot right of way shown on the plat entitled "Plat of Property of Norman K. Keyser", dated September 23, 1974, made by J. W. Harris, C.L.S., said fifty (50) foot right of way being appurtenant to lands lying to the southwest of the real estate herein conveyed, now owned by Great Plains Western Corporation, (formerly owned by Collossal Cattle Co.) and being for the purposes of providing ingress and egress to Middlebrook Avenue and for the connection of a sewer line to the "10 Ft. San. Sewer Easement" shown on said plat, crossing said fifty (50) foot right of way.

This conveyance is further made expressly subject to the terms and conditions of a certain agreement between Mayo Cabell and the City of Staunton dated May 16, 1968, recorded in the aforesaid Clerk's Office in Deed Book 164, Page 367, and any other easements, conditions, restrictions and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the property now conveyed which have not expired by limitation of time contained therein or otherwise become ineffective.

LAW OFFICES
BAYLOR.
WRAY & DEY

WITNESS the following signature and seal.

 (SEAL)
JOHN W. ARMSTRONG, JR.

STATE OF VIRGINIA,
COUNTY OF AUGUSTA, to-wit:

The foregoing instrument was acknowledged before me by John W.

Armstrong, Jr., this 6th day of September, 1979.

Kay H. Buchanan
Notary Public

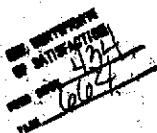
My Commission expires: June 6, 1983.

VIRGINIA: In the Clerk's Office of the Circuit Court of the City of Staunton. This instrument, with the certificate of acknowledgment annexed, is admitted to record at

11:05 o'clock A.M. SEPTEMBER 7, 1979. I certify that taxes were paid when applicable: Sect. 58-54—\$ 235.50 Sect. 58-54.1—\$ 157.00

Teste: *Margaret M. White* Clerk

Subscribed and sworn to
before me this 19
day of _____ 19____
Clerk-Deputy Clerk



Deed of Trust

(57833)

This Deed, made this _____ day of _____, in the year 1979.

between Jon Oakley Pearson and Margaret E. Pearson, husband and wife,
and Douglas B. Huron and Anne Yarbrough Huron, husband and wife

parties of the first part, and Theo. R. Nelson, R. F. McPherson, and Frank L. Summers, Jr., Trustees, of Staunton, Virginia, parties of the second part:

WITNESSETH, that the said parties of the first part do grant, bargain, sell and convey with General Warranty and English Covenants of Title unto the said parties of the second part the following property, in the City

of Staunton, County of _____ and State of Virginia, to-wit:

All of that certain tract or parcel of land, together with all improvements thereon and all rights, privileges and appurtenances thereto belonging, situated in the City of Staunton, Virginia, containing 12.64 acres, designated as Tract No. One (1) on a plat entitled "Plat of Division of Property of Mayo Cabell, City of Staunton & Augusta County, Virginia", dated April 3, 1973, made by J. W. Harris, C.L.S., which plat is recorded in the Clerk's Office of the Circuit Court for the City of Staunton, Virginia, in Deed Book 190, Page 47, said tract being further described by metes and bounds as follows: Beginning at a point in the center of Middlebrook Avenue, a corner to Colossal Cattle Company, thence with lines of the same N 32° 09' 29" W 435.19 feet, passing an iron on the west side of Middlebrook Avenue at 16.24 feet, to an old iron, thence N 1° 38' 26" E 349.29 feet to an iron, a corner to Tract 2, thence with Tract 2 N 53° 23' 42" E 531.39 feet to an iron, in a line of Houlihan and Bosserman Addition, thence with a line of the latter and Knopp S 35° 50' E. 796.11 feet to a point in the center of Middlebrook Avenue, thence along the center of Middlebrook Avenue S. 37° 11' W 47.99 feet, thence S. 39° 21' 43" W 47.70 feet, thence S. 43° 43' 18" W 47.10 feet, thence S 50° 27' 25" W 39.25 feet, thence S. 56° 22' 20" W. 55.55 feet, thence S. 64° 28' 35" W 43.36 feet, thence S. 73° 38' 05" W. 42.23 feet, thence S. 83° 06' 42" W 98.35 feet, thence S. 77° 20' 03" W. 36.52 feet, thence S. 68° 59' 29" W 35.56 feet, thence S. 62° 51' 22" W 39.95 feet, thence S. 57° 45' 11" W. 70.84 feet thence S. 56° 13' 46" W. 120.02 feet, thence S. 58° 03' 57" W 72.29 feet to the beginning.

The above described real estate is the same conveyed to the parties of the first part by the deed of John W. Armstrong, Jr., dated Sept. 4, 1979 and recorded in the aforesaid Clerk's Office immediately prior to the recordation of this deed of trust.

A reference to the aforementioned plat and deed and the references therein contained is here made for a more particular description of the real estate hereby conveyed as well as for derivation of title.

Original delivered
to Community
Federal Savings
and Loan
Association
Oct. 1, 1979.
Juli:
Margaret M.
White,
Clerk

SEE CERTIFICATE
OF REISTRATION
DEED BOOK 751
PAGE 718

IN TRUST to secure the payment of a bond, bearing even date herewith, executed by the parties of the first part, payable to the order of Community Federal Savings and Loan Association, Staunton, Virginia, in the principal sum of Seventy-five Thousand and 00/100 ----- Dollars (\$ 75,000.00), which bond, together

with the interest thereon, as provided in said bond, is payable in monthly installments of Seven Hundred Fourteen and 25/100 ----- Dollars (\$ 714.25), on the first day of each month, commencing with October 1, 1979 which payments will be applied first to interest and the balance to principal, until said bond is paid in full, with a final maturity payment date of September 1, 2009.

In event default shall be made in payment of the bond secured, or in the payment of any of the monthly sums for taxes, special assessments, fire and other hazard insurance, all as hereinafter provided; or upon any default in payment on demand of any money advanced by the holder of said bond on account of any proper cost, charge, commission or expense in or about the same, or on account of any tax or assessment or insurance or expense of litigation, with interest thereon at Eight percent (8%) per annum from date of such advance (it being hereby agreed that on default of payment of said costs, expense of litigation, as aforesaid, the holder of said bond may pay the same, and all sums so advanced, with interest as aforesaid, shall immediately attach as a lien hereunder and be payable on demand), or failure or inability faithfully and fully to keep and perform any of the other conditions or covenants herein provided; then upon any and every such default so made as aforesaid as expressly covenanted and agreed by said parties of the first part the holder of the bond may, after twenty five (25) days default, declare the whole principal debt hereby secured as thereupon immediately due and payable, and shall, in order to recover said principal debt or sum and interest thereon until paid, have the right then or thereafter at any time to sue thereon in law or in equity or to enforce payment thereof by means of any remedies or provisions in these presents contained; and these rights exist notwithstanding that by the terms of said principal bond it may not on its face be due.

In the event of default occurring as described in the preceding paragraph, then the Trustees, being requested so to do by the holder of the bond, shall, without notice, take possession of the property and proceed to sell the same for cash, or upon such terms as they may deem advisable and advantageous for the proper administration of this trust, after first advertising the time, place and terms of sale at least twice a week for two successive weeks in some newspaper published in, or having a general circulation in, the county or city wherein the property lies. In the event any sale is cancelled, the parties of the first part shall pay the Trustees an amount equal to one-half of the Trustee fees or commissions provided hereby.

The holder of the bond hereby secured may collect a "late Charge" not to exceed Five percent (5%) for each dollar (\$1.00) of each monthly payment more than twenty five (25) days in arrears to cover extra expenses in handling delinquent payments.

The parties of the first part assign to the holder of said bond, as additional security, any rents which may now or hereafter be due upon the real estate described herein, it being understood that if, by reason of default under any of the terms hereof, the holder of said bond collects said rents, such holder shall have the right of employing agents for that purpose and paying a percentage of the rents collected for such collection.

The parties of the first part, in order to more fully protect the security of this deed of trust, do further covenant and agree as follows:

1. That if the premises covered hereby, or any part thereof, shall be damaged by fire or other hazard against which insurance is held as herein provided, the amounts paid by any insurance company pursuant to the contract of insurance shall, to the extent of the indebtedness then remaining unpaid, be paid directly to the holder of the bond secured hereby, and, at the option of the holder of the bond, may be applied to the debt or released for the repairing or rebuilding of the premises.

2. That should there be any change of the ownership of the above described real estate, prior to the payment in full of the bond hereby secured, the holder of said bond may, at its option, declare the remainder of the debt secured by this deed of trust due and payable. However, this paragraph shall not apply to any change of ownership between the parties of the first part herein or to any change of ownership by inheritance from any of the said parties of the first part. Acceptance of any payment, subsequent to a change of ownership to which this paragraph applies, shall not constitute a waiver of the provision set forth herein.

"NOTICE — THE DEBT SECURED HEREBY IS SUBJECT TO CALL IN FULL OR THE TERMS THEREOF BEING MODIFIED IN THE EVENT OF SALE OR CONVEYANCE OF THE PROPERTY CONVEYED."

If the Trustees or any beneficiary are made a party to or shall intervene in any action or proceeding affecting the premises or the title thereto or the interest of the Trustees or any beneficiary under this deed of trust, or if any beneficiary employs an attorney to collect any or all of the indebtedness secured hereby or to foreclose this deed of trust by judicial proceedings, or authorizes a Trustee to conduct a Trustees' sale hereunder, the Trustees and any beneficiary shall be reimbursed by the parties of the first part, immediately and without demand, for all reasonable costs, charges and attorney's fees incurred by them or any of them in any such case, and the same shall be secured hereby as a further charge and lien upon the premises.

In all other respects this deed of trust shall be construed to impose and confer on the parties hereto and the beneficiaries hereunder all duties, rights and obligations as set forth in Section 55-59 in the Code of Virginia as now in force and as hereafter amended (to the extent that any amendment thereof shall not limit the rights of trustees or beneficiaries hereunder or obligations of the parties of the first part); and further to incorporate herein the following provisions by short form references below of Section 55-59 and Section 55-60 of the Code of Virginia:

Identified by trustee's signature.

Deferred purchase money.

Exemptions waived.

Renewal or extension permitted.

Substitution of trustee permitted.

Any trustee may act.

Fire insurance with extended coverage required: \$ 75,000.00

The covenants herein contained shall bind, and the benefits and advantages shall inure to, the respective heirs, executors, administrators, successors and assigns of the parties hereto. Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall include all other genders.

WITNESS the following signatures and seals.

Margaret E. Pearson (SEAL), Douglas B. Huron (SEAL)
Jon Oakley Pearson (SEAL), Anne Yarbrough Huron (SEAL)
 _____ (SEAL)
 _____ (SEAL)

STATE OF VIRGINIA

COUNTY OF AUGUSTA

to-wit:

I, Kay G. Buchanan

, a Notary Public for

the County aforesaid in the State of Virginia, do certify that

Jon Oakley Pearson and Margaret E. Pearson

whose name(s) are signed to the writing above, bearing date on the 4th day

of September, 19 79, has acknowledged the same before me in my County

and State aforesaid.

Given under my hand this 4th day of September 19 79 .

My commission expires on the 6th day of June, 19 83 .

Kay G. Buchanan Notary Public
 a Notary Public for the City/County
 aforesaid in the State of VIRGINIA do certify that Douglas B. Huron and
 Anne Yarbrough Huron, whose names are signed to the writing above, bearing date
 on the 4th day of September, 1979, have acknowledged the same before me in my City/
 County and State aforesaid.

Given under my hand this 1st day of September, 1979.

My commission expires

VIRGINIA: In the Clerk's Office of the Circuit Court of the City of Staunton. This instrument, with the certificate of acknowledgment annexed, is admitted to record at

11:05 o'clock A.M. SEPTEMBER 7, 19 79. I certify that taxes

were paid when applicable: Sect. 58-54—\$ 112.50 Sect. 58-54.1—\$ - - -

Teste: Margaret M. White Clerk



COMMUNITY DEVELOPMENT
Planning & Zoning Division

Applicant: MARGARET & JON PEARSON Date: 11-11-2020

Address: 919 MIDDLEBROOK AVE, STAUNTON, VA 24401

Telephone #s: Primary: (540) 849-9974 Secondary: N/A

Email address: mephome@gmail.com

If the applicant is NOT the owner of the property in question, explain. A copy of a pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant and/or property owner:

Name: RAY BURKHOLDER

Address: 1561 COMMERCE ROAD, SUITE 401, VERONA, VA 24482

Phone #: (540) 248-3220

Email address: RBURKHOLDER@BALZER.CC

Location of property:
919 MIDDLEBROOK AVE, STAUNTON, VA 24401, PID# 6060

Legal description of property:
LOT 35 BLK B 11.371 ACS

Purpose of request: REZONING EXISTING PROPERTY

Map Provided: YES ☒ NO ☐

Present zoning classification of property: LIGHT INDUSTRIAL (I-3)

Requested zoning classification: MEDIUM DENSITY RESIDENTIAL (R-3) WITH PROFFERS

List permits pending approval of this rezoning: N/A

Fee Paid (\$250) YES ☒ NO ☐ *check or cash only

Applicant must provide 19 copies of complete application

Signature of applicant: Margaret E Pearson
(Owner / Agent)

Proffer to Accompany Rezoning Request for Property #6060

1. Maximum number of dwelling units permitted on the overall 11.511 acres shall be ten (10), regardless of any division that may occur.

CITY COUNCIL**AGENDA BRIEFING**

Staunton, VA

Meeting Date:	January 14, 2021	Staff Members: Rodney Rhodes Tim Hartless
Item #	B	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Public Hearing and Consideration of an Amendment to Title 18, Zoning, Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, Subsection 18.120.010(4)(h)	

Background: At the December 20, 2018 Planning Commission meeting, staff introduced a series of amendments to Chapter 18.120 Yard, Building Setback, and Open Space Exceptions. Two of these amendments were related to minimum required setbacks for lots fronting on more than one street (i.e., “through lots”). Planning Commission recommended approval of amendments related to corner lots but asked staff to withdraw the remaining amendment related to through lots. Since that time, staff has given additional thought to the questions of how to allow accessory structures on through lots. After due consideration, staff suggests that the amendment originally proposed is still the best solution to address the challenges faced by through lots.

Review: The issue of accessory structures recurs annually. For example, over the last year, staff received several inquiries concerning the issue, including one from a member of Council. These inquiries reaffirmed the need for an amendment to the city code to address the issue and prompted staff to once again bring the proposal to the Planning Commission for consideration. At the November 19, 2020 Planning Commission meeting, the Commission directed staff to proceed with an amendment and schedule it for public hearing. Commission members also asked staff to provide examples of through lots. Attachment 2 includes a list of certain through

lots as well as map exhibits showing the location and layout of each lot. The attachment does not include a complete list of all through lots in the City; however, it provides examples of both older and newer lots that could benefit from the proposed amendment. Below is the language that staff proposes to add to SCC 18.120.010(4)(h).

(h) Accessory buildings shall not be located in any required front yard with the exception of through lots in residential districts. On a lot in a residential district (R-1, R-2, R-3, R-4 and P-1) with frontage on two parallel streets, the front yard shall be designated by the orientation of the front or main door of the principal structure, as determined by the address assigned by the City unless the front yard is designated otherwise on the recorded plat. The yard abutting the other, parallel street shall be considered the secondary front yard, and an accessory building thereon is permitted solely for a single-family use that satisfies the front yard setback requirements of such district.

This amendment would allow accessory structures to be built or placed on through lots, behind the principal structure, and setback a minimum of 25 or 30 feet depending upon the zoning district. This is the same minimum setback required for any single-family dwelling built in such districts. The small lot exception (smaller front setback of 15 feet that applies to single-family dwellings built on existing recorded small and/or narrow lots) would not apply to these situations.

This amendment will provide flexibility and increase the useability of through lots while still protecting the traditional front yard concept expected in residential neighborhoods.

Planning Commission Recommendation: At its meeting of December 17, 2020, the Planning Commission conducted a public hearing on the matter. During the public hearing, no one spoke in opposition to the request. On a 5-0 vote, the Commission voted unanimously to recommend approval of the amendment, concurring with staff's recommendation.

Attachments:

Attachment 1—Draft Ordinance

Attachment 2—Examples of Through Lots and Map Exhibits 1-7

Attachment 3—Through Lot Diagram

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the ordinance, as presented, amending Chapter 18.120, to permit accessory structures on through lots, as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg

Ordinance No. 2021-__

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 18.120.010, SETBACK EXCEPTIONS,
OF CHAPTER 18.120, YARD, BUILDING SETBACK,
AND OPEN SPACE EXCEPTIONS,
OF TITLE 18 ZONING,
OF THE STAUNTON CITY CODE**

Recitals

A. As part of City staff's periodic review of the Staunton City Code (SCC), it has been ascertained that SCC Section 18.120.010(4)(h) merits amendment to expand the useable area on which accessory buildings may be placed on a "through lot" which is defined in SCC Section 18.10.210 as "a lot having frontage on two parallel or approximately parallel streets";

B. Planning Commission has directed staff to prepare an amendment to SCC 18.120.010(4)(h) to permit accessory buildings in residential districts, in secondary front yards, when the building satisfies the single-family front yard requirements of the respective district in which the property is located;

C. Under SCC Section 18.10.020, an "accessory building" is defined as a subordinate building or a portion of the main building, the use of which is incidental to that of the dominant use of the main building or land.;

D. City staff has recommended to the Planning Commission that it endorse the proposed amendment;

E. The Planning Commission of the City of Staunton, after study and review, has recommended approval of the proposed amendment on the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice;

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, of Title 18 Zoning, of the Staunton City Code, on the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice be, and hereby is amended as follows:

Chapter 18.120

YARD, BUILDING SETBACK, AND OPEN SPACE EXCEPTIONS

Sections:

18.120.010 Setback exceptions.

18.120.010 Setback exceptions.

The following requirements are intended to provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth except in Division II of this title.

...

(4) The following regulations also apply to certain conditions with respect to the use of lots and access points:

...

(h) Accessory buildings shall not be located in any required front yard with the exception of through lots in residential districts. On a lot in a residential district (R-1, R-2, R-3, R-4 and P-1) with frontage on two parallel streets, the front yard shall be designated by the orientation of the front or main door of the principal structure, as determined by the address assigned by the City unless the front yard is designated otherwise on the recorded plat. The yard abutting the other, parallel street shall be considered the secondary front yard, and an accessory building thereon is permitted solely for a single-family use that satisfies the front yard setback requirements of such district.

In all other respects, the provisions of Chapter 18.120 of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced:

Adopted:

Effective Date:

Andrea W. Oakes, Mayor

ATTEST: _____

Suzanne F. Simmons
Clerk of Council

EXAMPLES OF THROUGH LOTS

I have created the following list that will provide some examples of “through lots” that exist within the City. This is not a comprehensive list of all “through lots”.

Exhibit 1

- 867 W Johnson St
- 875 W Johnson St

Exhibit 2

- 10 W Peabody St
- 14 Peabody St
- 16 Peabody St

Exhibit 3

- 113 – 135 Stafford St
- Every lot on Vickers Way

Exhibit 4

- The even numbered side of West Beverley Street between Straith and Belview Streets

Exhibit 5

- 1000 block of Selma Blvd

Within the Carrsbrook Subdivision there are many of these lots. The vast majority have yet to be built on.

Exhibit 6

- 109 – 119 Carrsbrook Dr
- The lots on Clover Ct are not “through lots” because there is a strip of land along Carrsbrook Drive that is part of the common area and belongs to the Home Owners Association. This strip of land prevents these lots from having frontage on Carrsbrook Drive.

Exhibit 7

- 8 and 9 Goose Landing
- 10 and 11 Red Deer Pl



12/10/2020, 2:20:05 PM

1:444

— Lot_Lines

□ City Limits

□ Parcels

● AddressPoints

□ Point_of_Interests

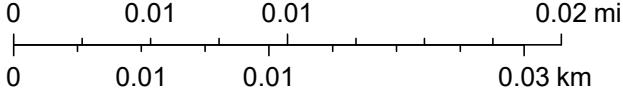
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■ Green: Band_2

■ Blue: Band_3





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- Lot_Lines

□ City Limits

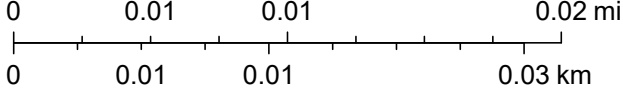
□ Parcels
- AddressPoints

□ Point_of_Interests

— Road Centerline
- 2018Image.tif

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- Blue: Band_3



Vickers Way and Stafford Street

Exhibit 3



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— Lot_Lines

□ City Limits

□ Parcels

● AddressPoints

□ Point_of_Interests

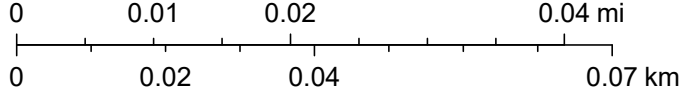
— Road Centerline

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■ Green: Band_2

■ Blue: Band_3



West Beverley from Straith Street to Belview Street

Exhibit 4



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Lot_Lines

City Limits

Parcels

AddressPoints

Point_of_Interest

Road Centerline

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For Information Purposes Only. Data owned by the City of Staunton and ESRI.

1000 Block of Selma Blvd

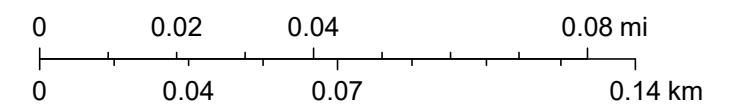
Exhibit 5



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- Lot_Lines
- AddressPoints
- 2018Image.tif
- Blue: Band_3
- City Limits
- Red: Band_1
- Green: Band_2
- Parcels
- Point_of_Interest
- Road Centerline





12/10/2020, 2:05:02 PM

1:1,776

— Lot_Lines

□ City Limits

□ Parcels

● AddressPoints

□ Point_of_Interests

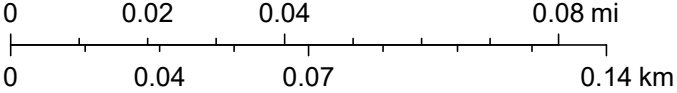
— Road Centerline

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■ Red: Band_1

■ Green: Band_2

■ Blue: Band_3





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- Lot_Lines

□ City Limits

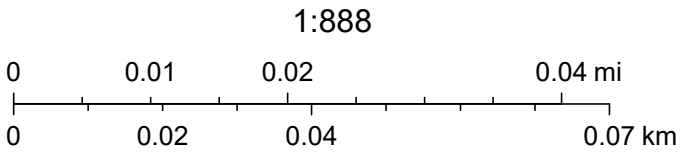
□ Parcels
- AddressPoints

□ Point_of_Interest

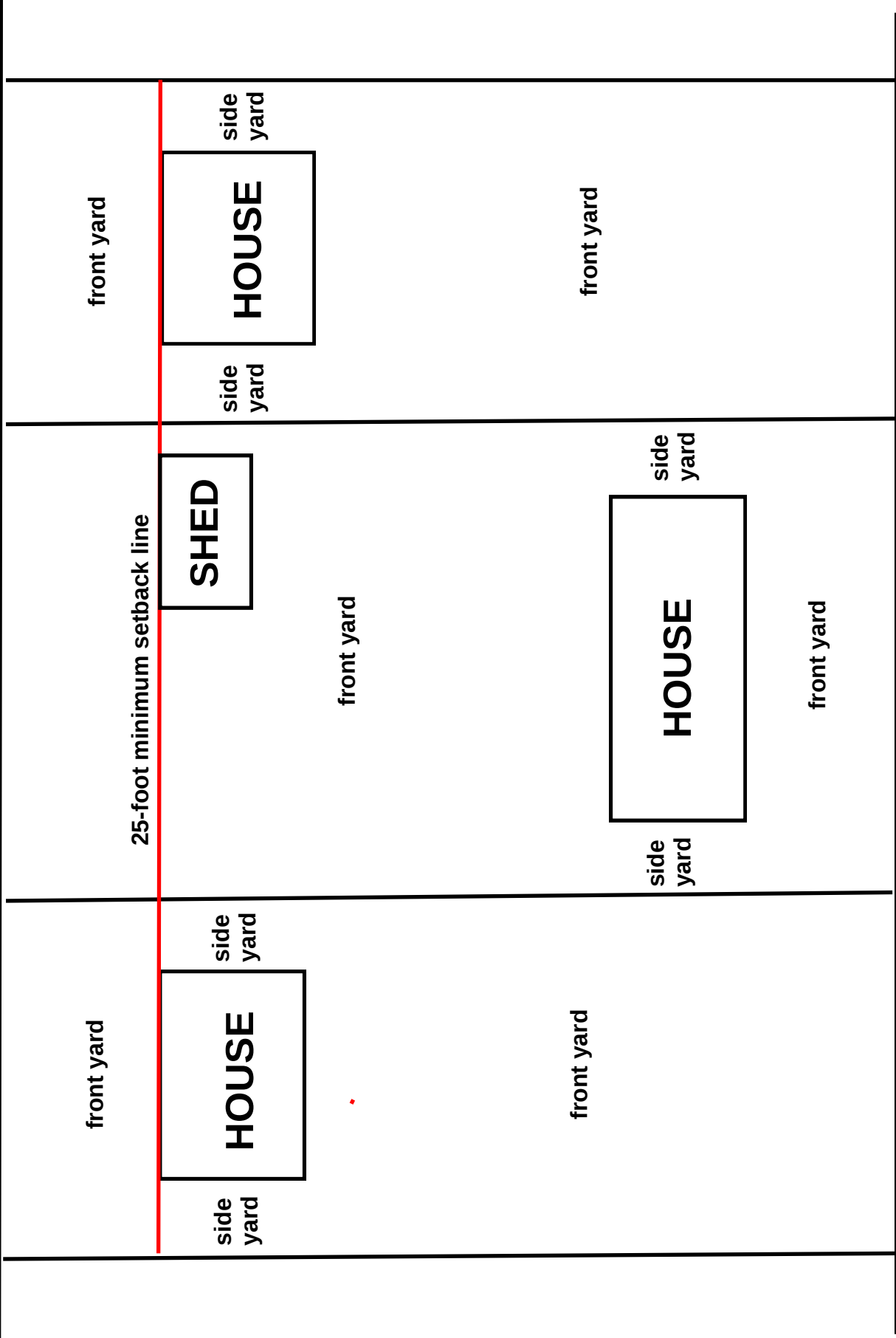
— Road Centerline
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■ Red: Band_1

■ Green: Band_2
- Blue: Band_3



STREET



STREET

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Staff Member: Jeff Johnston
Item #	C	
Ordinance #		
Department:	Public Works	
Council Vision:	Resilience Responsive, Efficient Government	
Subject:	Non-Exclusive Franchise Ordinance for Fiber Optic Telecommunications Equipment and Other Facilities in the City	

Background: The City has advertised and solicited bids for a potentially 25-year non-exclusive franchise to place fiber optic telecommunications equipment and other facilities on the public rights-of-way within the corporate limits of the City of Staunton, as detailed in the attached forms of franchise ordinance and franchise agreement (Attachment 1).

At Council's regular meeting, it is anticipated that, consistent with the provisions of Virginia Code §§ 15.2-2100, 15.2-2101 and 15.2-2102 (Attachment 2), the Mayor will open all bids, read them or a summary aloud, and conduct a public hearing, as properly noticed in *The News Leader* (Attachment 3). Council will then receive any preliminary recommendations from the staff relative to any bids. Bids will be further reviewed by staff subsequent to the regular meeting or as otherwise directed by Council. Council could adopt an ordinance, authorizing a franchise to the successful bidder, at the regular meeting or the next scheduled regular meeting.

Attachments:

Attachment 1—Draft Franchise Ordinance and Draft Franchise Agreement

Attachment 2—Virginia Code §§ 15.2-2100, 15.2-2101 and 15.2-2102

Attachment 3—Notice of Invitation for and Public Opening of Bids and Public Hearing

City Manager's Recommendation: Recommend that, at the regular meeting, the Mayor (i) open all bids received for the telecommunications facilities franchise, (ii) read the bids or a summary of them, (iii) inquire if any other bids are offered, (iv) receive further bids if offered, (v) declare the bidding closed, (vi) conduct a public hearing, and (vii) award the franchise if only one bid is received or, alternatively, if more than one bid is received, take the matter under advisement until Council's next meeting on January 28, 2021.

Alternative Motions (to be made after the public hearing):**If only one bid is received:**

I move that City Council adopt the franchise ordinance, as presented, granting to _____ a non-exclusive franchise to place telecommunications equipment and other facilities within the corporate limits of the City of Staunton, as set forth in the ordinance and annexed franchise agreement.

If more than one bid is received: I move that Council continue this matter until its January 28, 2021 regular meeting, with staff to review the matter further in the meantime for any other recommendations to Council to be made at that time when Council may adopt a proposed ordinance to grant the franchise under the conditions reflected in a finalized form of franchise agreement.

City Manager: Steven L. Rosenberg

AN ORDINANCE

To grant to _____, a telecommunications company doing business in the Commonwealth of Virginia _____, its successors and assigns, under the Code of Virginia and the Telecommunications Act, the right, for the term and upon the conditions stated in this ordinance and incorporated agreement, a non-exclusive Franchise authorizing the Franchisee to place and maintain its Telecommunications Facilities in the Public Ways within the Franchise Area, and for that purpose to use, erect, install, construct, repair, alter, add to, inspect, replace, reconstruct, maintain, or retain in any Public Way such poles, wires, cables, conductors, ducts, underground conduits, vaults, manholes, pedestals, amplifiers, appliances, attachments, and, including but not limited to, above ground enclosures, markers, and concrete pads, or other related property, equipment, or fixtures as may be necessary, useful, or appurtenant to the Telecommunications Facilities, and to provide such services over the Telecommunications Facilities as may be lawfully allowed.

Recitals

A. Level 3 Communications of Virginia, Inc. has asked that it be granted a franchise to place its fiber optic telecommunications equipment and facilities within the Public Way, as defined in a form of franchise agreement as drafted and annexed and incorporated into this ordinance;

B. Consistent with Chapter II, Section 11, of the City Charter and the provisions of Virginia Code Sections §§ 15.2-2100, 15.2-2101, and 56-462, the City may grant a telecommunications franchise;

C. Pursuant to § 15.2-2101(A) of the Code of Virginia, before granting any franchise, privilege, lease or right of any kind to use any public property described in § 15.2-2100 or easement of any description, for a term in excess of five years, except in the case of and for a trunk railway, the city or town proposing to make the grant shall advertise a descriptive notice of the ordinance proposing to make the grant once a week for two successive weeks in a newspaper having general circulation in the city or town;

D. This matter was properly advertised once a week for two successive weeks in the *Staunton News Leader* on December 30, 2020 and January 6, 2021;

E. Staunton City Council was briefed by staff on the franchise agreement at Council's January 14, 2021 work session;

F. The Staunton City Council, at its January 14, 2021 meeting, conducted an opening of any bid(s);

44
45 **G.** The Staunton City Council conducted a public hearing on January 14,
46 2021 on the proposed ordinance and franchise agreement and any bid(s);
47

48 **H.** The provisions of Virginia Code § 15.2-2100 and Staunton City Code §
49 2.10.180 require a recorded affirmative vote of three-fourths of all the members elected
50 to Council to grant a franchise;
51

52 **I.** These recitals are deemed an integral part of this ordinance.
53

54 **NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of
55 Staunton, Virginia that it **HEREBY FINDS** the public welfare will be enhanced by the
56 grant of the franchise requested by Level 3 Communications of Virginia, Inc. and it is in
57 the best interest of the City to grant and **HEREBY GRANTS** a franchise on the
58 conditions contained in the telecommunications franchise agreement, a copy of which is
59 annexed and incorporated hereto, between the City and Level 3 Communications of
60 Virginia, Inc.; and it is
61

62 **FURTHER ORDAINED** that the Staunton City Manager is authorized to sign
63 such Telecommunications Franchise Agreement and any other documents embodying
64 the terms approved herein on behalf of the City, upon approval of the City Attorney; and
65 it is
66

67 **FURTHER ORDAINED** that such Franchise shall be effective upon the date
68 upon which it is signed by the City and Level 3 Communications of Virginia, Inc. and
69 shall extend for a term(s) as provided in the agreement.
70

71
72 Introduced: January 14, 2021

73 Adopted:

74 Effective:
75
76
77

78 _____
79 Andrea W. Oakes, Mayor

80 ATTEST: _____
81 Suzanne F. Simmons
82 Clerk of Council
83

DRAFT 12.02.20

TELECOMMUNICATIONS FRANCHISE AGREEMENT
BETWEEN
THE CITY OF STAUNTON
AND
LEVEL 3 COMMUNICATIONS OF VIRGINIA, INC.

NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE AGREEMENT

This Telecommunications Franchise Agreement (hereinafter, the “Agreement” or “Franchise Agreement”) is made between the City of Staunton, a political subdivision of the Commonwealth of Virginia, and municipal corporation (hereinafter, “City” or “Franchise Authority”) and Level 3 Communications of Virginia, Inc., a Virginia Corporation authorized to do business in Virginia and in good standing (SCC#05914940) (hereinafter, “Franchisee”).

Franchisee desires to place its fiber optic telecommunications equipment and facilities (the “Telecommunications Facilities”) within the Public Way (as defined below), and the City is willing to permit such placement of the Telecommunications Facilities on the terms and conditions set forth herein.

SECTION 1 - Definition of Terms

For the purpose of this Franchise Agreement, capitalized terms, phrases, words, and abbreviations shall have the meanings ascribed to them in the Code of Virginia, Article 1.2, §15.2-2108.19, and the Telecommunications Act of 1996, as amended (Pub. L. No. 104-104) (the “Telecommunications Act”), unless otherwise defined herein. When not inconsistent with the context, words used in the present tense include the future, words used to refer to the masculine include the feminine, words in the plural number include the singular number, and likewise, words in the singular number include the plural number. The word “shall” is mandatory and “may” is permissive. Words not defined in the Code of Virginia, Article 1.2, §15.2-2108.19, the Telecommunications Act, or herein shall be given their common and ordinary meaning.

1.1. “City” shall mean the City of Staunton, Virginia, or the lawful successor, transferee, designee, or assignee thereof.

1.2. “Effective Date” shall mean _____ 2021.

1.3. “FCC” shall mean the Federal Communications Commission, or successor governmental entity thereto.

1.4. “Franchise” shall mean the initial authorization, or renewal thereof, issued by the Franchise Authority, whether such authorization is designated as a franchise, agreement, permit, license, resolution, contract, certificate, ordinance or otherwise, which authorizes the construction and operation of the Telecommunications Facilities within the Public Way.

1.5. “Franchise Agreement” or “Agreement” shall mean this Agreement and any amendments or modifications hereto.

1.6. "Franchise Area" shall mean the present legal boundaries of the City of Staunton, Virginia, as of the Effective Date, and shall also include any additions thereto, by annexation or other legal means during the term of the Franchise, as per the requirements set forth herein.

1.7. "Franchise Authority" shall mean the City of Staunton, Virginia, or the lawful successor, transferee, designee, or assignee thereof.

1.8. "Franchisee" shall mean Level 3 Communications of Virginia, Inc.

1.9. "Person" shall mean any natural person or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for profit, but shall not mean the Franchise Authority.

1.10. "Public Way" means the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, way, lane, public way, drive, circle, park, bridge, waterway, dock, bulkhead, wharf, pier, other public ground or water subject to the jurisdiction and control of the City, or other public right-of-way, including, but not limited to, public utility easements, dedicated utility strips, or easements dedicated for compatible uses and any temporary or permanent fixtures or improvements located thereon now or hereafter held by the City in the Franchise Area, which shall entitle the Franchisee to the non-exclusive use thereof for the purpose of installing, operating, repairing, and maintaining the Telecommunications Facilities. Public Way shall also mean any easement now or hereafter held by the City within the Franchise Area for the purpose of public travel, or for utility or public service use dedicated for compatible uses, and shall include other easements or rights-of-way as shall within their proper use and meaning entitle the Franchisee to the use thereof for the purposes of installing, operating, and maintaining the Franchisee's Telecommunications Facilities over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be ordinarily necessary and appurtenant to the Telecommunications Facilities; except, it shall not include: easements held separately by the City's Economic Development Authority ("EDA") or any other city authority or similar City affiliated entity through agreements to which the City is not a party or any indefeasible right to use agreement as to fiber optic facilities which the City or the EDA may be party. Notwithstanding the exceptions above, the City shall not discriminate against Franchisee by restricting access to public rights-of-way or public easements dedicated for compatible public uses, where other utilities and/or wireline communication facilities are allowed access.

Reference herein to "Public Way" shall not be construed to be a representation or guarantee by the City that its property rights are sufficient to permit its use for any purpose, or that the Franchisee shall gain or be permitted to exercise any rights to use property in the City greater than those already possessed by the City.

1.11 "Relocation Costs" means only those out-of-pocket expenses directly attributable to material and labor, without markup and net of direct or indirect rebate or

discount of any kind, that is required for one or more tasks, as approved in advance by the City, for payment from available funds, if any at all under the provisions of Section 3 of this Franchise Agreement.

SECTION 2 - Grant of Authority

2.1. **Franchise Grant.** The Franchise Authority hereby grants to the Franchisee under the Code of Virginia and the Telecommunications Act a non-exclusive Franchise authorizing the Franchisee to place and maintain its Telecommunications Facilities in the Public Ways within the Franchise Area, and for that purpose to use, erect, install, construct, repair, alter, add to, inspect, replace, reconstruct, maintain, or retain in any Public Way such poles, wires, cables, conductors, ducts, underground conduits, vaults, manholes, pedestals, amplifiers, appliances, attachments, and, including but not limited to, above ground enclosures, markers, and concrete pads, or other related property, equipment, or fixtures as may be necessary, useful, or appurtenant to the Telecommunications Facilities, and to provide such services over the Telecommunications Facilities as may be lawfully allowed.

2.2. **Term of Franchise.** The term of the Franchise granted hereunder shall be ten (10) years, commencing upon the Effective Date of the Franchise, unless the Franchise is renewed or is lawfully terminated in accordance with the terms of this Franchise Agreement, the Code of Virginia, and the Telecommunications Act. This Franchise shall be automatically extended for three (3) additional terms of five (5) years each unless either party notifies the other in writing of its desire to terminate the Franchise at least one (1) year before the expiration date of then-current term.

2.3. **Renewal.** Any renewal of this Franchise shall be governed by and comply with the provisions of Article 1.2 of the Code of Virginia and the Telecommunications Act, as amended.

SECTION 3 - Construction and Maintenance of the Telecommunications Facilities

3.1. **Location of Telecommunications Facilities; Permits.** The placement of the Telecommunications Facilities authorized by Section 2.1 shall be at reasonably suitable and convenient points in the Public Ways as jointly determined by the Franchisee and the Franchise Authority. Franchisee shall file with the Director of Public Works of the City plans showing the location of new, additional, or relocated Telecommunications Facilities. Except as otherwise provided in this Section 3.1, the Franchisee shall be responsible for obtaining all generally applicable permits, licenses, or other forms of approval or authorization prior to the commencement of any activity that materially disturbs the surface of any street, curb, sidewalk or other public improvement in the Public Way, or impedes vehicular traffic. Any work performed by Franchisee in, over, along, on or under the Public Way without first obtaining required permits, licenses or other forms of approval or authorization shall be a violation of this Agreement. The issuance of such permits shall

not be unreasonably withheld, conditioned, or delayed; however, the issuance of local permits shall be determined by City officials and employees as they determine to be merited in the discharge of their duties. The location of the proposed Telecommunications Facilities shall be subject to review by the City Manager or the City Manager's designee, with the right on the part of the Franchisee to appeal from that decision to the City Council. Any decision of the City Council on such appeal shall be subject to judicial review. Notwithstanding any provision to the contrary in this Agreement, during an emergency situation, the Franchisee may perform all reasonable work to restore, service and alter its Telecommunications Facilities to ensure the safety of all citizens of the City, and need not file plans with the Director of Public Works of the City or obtain a permit before commencing the work; provided, however, that the Franchisee shall notify the Director of Public Works of the City of any such work within a reasonable time (not to exceed 10 days) after such work is completed. In providing such notice, the Franchisee shall describe the specific location and nature of all such work. As used in this section, an "emergency situation" is an event that is beyond the ability of the Franchisee to control and that creates an imminent threat of danger to public safety or interruption of telecommunications services service, including but not necessarily limited to, severe weather conditions, strikes, labor disturbances, war or acts of war, insurrection, riots, act of public enemy, fire, flood, or other acts of God.

3.2 General Obligations for Construction, Installation and Maintenance.

Construction, installation, and maintenance of the Telecommunications Facilities shall be performed in a safe, thorough and reliable manner using materials of good and durable quality and shall not damage or interfere with other uses, structure, infrastructure, or equipment or otherwise compromise or make more expensive or difficult the City's work or maintenance of the Public Way. All work shall be done by the Franchisee in accordance with FCC regulations and generally applicable provisions of the Staunton City Code. The rights and privileges set forth herein are granted and conferred upon the Franchisee upon the express condition and understanding on the part of the Franchisee that it will maintain its Telecommunications Facilities in good order throughout the term of this Franchise. By accepting this Franchise, Franchisee expressly agrees that the City shall have jurisdiction, to the full extent and in the manner now or hereafter provided by law, to require the Franchisee to maintain its Telecommunications Facilities in good order throughout the term of this Agreement. Notwithstanding the requirements herein, Franchisee shall not be required to obtain a permit for individual drop connections to Subscribers, servicing or installing pedestals or other similar facilities, or other instances of routine maintenance or repair to its Telecommunications Facilities. All transmission and distribution structures, poles, other lines, and equipment installed by the Franchisee for use in the Telecommunications Facilities in accordance with the terms and conditions of this Franchise Agreement shall be located so as not to interfere with the proper use of the Public Way and the rights and reasonable convenience of property owners who own property that adjoins any such Public Way.

3.3. Conditions of Street Occupancy.

3.3.1. Relocation of Telecommunications Facilities.

3.3.1.1 New Grades or Lines. If the grades or lines of any Public Way within the Franchise Area are lawfully changed at any time during the term of this Franchise Agreement, then the Franchisee shall, upon reasonable advance written notice from the City (which shall not be less than 30 business days) and at the Franchisee's own cost or expense, protect or promptly alter or relocate the Telecommunications Facilities, or any part thereof, so as to conform with any such new grades or lines. If public funds are available to any other user of the Public Way for the purpose of defraying the cost or expense of any of the foregoing, the City shall notify Franchisee of such funding and make available such funds to the Franchisee within a reasonable timeframe. There is no guarantee by the City that any public funds will be available to help defray the cost or expense of altering or relocating the Telecommunications Facilities to conform to new grades or lines. In the event that funds are not available, Franchisee reserves the right to pass its costs through to its Subscribers in accordance with applicable law.

3.3.1.2 Relocation at Request of Third Party. The Franchisee shall, upon reasonable prior written request of any Person holding a permit issued by the City to move any structure, temporarily move its wires to permit the moving of such structure; provided (i) the Franchisee may impose a reasonable relocation cost on any Person for the movement of its wires, and such charge may be required to be paid in advance of the movement of its wires; and (ii) the Franchisee is given not less than thirty (30) business days advance written notice to arrange for such temporary relocation.

3.3.1.3 Right of City to Remove or Relocate. If the Franchisee does not complete removal or relocation within the period of time required by the Franchise, then the City may, after giving at least fifteen (15) days' written notice to the Franchisee, take such actions at the Franchisee's expense as are necessary to effect such removal or relocation. In the event the City effects the removal or relocation of any Telecommunications Facilities pursuant to this section, the City shall not be liable to the Franchisee for any damages incurred by Franchisee that result from such removal or relocation, unless such damages are the result of gross negligence or recklessness or willful misconduct on the part of the City or its agents, contractors, or employees. In addition, in the event the City effects the removal or relocation of any Telecommunications Facilities pursuant to this section, the Franchisee shall indemnify the City for, and hold the City harmless from, any and all losses, damages, judgments, liabilities, costs, and expenses arising from or based upon the claims of third parties who allege personal injury, property damage, or other loss caused, in whole or in part, by the removal or relocation; provided, that the Franchisee shall not be required to indemnify and hold the City harmless to the extent that the loss incurred by a third party is caused by gross negligence or recklessness or willful misconduct on the part of the City or its agents, contractors, or employees.

3.3.2 Installation of Additional Facilities. The Franchisee shall install any new or additional Telecommunications Facilities on a like-for-like or better basis. As used in this section, “like-for-like” means the installation or relocation of Telecommunications Facilities in a like or similar manner of construction when compared to previously installed Telecommunications Facilities. For example, placement of Telecommunications Facilities above-ground using aerial construction in locations where existing Telecommunications Facilities are constructed above-ground (aerial-to-aerial), or the placement of Telecommunications Facilities underground in locations where existing Telecommunications Facilities are constructed underground, are “like-for-like”; as to underground Telecommunications Facilities, conduit installations are to be replaced by conduit, and direct burial installations (where permitted) are to be replaced by direct burial. As used in this section, “better” Telecommunications Facilities include Telecommunications Facilities which the Franchisee, in its discretion, favors better over like-for-like Telecommunications Facilities. For example, as a general matter the City prefers underground Telecommunications Facilities to overhead Telecommunications Facilities. If the Franchisee decides that it would also prefer to place certain overhead Telecommunications Facilities underground, its work will be performed on a “better” basis. As another example, if the Franchisee decides to replace existing poles with poles that are more aesthetically pleasing, its work will be performed on a “better” basis. In the event that the City specifically requests that the Franchisee install Telecommunications Facilities that are more expensive than like-for-like Telecommunications Facilities, as reflected in a good-faith written estimate to be provided by the Franchisee to the City in advance, the City shall bear the costs, but only by the amount by which the directly attributable cost of the more expensive Telecommunications Facilities exceeds such comparable cost of like-for-like Telecommunications Facilities.

3.3.3. Restoration of Public Ways. In the event the Franchisee shall injure or otherwise cause damage to any pavement, sidewalk, sewer, water, or other pipe or works of the City, or any other property of the City, the Franchisee shall immediately notify the Director of Public Works of the City and promptly repair or replace the same at its own cost and expense in accordance with provisions of the Staunton City Code and applicable standards of the City. In the event the Franchisee has not completed the repair or replacement work, identified in a notice provided by the City, within thirty (30) days of the date of the damage, the City may undertake the repair or replacement work, and the Franchisee shall thereafter reimburse the City for any and all costs incurred by the City in performing the work. In the event the City undertakes repair or replacement work pursuant to this section, the City shall not be liable for any damages incurred by the Franchisee that result from such work. In addition, in the event the City undertakes repair or replacement work pursuant to this section, the Franchisee shall indemnify the City for, and hold the City harmless from, any and all losses, damages, judgments, liabilities, costs, and expenses arising from or based upon the claims of third parties who allege personal injury, property damage, or other loss caused, in whole or in part, by the work; provided, that the Franchisee shall not be required to indemnify and hold the City harmless to the extent that the loss incurred by a third party is caused by gross negligence or recklessness or willful misconduct on the part of the City or its agents, contractors, or employees.

312 3.3.4. Safety Requirements. The Franchisee shall undertake all necessary and
313 appropriate commercial efforts to maintain its work sites in a safe manner in order to
314 prevent failures and accidents that may cause damage, injuries or nuisances. All work
315 undertaken on the Telecommunications Facilities shall be performed in substantial
316 accordance with applicable FCC and other federal and state regulations. The
317 Telecommunications Facilities shall not unreasonably endanger or interfere with the safety
318 of Persons or property in the Franchise Area.

319
320 3.3.5. Trimming of Trees and Shrubbery. The Franchisee shall have the authority
321 to trim trees or other natural vegetative growth encroaching or overhanging any of its
322 Telecommunications Facilities in the Franchise Area so as to prevent contact with the
323 Franchisee's wires, cables, or other equipment. All such trimming shall be done at the
324 Franchisee's sole cost and expense in accordance with ANSI A300 pruning standards.
325 Except in emergency situations, the Franchisee shall provide the City not less than ten (10)
326 business days' notice in advance of any planned tree trimming. The Franchisee shall be
327 responsible for any collateral, direct real property damage caused by such trimming.

328
329 3.3.6. Aerial and Underground Construction. At the time of Telecommunications
330 Facilities construction, if all of the transmission and distribution facilities of all of the
331 respective public or municipal utilities in any area of the Franchise Area are underground,
332 the Franchisee shall place its Telecommunications Facilities transmission and distribution
333 facilities underground, provided that such underground locations are actually capable of
334 accommodating the Franchisee's cable and other equipment without technical degradation
335 of the Telecommunications Facilities' signal quality. In any region(s) of the Franchise Area
336 where the transmission or distribution facilities of the respective public or municipal
337 utilities are both aerial and underground, the Franchisee shall have the discretion to
338 construct, operate, and maintain all of its transmission and distribution facilities, or any
339 part thereof, aerially or underground except where City ordinances of general applicability
340 require undergrounding of all similarly situated utilities and in such case all City ordinances
341 of general applicability shall be complied with by the Franchisee. Nothing in this Section
342 shall be construed to require the Franchisee to construct, operate or maintain underground
343 any ground-mounted appurtenances such as customer taps, line extenders, system passive
344 devices, amplifiers, power supplies, pedestals, or other related equipment. The Franchisee
345 shall follow all general requirements applicable in the City Code in the construction of the
346 Franchisee's facilities in the Public Way, including permitting and traffic control measures.
347 If the City requests that Franchisee's Telecommunications Facilities be placed
348 underground and at the City's expense constructs and installs to Franchisee's specifications
349 the conduits, ductways, manholes, handholes, and appliances and devices (including but
350 not limited to switches, taps, transformers, and the like) necessary to facilitate the
351 undergrounding of the Franchisee's existing or proposed overhead Telecommunications
352 Facilities, the Franchisee shall, at its sole expense, design, remove, and relocate such
353 portions of its existing or proposed overhead Telecommunications Facilities underground.
354 The City will obtain or cause to be obtained, without charge to the Franchisee, suitable
355 public or private easements or comparable rights as may be required by the Franchisee for
356 such underground Telecommunications Facilities. The extent of undergrounding that shall
357 be required of the Franchisee pursuant to this section shall not exceed two hundred (200)

feet annually, and six hundred (600) feet shall be the maximum extent of undergrounding cumulatively that may be aggregated pursuant to this section by the City and required to be installed by the Franchisee in any one year; provided, that the City shall have given advance written notice to the Franchisee, which the Franchisee shall have received no later than June 30 of the previous calendar year, of the extent and general location of the undergrounding that the City desires to undertake in any calendar year, and the Franchisee's annual obligations under this section shall be contingent on such notice. The extent of undergrounding that shall be required of the Franchisee pursuant to this section during the maximum potential twenty-five (25) year term of this Agreement shall in all events not exceed three thousand (3,000) feet. The Franchisee shall not be responsible for any costs required for relocation of any Telecommunications Facilities that have been placed underground pursuant to this section during the term of this Agreement. Any undergrounding of the Franchisee's Telecommunications Facilities requested by the City that is in excess of that required by this section will be at the City's expense. In such event, the Franchisee will openly and fully disclose the detailed cost of such work, with supporting invoices and other records, to the City within sixty (60) days of the City's request. In the event that the Franchisee undertakes any undergrounding of its Telecommunications Facilities, without regard to whether the undergrounding will occur pursuant to this section, the Franchisee shall cooperate with the City and other utilities whose Telecommunications Facilities are collocated on existing poles or other structures to ensure that those Telecommunications Facilities are properly removed and relocated. In the event all users of the Public Way relocate aerial facilities underground as part of an undergrounding or neighborhood beautification project, Franchisee shall participate in the planning for relocation of its aerial facilities contemporaneously with other utilities. Franchisee's Relocation Costs shall be included in any computation of necessary project funding by the City or private parties. Franchisee shall be given reasonable notice and access to the public utilities' facilities at the time that such are placed underground and shall be entitled to reimbursement of its Relocation Costs from public or private funds raised for the project and made available to other users of the Public Way. It is understood that there is no guarantee by the City that any public or private funds will be available to help defray the expense of such Relocation Costs. In the event that public and/or private funds are not available or do not cover the entire direct and actual cost of the relocation, Franchisee reserves the right to pass its costs, or in the case of partial reimbursement from public and/or private funds its incremental Relocation Costs, through to its Subscribers in accordance with applicable law.

3.3.7 Excavation in the Public Way. All excavation and reconstruction or other work or activity by Franchisee in the Public Way must be in compliance with the requirements of the City Code, including all of the standards referenced therein, and applicable VDOT standards. It shall be the responsibility of Franchisee to obtain any required permits, to review all applicable excavation, reconstruction, restoration, repair and permitting requirements, and to become familiar with such requirements before beginning any excavation, reconstruction, restoration or repair work in the Public Way or private property.

403 3.3.8 Installation in Public Way. Any equipment or facilities installed by
404 Franchisee in the Public Way shall be installed, located, erected, constructed,
405 reconstructed, replaced, restored, removed, repaired, maintained and operated in
406 accordance with good engineering practices, performed and supervised by experienced
407 maintenance and construction personnel so as not (i) to endanger or interfere in any manner
408 with improvements the City or VDOT may deem appropriate to make; or (ii) to interfere
409 with the rights of any private property owner; or (iii) to hinder or obstruct pedestrian or
410 vehicular traffic.

411
412 3.3.9 Relocation and Reimbursement. Whenever the City or VDOT shall
413 determine that it is necessary in connection with the repair, relocation or improvement of
414 the Public Way, the City or VDOT may require written notification that any properties or
415 facilities of the Franchisee be removed or relocated. Within sixty (60) days after receipt of
416 notification, unless the City or VDOT extends such period for good cause shown, the
417 Franchisee shall remove or relocate its facilities to such place and under such terms and
418 conditions as specified by the City or VDOT. The Franchisee shall bear all costs and
419 expenses associated with removal and relocation except that the City or VDOT will issue,
420 without charge to the Franchisee, whatever local permits are required for the relocation of
421 Franchisee's facilities. If the Franchisee does not complete its removal or relocation within
422 sixty (60) days or such other period as authorized by the City or VDOT, the City or VDOT
423 may take such actions as necessary to effect such removal or relocation at the Franchisee's
424 expense. Franchisee shall be entitled to reimbursement of its Relocation Costs from the
425 public or private funds raised for the project and made available to other users of the Public
426 Way. It is understood that there is no guarantee by the City that any public or private funds
427 will be available to help defray the expense of such Relocation Costs. In the event that
428 public or private funds are not available, or do not cover all Relocation Costs, Franchisee
429 reserves the right to pass its Relocation Costs, or incremental Relocation Costs, through to
430 its Subscribers in accordance with applicable law.

431
432 3.3.10. Use of Franchisee Telecommunications Facilities by the City. The
433 Franchisee shall, when so requested by the Director of Public Works or designee, allow its
434 poles and other overhead structures to be used by the City, free of rental or similar charge,
435 for the purpose of placing thereon any traffic lighting, cable for traffic lighting, signs, fire
436 and police alarms, telephone wires, fiber optic cable, and other appliances which may be
437 necessary for the exclusive use of the City; provided that the City shall follow all
438 reasonable practices and procedures of the Franchisee with respect to attachment of
439 Telecommunications Facilities to the Franchisee's property, including but not limited to
440 obtaining all necessary permits from the Franchisee; and provided further that such use by
441 the City shall not interfere with the proper use of such poles and other overhead structures
442 by the Franchisee. The location and character of the City's traffic lighting, cable for traffic
443 lighting, signs, fire and police alarms, telephone wires, fiber optic cable, and other
444 appliances shall be subject to the approval of the Franchisee. The City shall provide to the
445 Franchisee, as reasonably requested periodically by the Franchisee, a certificate or other
446 proof of insurance as to the City's insurance program. The City also shall use reasonable
447 efforts to require its future third-party contractor(s) engaged in installation or maintenance
448 solely for the City's use of the Franchisee's Telecommunications Facilities to indemnify

the Franchisee against the negligent acts of such contractor(s); absent such indemnification, the City shall require its future third-party contractor(s) to provide a certificate or other proof of insurance that includes coverage and limits customarily required of other third-party contractors of the City. Attachments used for the purpose of providing services to third parties shall be subject to the then-prevailing telecommunications attachment rental rate.

3.3.11 Use of Franchisee Telecommunications Facilities by Third Parties. Prior to allowing any third party to place any Telecommunications Facilities or equipment on or otherwise use the Franchisee's Telecommunications Facilities located in the Public Way, the Franchisee shall in its agreement with the third party require that the third party obtain all legally required authority and consent from the City to occupy and use the Public Way and to notify the City in writing of the nature, location and timing of such placement or use.

3.3.12 Protection of Property of Other Utility Services. The Franchisee shall take all prudent action to avoid damage or injury to pipes, cables, fixtures, infrastructure of any kind, including, without limitation, streets and sidewalks, and installations of other utility services, particularly those installations whose disruption can cause hazards or danger to persons or property. In the event such damage or injury occurs, the Franchisee shall immediately notify such other affected utilities and the Director of Public Works or designee and shall cooperate and contribute its capabilities to the extent necessary to remove any hazards and repair any damage.

3.3.13 Maintenance. The rights and privileges set forth herein are granted and conferred upon the Franchisee upon the express condition and understanding on the part of the Franchisee that it will maintain its Telecommunications Facilities located within the City in good order throughout the term of this grant, and the Franchisee by accepting this Agreement expressly agrees that the Commonwealth of Virginia or the City, as applicable, shall have jurisdiction, to the full extent and in the manner now or hereafter during the life of this Agreement provided by law, to require the Franchisee to render reasonably adequate telecommunications services and to maintain its Telecommunications Facilities in good order throughout the term of this grant.

SECTION 4 - Insurance and Indemnity

4.1. Insurance. Throughout the term of this Franchise Agreement, the Franchisee shall, at its own cost and expense, maintain Commercial General Liability Insurance and provide the City certificates or other proof satisfactory to the City of insurance designating the City and its officers, boards, commissions, councils, elected officials, and employees as additional insureds and demonstrating that the Franchisee has obtained the insurance required in this Section. All policies shall be placed with companies qualified to write insurance in the Commonwealth of Virginia and which maintain throughout the policy term a general rating of A-:VII. The Commercial General Liability insurance policies provided for herein shall name the City, its officers, and employees as

additional insureds, and shall be primary to any insurance or self-insurance carried by the City with respect to Franchisee's liabilities hereunder. Such policy or policies shall be in the minimum amount of One Million Dollars (\$1,000,000.00) per occurrence for bodily injury or property damage. The Franchisee shall provide workers' compensation coverage in accordance with applicable law. In addition to the requirements of section 4.2, the Franchisee shall indemnify, defend and hold harmless the City from any workers compensation claims to which the Franchisee may become subject during the term of this Franchise Agreement. Upon written request of the City, the Franchisee shall deliver certificates or other proof satisfactory to the City of insurance of the above-required insurance within 30 days of the receipt of the request. The provisions of this section shall survive the termination or expiration of this Agreement.

4.2. Indemnification. The Franchisee shall indemnify, defend and hold harmless the City, its officers and employees and agents acting in their official capacities from and against any liability or claims resulting from property damage or bodily injury (including accidental death) that directly or indirectly arise out of the Franchisee's design, construction, operation, modification, maintenance, or removal of the Telecommunications Facilities, including, but not limited to, reasonable attorneys' and other professional fees and expenses, provided that the City shall give the Franchisee timely written notice of its obligation to indemnify and defend and hold harmless the City within 10 business days of receipt of a claim or action pursuant to this section. The City agrees that it will take all reasonable action to avoid a default judgment and not prejudice the Franchisee's ability to defend the claim or action. If the City determines that it is necessary for it to employ separate counsel, the expense for such separate counsel shall be the responsibility of the City. Franchisee shall not be required to indemnify the City for gross negligence or gross misconduct on the part of the City or its officials, boards, commissions, agents, or employees, including any loss or claims related to Telecommunications Facilities in which the City or its designee participates, subject to applicable law. The provisions of this section shall survive the termination or expiration of this Agreement.

4.3 Surety Bond. This Agreement and the rights and privileges hereby granted and conferred shall not become effective unless and until Franchisee shall file with the Clerk of Council its written acceptance thereof, in form satisfactory to the City, and shall enter into a bond in the sum of Fifty Thousand and No/100 Dollars (\$50,000.00), with surety satisfactory to the City, conditioned to the effect that the Franchisee will construct and maintain, or if constructed, will maintain, the Telecommunications Facilities provided for herein and reasonably necessary for the exercise of the rights and privileges granted in and by this Agreement, and will maintain the same in good order throughout the term of this grant, and will comply with the terms, provisions, and conditions of this Agreement in all respects. The bond will be in the form of Exhibit 1, a copy of which is annexed and incorporated.

SECTION 5 - Miscellaneous Provisions

5.1. Force Majeure. The Franchisee shall not be held in default under, or in non-compliance with, the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default (including termination, cancellation or revocation of the Franchise), where such non-compliance or alleged defaults occurred or were caused by lightning strike, earthquake, flood, tidal wave, unusually severe rain, ice or snow storm, hurricane, tornado, or other catastrophic act of nature; riot, war, labor disputes, environmental restrictions, failure of utility service or the failure of equipment or facilities not belonging to Franchisee, denial of access to facilities or rights-of-way essential to serving the Franchise Area necessary to operate the Telecommunications Facilities, governmental, administrative or judicial order or regulation or other event that is reasonably beyond the Franchisee's ability to anticipate or control. This provision also covers work delays caused by waiting for utility providers to service or monitor their own utility poles on which the Franchisee's cable or equipment is attached, as well as unavailability of materials or qualified labor to perform the work necessary.

5.2. Notice. All notices shall be in writing and shall be sufficiently given and served upon the other party by hand delivery, first class mail, registered or certified, return receipt requested, postage prepaid, or by reputable overnight courier service and addressed as follows:

To the Franchise Authority:

City of Staunton
City Hall
116 West Beverley Street
Staunton, VA 24401
Attention: City Manager

With a copy to:
City Attorney
City of Staunton
City Hall
116 West Beverley Street
Staunton, VA 24401

To the Franchisee:
Level 3 Communications of Virginia, Inc.
[c/o Lumen-CenturyLink](#)
[1025 Eldorado Boulevard](#)
[Broomfield, Colorado 80021](#)
Attention: [NIS Contracts Management](#)

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With a copy to:

Level 3 Communications of Virginia, Inc.
c/o Lumen-CenturyLink
1025 Eldorado Boulevard
Broomfield, Colorado 80021

Attention: General Counsel

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5.3. Entire Agreement. This Franchise Agreement and any exhibits or addendums hereto constitute the entire agreement between the Franchise Authority and the Franchisee and supersedes all prior or contemporaneous agreements, ordinances, representations, or understandings, whether written or oral, of the parties regarding the subject matter hereof. Any agreements, ordinances, representations, promises or understandings or parts of such measures that are in conflict with or otherwise impose obligations different from the provisions of this Franchise Agreement are superseded by this Franchise Agreement.

5.4. Severability. If any section, subsection, sentence, clause, phrase, or other portion of this Franchise Agreement is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body, or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

5.5. Governing Law. This Franchise Agreement shall be deemed to be executed and performed in the Commonwealth of Virginia, and shall be governed in all respects, including validity, interpretation and effect, and construed in accordance with, the laws of the Commonwealth of Virginia, as applicable to contracts entered into and performed entirely within the State, without reference to conflict of laws principles.

5.6. Modification. No provision of this Franchise Agreement shall be amended or otherwise modified, in whole or in part, except by an instrument, in writing, duly executed by the Franchise Authority and the Franchisee, which amendment shall be authorized on behalf of the Franchise Authority through the adoption of an appropriate resolution or order by the Franchise Authority, as required by applicable law.

5.7. No Third-Party Beneficiaries. No Third-Party Beneficiaries; Immunity Preserved. Nothing in this Franchise Agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of this Franchise Agreement and nothing waives or modifies the City's and its officials' sovereign or other immunity, to the maximum extent applicable.

5.8. Captions. Captions to sections throughout this Franchise Agreement are solely to facilitate the reading and reference to the sections and provisions of this

Franchise Agreement. Such captions shall not affect the meaning or interpretation of this Franchise Agreement.

5.9. No Waiver of Rights. Nothing in this Franchise Agreement shall be construed as a waiver of any rights, substantive or procedural, which Franchisee may have under federal or state law unless such waiver is expressly stated herein.

5.10. Incorporation by Reference

5.10.1. All presently and hereafter applicable conditions and requirements of federal, State and generally applicable local laws, including but not limited to the rules and regulations of the FCC and the Commonwealth of Virginia, as they may be amended from time to time, are incorporated herein by reference to the extent not enumerated herein. However, no such general laws, rules, regulations and codes, as amended, may alter the obligations, interpretation and performance of this Franchise to the extent that any provision of this Franchise conflicts with or is inconsistent with such laws, rules or regulations.

5.10.2. Should the State, the federal government or the FCC require Franchisee to perform or refrain from performing any act the performance or non-performance of which is inconsistent with any provisions herein, the Franchise Authority and Franchisee will thereupon, if they determine that a material provision herein is affected, modify any of the provisions herein to reflect such government action.

5.11. Calculation of Time. Where the performance or doing of any act, duty, matter, payment, or operation is required hereunder and the period of time or duration for the performance or doing thereof is prescribed and fixed herein, the time shall be computed so as to exclude the first day and include the last day of the prescribed or fixed period or duration of time. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

5.12. Annexation. Upon ninety (90) days written notice, any additions of territory to the Franchise Authority, by annexation or other legal means, contiguous to the Franchise Area, shall thereafter be subject to all the terms of this Agreement as though it were an extension made hereunder related to the Telecommunications Facilities located or operated within said territory.

5.13. Authority to Execute. Each party represents to the other that the person signing on its behalf has the legal right and authority to execute, enter into and bind such party to the commitments and obligations set forth herein.

5.14 Other Agreements. The rights and privileges granted herein to use the Public Way are expressly subject to the conditions, limitations, and provisions contained in the general agreements and ordinances of the City of Staunton, Virginia, in force, or that may be hereafter approved by the City, relative to the use of the Public Way so far as they

may be applicable to the rights and privileges herein granted, provided such that may be approved will not place any unreasonable or impracticable burden upon the Franchisee.

IN WITNESS WHEREOF, this Franchise Agreement has been executed by the duly authorized representatives of the parties as set forth below, as of the last date set forth below:

CITY OF STAUNTON:

By: _____

Print Name: _____

Title: _____

Date: _____

LEVEL 3 COMMUNICATION OF VIRGINIA, INC.:

By: _____

Print Name: _____

Title: _____

Date: _____

§ 15.2-2100. Restrictions on selling certain municipal public property and granting franchises.

A. No rights of a city or town in and to its waterfront, wharf property, public landings, wharves, docks, streets, avenues, parks, bridges, or other public places, or its gas, water, or electric works shall be sold except by an ordinance passed by a recorded affirmative vote of three-fourths of all the members elected to the council, notwithstanding any contrary provision of law, general or special, and under such other restrictions as may be imposed by law. Notwithstanding any contrary provision of law, general or special, in case of a veto by the mayor of such an ordinance, it shall require a recorded affirmative vote of three-fourths of all the members elected to the council to override the veto.

B. No franchise, lease or right of any kind to use any such public property or any other public property or easement of any description, in a manner not permitted to the general public, shall be granted for a period longer than forty years, except for air rights together with easements for columns for support, which may be granted for a period not exceeding sixty years.

Before granting any such franchise or privilege for a term in excess of five years, except for a trunk railway, the city or town shall, after due advertisement, publicly receive bids therefor, in such manner as is provided by § [15.2-2102](#), and shall then act as may be required by law. Such grant, and any contract in pursuance thereof, may provide that, upon the termination of the grant, the plant as well as the property, if any, of the grantee in the streets, avenues and other public places shall thereupon, without compensation to the grantee, or upon the payment of a fair valuation become the property of the city or town; but the grantee shall be entitled to no payment by reason of the value of the franchise. Any such plant or property acquired by a city or town may be sold or leased or, if authorized by general law, maintained, controlled, and operated by such city or town. Every such grant shall specify the mode of determining any valuation therein provided for and shall make adequate provisions by way of forfeiture of the grant, or otherwise, to secure efficiency of public service at reasonable rates and the maintenance of the property in good order throughout the term of the grant.

C. Any additional restriction now required in any existing municipal charter relating to the powers of cities and towns in selling or granting franchises or leasing any of their property is hereby superseded; however, nothing herein contained shall be construed as affecting the term of any existing franchise, lease or right. The requirement of an affirmative three-fourths vote of council shall apply only to the sale of the listed properties and not to their franchise, lease or use.

D. The provisions of this section shall only apply to cities or towns and shall not apply to counties or other political subdivisions.

Code 1950, § 15-727; 1962, c. 623, § 15.1-307; 1971, Ex. Sess., c. 64; 1997, c. 587; 2001, c. [498](#).

§ 15.2-2101. Ordinance proposing grant of franchise, etc., to be advertised.

A. Before granting any franchise, privilege, lease or right of any kind to use any public property described in § [15.2-2100](#) or easement of any description, for a term in excess of five years, except in the case of and for a trunk railway, the city or town proposing to make the grant shall advertise a descriptive notice of the ordinance proposing to make the grant once a week for two successive weeks in a newspaper having general circulation in the city or town. The descriptive notice of the ordinance may also be advertised as many times in such other newspaper or newspapers, published outside the city, town or Commonwealth, as the council may determine. The advertisement shall include a statement that a copy of the full text of the ordinance is on file in the office of the clerk of the city or town council.

B. The advertisement shall invite bids for the franchise, privilege, lease or right proposed to be granted in the ordinance. The bids shall be in writing and delivered upon the day and hour named in the advertisement and shall be opened in public session and marked for identification by the person designated in the advertisement to receive such bids. The cost of the required advertisement shall be paid by the city or town which shall be reimbursed by the person to whom the grant is made. The city or town shall have the right to reject any and all bids and shall reserve this right in the advertisement.

Code 1950, §§ 15-728, 15-729; 1962, c. 623, §§ 15.1-308, 15.1-309; 1971, Ex. Sess., c. 64; 1983, c. 138; 1997, c. 587; 2001, c. [498](#).

§ 15.2-2102. How bids received and to whom franchise awarded.

The presiding officer shall read aloud, or cause to be read aloud, a brief summary of each of the bids that have been received, for public information, and shall then inquire if any further bids are offered. If further bids are offered, they shall be received. The presiding officer shall thereafter declare the bidding closed. The presiding officer shall receive recommendations from the staff relative to any bids received in advance and staff's recommendations, if any, on any bids received at the advertised council meeting. After such other investigation as the council sees fit to make, the council shall accept the highest bid from a responsible bidder and shall adopt the ordinance as advertised, without substantial variation, except to insert the name of the accepted bidder. However, the council, by a recorded vote of a majority of the members elected to the council, may reject a higher bid and accept a lower bid from a responsible bidder and award the franchise, right, lease or privilege to the lower bidder, if, in its opinion, some reason affecting the interest of the city or town makes it advisable to do so, which reason shall be expressed in the body of the subsequent ordinance granting the franchise, right, lease or privilege. The process described in this section may run concurrently with any other advertisement or public ordinance requirements of this title, or such requirements as may be contained in charters of such cities or towns.

Code 1950, § 15-730; 1962, c. 623, § 15.1-310; 1997, c. 587; 2001, c. [498](#).

DRAFT 12-11-20

NOTICE OF INVITATION FOR AND PUBLIC OPENING OF BIDS AND
PUBLIC HEARING FOR GRANT OF
TELECOMMUNICATIONS FRANCHISE
IN THE CITY OF STAUNTON
TO PLACE FIBER OPTIC TELECOMMUNICATIONS EQUIPMENT
AND OTHER FACILITIES WITHIN THE PUBLIC WAY
FOR TELECOMMUNICATIONS SERVICES

Notice is hereby given of the invitation for and the receipt and for the opening of bids and public hearing on the potentially 25-year, non-exclusive franchise to be granted by the following referenced ordinance to be considered by the Staunton City Council at its regular meeting, in the Council Chambers on January 14, 2021 at 7:30 p.m. This notice is occasioned by the request of Level 3 Communications of Virginia, Inc. to be granted a franchise to place fiber optic telecommunications equipment and facilities with the public way.

After the Mayor or other presiding officer of City Council receives and opens and reads aloud such bids, the Council will proceed with the continued consideration of the granting of the proposed franchise in the mode prescribed by law and will conduct a public hearing.

All bids must be in writing and shall include reference to the City's preferred form of any proposed agreement. All bids must be submitted by not later than 5:00 p.m., local time, January 13, 2021, to the office of the Clerk of Council, 116 W. Beverley St., 1st Floor, Staunton, VA 24401. The right is hereby expressly reserved to reject any and all bids and to proceed as prescribed by law, as may be permitted by law. A descriptive notice of the proposed franchise ordinance, including the full text of this advertised notice, includes the foregoing and following:

AN ORDINANCE

To grant to _____, a telecommunications company doing business in the Commonwealth of Virginia _____, its successors and assigns,

the right, for the term and upon the conditions stated in this ordinance and incorporated agreement, to use as a provider of telecommunications services the public rights-of-way of the City of Staunton, Virginia, and to acquire, construct, install, operate, maintain, and use, and to the extent now constructed or installed to operate, maintain, and use, poles, towers, structures, attachments, wires, cables, conduits, ductways, manholes, handholes, meters, appliances, and other equipment necessary or useful in the distribution, transmission, or sale of telecommunications services in, over, along, on, and under the public rights-of-way of the City, for the purpose of conducting, distributing, transmitting, and selling telecommunications services at any points within the corporate limits of the City as the same now exist or may hereafter be extended or altered.

The proposed ordinance is authorized by, among other considerations, the Staunton City Charter, Chapter II, Section 11; Staunton City Code § 2.10.180; and by Virginia Code Sections §§ 15.2-2100, 15.2-2101, and 56-462.

A true and complete copy of the proposed ordinance and form of agreement, including all of its terms and conditions, is on file and available for inspection during normal working hours at the office of the Clerk of Council.

All persons wishing to be heard at the public hearing are invited to attend. Persons with hearing loss or speech impairment desiring to attend the public hearing may contact the Clerk of Council by email at simmonssf@ci.staunton.va.us to request an interpreter.

This meeting, although to be conducted in-person, will also be conducted by Zoom, with virtual or remote participation of certain members of City Council and by telephone for remote participation by members and the public in the public hearing, given the catastrophic nature of the declared emergency and disaster related to the COVID-19 outbreak, which as part of the total circumstances makes it impracticable or unsafe to assemble in a single location. The meeting will be held consistent with City Council Ordinances 2020-04 and 2020-24, which can be accessed online at: www.staunton.va.us/cogord2020-04 and <https://www.ci.staunton.va.us/home/showdocument?id=9758>

respectively. The proceedings will be streamed online at <http://streaming.ci.staunton.va.us:8000/> and broadcast on local cable channel 7.

***To participate in the Public Hearing by Phone:**

- 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**

Suzanne F. Simmons
Clerk of Council

Please publish twice on Wednesday, December 30, 2020 and Wednesday January 6, 2021 as a boxed ad in the classified “Legal Notice” section of the paper.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Staff Members: Rodney Rhodes Tim Hartless
Item #	D	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Consideration of a Request by Darren Pultz, 371 National Avenue, for a Variance to Title 17, Subdivisions, Section 17.15.180, Size and Shape of Residential Lots Generally	

Background: EGS and Associates, on behalf of Darren Pultz, has requested a variance from section 17.15.180 of the Title 17, Subdivisions, of the Staunton City Code. This section of the subdivision ordinance prohibits the creation of lots with elongated portions designed to achieve the required street frontage (i.e., “pipestems”). The section states:

17.15.180 Size and shape of residential lots generally.

The lot arrangement, design, and shape shall be such that lots will provide satisfactory and desirable sites for building. Lots shall not contain peculiarly shaped elongations which are designed solely to provide necessary square footage of area or frontage on a public road and which would be unusable for normal purposes.

A letter from EGS requesting the variance and outlining the reasons for the request is attached.

Mr. Pultz owns property located at 371 National Avenue near its intersection with New Hope Road. The property is zoned R-1, Low Density Residential District, and contains slightly more than two acres. This area of the City was annexed in 1986, and the majority of the existing lots

were platted at the time when the land was located in Augusta County. Mr. Pultz acquired the property in 2006.

Review: City staff reviewed the request, during which no issues were identified. The subject property dimensions are approximately 125 feet in width and 715 feet in depth. The result is a lot that is nearly six times deeper than its width. Although the lot was platted in the County and is presumed to have been in compliance with County subdivision standards in place at the time, it does not meet the maximum length to width ratio established in the City's Zoning Code and would not be permitted to be platted today in the City. It is therefore considered a legally nonconforming lot.

There are at least two other lots within 500 feet of the subject property that have similar pipestem configurations. These lots are located at 353 and 367 National Avenue and are shown on the attached Vicinity Map. The lots were platted prior to annexation.

The criteria for approving variances to the Zoning Code are detailed in the Code of Virginia; however, the criteria for approving variances to the Subdivision Ordinance, which is not a part of the Zoning Code, are only regulated by local ordinance, as follows:

Section 17.05.070 Variances from Title Provisions

Where a subdivider can show that a provision of this title would cause an unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provision, the Council, on recommendation of the Commission, may authorize a variance. Any variance thus authorized shall be entered in writing in the minutes of the Council and the reason on which the departure was justified set forth.

In general, a prohibition on pipestem lots is a positive for a city. Typically, pipestem lots allow large tracts of land to be subdivided without creating additional streets. While this was once acceptable in an agrarian setting such as a county, in an urban setting, the lack of streets and a developed grid-like pattern can cause difficulty in providing public utilities, traffic control, ease of navigation, and ease of movement for pedestrians. However, in this instance, National Avenue is a much less dense area of the City. The Comprehensive Plan designates the area as Low Density Residential. Also, the proposed subdivision does not seem to be out of character with the existing pattern established in the area. The existing property is unusual in shape and size. It is approximately six times larger than the minimum lot required in the R-1, Low Density Residential District (15,000 sq. ft.). The proposed division meets and exceeds all other City Code requirements, including the minimum road frontage. The proposed division creates a desirable building site and provides for a better utilization of the property.

Planning Commission Recommendation: At its meeting of December 17, 2020, the Planning Commission considered the request. On a 5-0 vote, the Commission voted unanimously to recommend approval of the request, concurring with staff's recommendation.

Attachments:

Attachment 1—Letter from Applicant and Plat
Attachment 2—Vicinity Map - 371 National Ave

Suggested Motion: On the basis that the subject property is unique in shape and size, and the proposed division will create a desirable building site, I move that Council approve the requested variance to the subdivision standard, as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg



EGS & Associates, Inc.

15 Terry Street Staunton, VA 24401
540-885-8944 Fax 540-885-8947

November 30, 2020

Staunton City Council

Re: Variance to Subdivision Standards
Darren A. Pultz Property
371 National Avenue
Pid # 10382

Dear Council Members:

Mr. Pultz seeks a variance to the current subdivision standards to allow the subdivision of his property as shown on the attached plat.

This is a large and deep lot, unusual to the city. The majority of the lot is wasted land, currently used as excess yard. There is an excellent building site on the rear portion of the property which better utilizes the land.

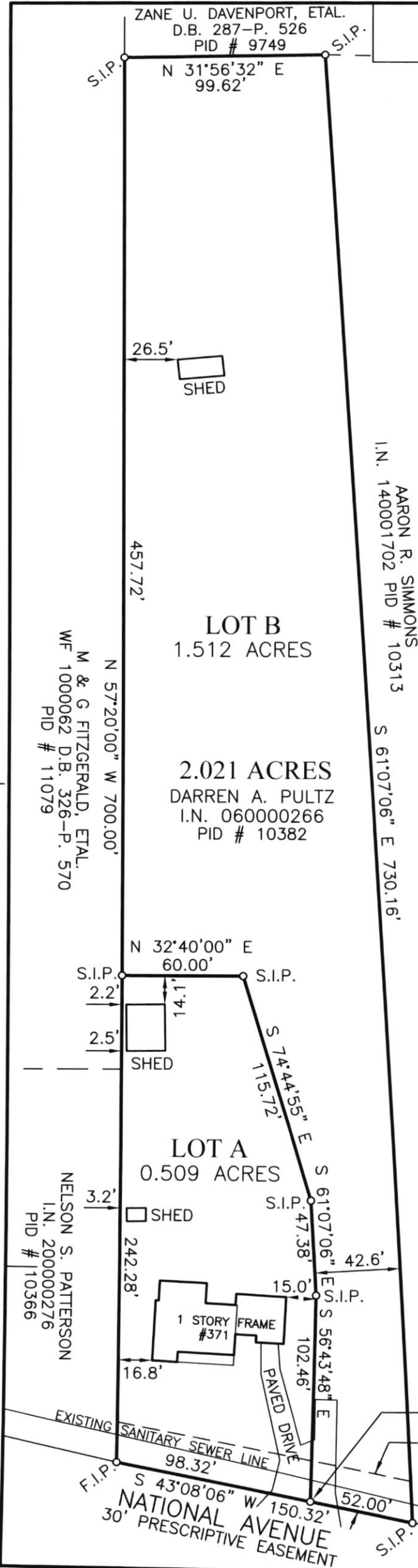
Approving this variance would increase the overall value of the land and would not be out of character with the residential properties along National Avenue in this area. Water and sewer are available. The proposed division does not meet the current subdivisions standards (Title 17, Subdivisions, 17.15.180) "Lots shall not contain peculiarly shaped elongations which are designed solely to provide necessary square footage of area or frontage on a public road", however, it does meet all the other subdivisions standards.

Sincerely,

EGS & Associates, Inc.

Jeff Gentry, PE
President

Thomas Dorr, LS
Vice President



SUBDIVISION AGENT
IF THIS PLAT IS NOT RECORDED WITHIN 6 MONTHS
THE SUBDIVISION AGENT APPROVAL IS VOID.



S.I.P. = SET IRON PIN
F.I.P. = FOUND IRON PIN

THE BOUNDARY SURVEY SHOWN HEREON IS BASED
ON A CURRENT FIELD SURVEY.

THIS SURVEY WAS PERFORMED WITHOUT A TITLE
REPORT AND MAY NOT INDICATE ALL
ENCUMBRANCES UPON THE PROPERTY.

RECORDED EASEMENTS ARE NOT SHOWN.

NO GRAVES OR PLACES OF BURIAL WERE NOTED
DURING THIS SURVEY.

LOT A SHOWN HEREON HAS AN EXISTING DWELLING,
SEWER CONNECTION AND HIGHWAY ENTRANCE
WHICH IS NOT AFFECTED BY THIS DIVISION.

THE SURVEY PREMISES IS LOCATED IN ZONE X
(OTHER AREAS, DETERMINED TO BE OUTSIDE THE
0.2% ANNUAL CHANCE FLOOD PLAIN) ACCORDING
TO FIRM FOR THE COUNTY OF AUGUSTA, VIRGINIA,
COMMUNITY #510013 AND THE CITY OF
STAUNTON, VIRGINIA, COMMUNITY #510155, MAP
NUMBER 51015C0343B, EFFECTIVE DATE
SEPTEMBER 28, 2007.

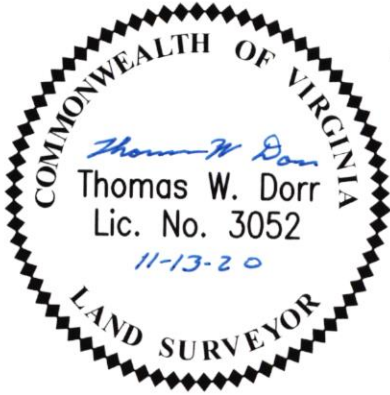
ZONED : R1

DIVISION PLAT OF THE
DARREN A. PULTZ PROPERTY

STAUNTON, VA

SCALE 1" = 60' NOVEMBER 13, 2020

EGS & ASSOCIATES, INC.
15 TERRY ST., STAUNTON, VA



Vicinity Map – 371 National Ave



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Staff Member: Sarah Skrobis
Item #	E	
Ordinance #		
Department:	Library	
Council Vision:	Responsive, Efficient Government Resilience	
Subject:	Grant Application to Community Action Partnership of Staunton, Augusta, and Waynesboro (CAPSAW)	

Background: The Staunton Public Library has applied to the Community Action Partnership of Staunton, Augusta, and Waynesboro (CAPSAW) for a \$2,000 grant to purchase laptops for circulation to provide internet access to patrons during the period of the library's adjusted services due to the COVID-19 public health emergency. (The deadline for grant applications was December 14, 2020.) Further information about CAPSAW's Community Support Grants may be found at <https://www.waynesboro.va.us/917/Community-Support-Grant-Application>.

Fiscal Impact: None

Attachment:

CAPSAW Community Support Grant Application

City Manager's Recommendation: Recommend that Council authorize application for a grant from CAPSAW.

Suggested Motion: I move that City Council authorize application for a grant from the Community Action Partnership of Staunton, Augusta, and Waynesboro to purchase laptops, retroactively to December 14, 2020, as proposed.

City Manager: Steven L. Rosenberg



Staunton, Augusta, and Waynesboro

Community Support funds must be used by programs directly impacting residents of Staunton, Augusta County and/or Waynesboro. Programs may request up to \$2,000 in Community Support each fiscal year. Successful projects will be responsive to the areas of need identified in the 2018 CAPSAW Needs Assessment Report as well as the Mission of CAPSAW. The Needs Assessment Report, Strategic Plan, previous Community Support awards and other helpful information can be found here: <https://www.waynesboro.va.us/346/CAPSAW>

The Mission:

Supporting local organizations to empower low-income individuals and families, strengthen our community, and create opportunities by providing funding and guidance to programs that address the causes and conditions of poverty.

The Vision:

Economic Security for every resident of Staunton, Augusta and Waynesboro is attainable through a coordinated network of innovative and collaborative services.

Goals and Strategies:

CAPSAW funds and supports programs that address community conditions creating positive change in individual behavior and circumstances. These programs support the foundation of a financial security framework namely educational attainment and increased income and asset development. CAPSAW will continue to focus on effective service delivery, strengthening partnerships and promoting collaboration in the coming years. CAPSAW and our partner programs are committed to fostering an environment in which lives will be changed and our community strengthened.

Who can apply?

Eligibility is limited to nonprofit or local government organizations providing services to low- and moderate-income residents of Staunton, Augusta County and/or Waynesboro. Any entity employed by or under contract with an organization represented on the CAPSAW board, or vice versa, may apply for funding; however, such applications may not be reviewed or discussed by that CAPSAW board member. Similarly, any agency involved at the executive level of CAPSAW cannot discuss or participate in the review of an application submitted by their agency.

If an application is submitted by faith-based organizations, outreach efforts and service delivery must be conducted regardless of program beneficiary faith affiliation. Programs and services may not be marketed or offered exclusively to members of the sponsoring organization's religious affiliation or denomination.



Staunton, Augusta, and Waynesboro

Activities must be delivered from a location that is accessible to all potential beneficiaries or an alternative means of service delivery to people with disabilities must be identified.

Amount of funding available:

\$25,000 has been set aside for this program in FY 21. Individual award amounts are determined at the discretion of the CAPSAW Board of Directors. Decisions will be made by the CAPSAW Board in order of submission.

How much is typically awarded? Awards typically range from \$250 - \$2,000. Funds are disbursed on a reimbursement basis after receipts reflecting purchase are received. Additional information may be requested by CAPSAW staff prior to approval of application and/or the release of funds. **Funds will not be used to support personnel, fundraising or general operating expenses.** All reimbursements must be submitted by June 15, 2021.

How are CAPSAW Community Support dollars generally used?

Applicants should request reimbursable project supplies and other items typically not covered by CAPSAW's multi-year funding program. Examples would include one-time expenses, appliances and emergency supports. Priority lies with requests seeking reimbursements for items that are not part of general operational expenses, **have a direct relationship to client use and relate to CAPSAW's mission and strategic objectives.** Community Support funds should *not* be used to cover staffing or other administrative expenses.

Requests for events that have already occurred may not be considered. You are encouraged to contact CAPSAW to discuss allowable expenses at valleycapsaw@gmail.com.

All proposals must be received, via valleycapsaw@gmail.com by 5pm on the first Friday of each month. Proposals will be reviewed until funding has been allocated. The CAPSAW Director will review applications determined to be time sensitive with the Chair of the CAPSAW Board of Directors for consideration. Please contact CAPSAW staff with questions about the content of this application.



FY 2021
Community Support Application

Staunton, Augusta, and Waynesboro

**Please limit application to three (3) pages and submit to
valleycapsaw@gmail.com.**

Name of Organization requesting support:

Staunton Public Library

What is your mission:

The mission of the Staunton Public Library is to acquire, organize, and provide access and guidance to a wide variety of information and materials which help to fulfill the intellectual, educational, social and recreational needs of all the people in the city.

Name of Program/Project for which you are requesting support:

Chromebook Circulation

What localities are served / impacted by this specific program?

Staunton Public Library primarily serves residents in Staunton, but any cardholder of the Valley Libraries consortium would be able to utilize the service.

Select at least one impact area identified in the CAPSAW 2018 Needs Assessment Report. A copy of the report can be found at:

<https://www.waynesboro.va.us/346/CAPSAW>

☒ **Education**

☒ **Employment & Employment Supports**

☐ Housing

☒ **Medical Care**

☐ Behavioral Health Services

☐ Community Awareness of Available Services

Briefly describe the program/project for which support is requested including how it relates to the selected impact area(s) above as well as the connection to CAPSAW's mission. Be specific about the impact on low- and moderate-income families and individuals.

Staunton Public Library requests funding to purchase eight Chromebooks to check-out to patrons so that they can utilize free city wifi networks even if they don't have a computer themselves.

**Staunton, Augusta, and Waynesboro**

In normal times, the library is a lifeline for patrons who do not own or cannot afford computers and broadband connections. With our impending facility closure due to COVID, we will not be able to provide safe in-library access to the Internet due to the indoor risks of spreading the virus.

Our solution is to offer portable, basic Chromebooks for check-out so that community members can safely sit in their cars or at our picnic tables to access crucial job, unemployment, eGovernment, telehealth, and educational resources despite the digital divide. Access to these resources is critical in order to apply for a new job, keep up with homework, or to take advantage of virtual medical visits in lieu of risking an in-person visit.

In addition to the Chromebooks, Staunton Public Library intends to offer curbside mobile printing pick-up, scanning, and copying services to supplement the online needs of citizens. Library staff will work with City of Staunton IT staff to configure these devices to only work on city networks to ensure their return to the library

Between July – November 2019, the library had 7,054 computer users. In comparison, July – November 2020 saw only 847 users due to the library's pandemic-caused closure and precautionary measures: an 88% decrease in total usage. This discrepancy illustrates why the library seeks to increase its efforts and resources to better serve residents in need of computer access.

Is this a new program/project? If not, how long has it been in existence? If it is a new program, please describe how it relates to your organization's mission.

Yes, this proposal is in direct response to the ongoing and worsening COVID-19 pandemic. One of the library's core mission goals is to provide access to critical information resources, including those mentioned above.

How many individuals will be served by this project? Is a specific age group being served?

These devices would be available to all city residents with a library card. At this time, Staunton Public Library has around 20,000 registered cardholders who would be eligible. Parents would be able to check-out computers on behalf of their minor children. The grant would allow us to purchase eight devices, which would allow eight simultaneous users.

How does this program address the needs of underserved individuals or geographic areas? If not now, are there plans to do so?



FY 2021
Community Support Application

Staunton, Augusta, and Waynesboro

This proposal would serve residents who live in broadband deserts, but also those whose income limitations have prevented them from purchasing their own equipment. In 2020, Internet and computer access is critical to people's access to education, health resources including telemedicine, and job resources.

What is the total cost of your project?

\$2,000

How much are you requesting from CAPSAW? Is this a one-time expense? If not, how will it be supported long-term?

\$2,000 as a one time-expense. Once we have the equipment, City employees will work to maintain it and provide ongoing troubleshooting support for patrons who need assistance using the devices.

Itemized CAPSAW request

Requested Item	Anticipated Cost
Chromebook (\$250) x 8 devices	\$2,000

If additional funds are required to cover the total cost, please list the source(s) of those dollars.

Amount of Funding Provided	Source of Funding	Is Funding Secured?

Please list the contact information for the person to whom questions related to this application should be addressed.

Name: Sarah Skrobis

Title: Director of Library Services

Email Address: skrobissa@ci.staunton.va.us

Phone Number: 540-332-3902

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Steven L. Rosenberg City Manager
Item #	F	
Ordinance #		
Department:	City Manager	
Subject:	Augusta Regional Landfill Management Agreement	

Background: The Augusta Regional Landfill is owned in the name of the Augusta County Administrator, and the city managers of Staunton and Waynesboro, beneficially for those three localities. The Augusta County Service Authority (ACSA) contractually operates and serves as the fiscal agent for the landfill under the Augusta Regional Landfill Management Agreement. The most recent Landfill Management Agreement was entered into as of December 31, 2015 (with a term commencing as of January 1, 2015), and expired on December 31, 2020, subject to automatic renewal terms of one year each.

The three owner localities and ACSA desire to enter into an updated Landfill Management Agreement effective as of January 1, 2021, for a new five-year term. The attached draft of the agreement was prepared by and has been reviewed on behalf of the localities and ACSA.

Attached are the following documents:

Attachment 1— Landfill Management Agreement dated December 31, 2015

Attachment 2— Summary of Proposed Landfill Management Agreement prepared by Greg Thomasson, Director of Solid Waste Management

Attachment 3— Proposed Landfill Management Agreement

The proposed agreement was approved by the ACSA board of directors on December 17, 2020. It will be considered by the Augusta County Board of Supervisors on January 13, 2021, and Waynesboro City Council on January 25, 2021.

City Manager's Recommendation: Approve the proposed agreement and authorize the Mayor to execute the agreement upon final review and approval by the City Attorney.

Suggested Motion: I move that the proposed landfill management agreement, among the County of Augusta, Staunton and Waynesboro, and the Augusta County Service Authority, be approved and the Mayor be authorized to execute the agreement with such modifications and in final form as approved by the Mayor and City Attorney.

City Manager: Steven L. Rosenberg

AUGUSTA REGIONAL LANDFILL MANAGEMENT AGREEMENT

THIS LANDFILL MANAGEMENT AGREEMENT is made and entered into as of this 31st day of December, 2015, by and among the County of Augusta, a political subdivision of the Commonwealth of Virginia ("Augusta"); the City of Staunton, a municipal corporation of the Commonwealth of Virginia ("Staunton"); the City of Waynesboro, a municipal corporation of the Commonwealth of Virginia ("Waynesboro"), collectively the "Owners"; and the Augusta County Service Authority, a public body corporate and politic of the Commonwealth of Virginia, created pursuant to the Virginia Water and Waste Authorities Act, Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended, (the "Service Authority").

RECITALS

1. Staunton and Augusta entered into the Solid Waste Disposal Contract dated December 11, 1970, for the landfill located in Augusta County which is now known as Landfill #1.
2. The Service Authority was a party to the contract and entered into the Contract for Sanitary Landfill Operation dated December 11, 1970, with Augusta and Staunton for Landfill #1.
3. The Service Authority operated Landfill #1 under a permit issued by the Virginia Department of Environmental Quality (DEQ) as Permit 21.
4. Staunton and Augusta entered into an Agreement dated September 12, 1990, for the operation of a landfill located in Augusta County now known as Landfill #2, operating under Permit #585.
5. The September 12, 1990 agreement contemplated that Landfill #2 would be operated by an operator and that there would be a management agreement for the operation of the landfill.
6. The September 12, 1990 agreement set forth the duties of the operator, but the Service Authority was never a party to that agreement.
7. Staunton, Augusta and Waynesboro entered into a landfill agreement dated September 21, 1999, which added Waynesboro as an owner of both Landfill #1 and Landfill #2.
8. The Service Authority was not a party to the September 21, 1999 agreement. It did not enter into a management agreement for either the September 12, 1990 or

September 21, 1999 agreement.

9. The September 21, 1999 agreement designates the Service Authority as the operator of Landfill #2, to operate in accordance with the instructions of the Executive Committee of the Owners.

10. The Owners conveyed title to the real estate containing Landfill #1 and Landfill #2 to a real estate trust designating as owners Patrick J. Coffield, Bernard J. Murphy, Jr. and Schuyler M. Giles, Trustees of the Augusta County Landfill Land Trust, under a certain Trust Agreement dated September 21, 1999, (the "Trust Agreement"), which deed is dated September 21, 1999, and recorded in the Office of the Clerk of the Circuit Court of Augusta County, Virginia, as Instrument 990012724 (the "First Deed").

11. Pursuant to the terms of the Trust Agreement, C. Robert Stripling, City Manager of Staunton, and Douglas C. Walker, City Manager of Waynesboro, succeeded Bernard J. Murphy, Jr. and Schulyer M. Giles, respectively, as Trustees of the Augusta County Landfill Land Trust.

12. At the direction of the Owners, Patrick J. Coffield, C. Robert Stripling and Douglas C. Walker, Trustees of the Augusta County Landfill Land Trust, acquired additional real estate by Deed and Certificate of Plat dated May 18, 2005, and recorded as Instrument No. 050007131, in the aforesaid Clerk's Office (the "Second Deed").

13. The Service Authority has further engaged in activities related to the closure of Landfill #1 for the benefit of the Owners.

14. The Service Authority, as agent for the Owners, has obtained the requisite permit to operate Landfill #2 from DEQ, which is designated as Permit 585.

15. The Owners have entered into a contract with Highland County, Virginia, to accept refuse from that locality under Permit 585.

16. The ownership of the landfill has not changed with the extension of the service area to Highland County.

17. Augusta, Staunton and Waynesboro have pursued the establishment of a new firing range to replace an older firing range, both of which are located on land included in the First Deed (the "Firing Ranges").

18. Augusta operates an automobile impound lot on a portion of the property included in the First Deed (the "Impound Lot").

19. The parties desire to memorialize their agreements regarding the management and operation of Landfill #2 under Permit 585 and the closure of Landfill #1 under Permit 21.

20. Pursuant to the terms of the Trust Agreement, Stephen F. Owen, City

Manager of Staunton, and Michael G. Hamp, II, City Manager of Waynesboro, have succeeded C. Robert Stripling and Douglas C. Walker, respectively, as Trustees of the Augusta County Landfill Land Trust.

NOW THEREFORE, for and in consideration of the premises and the mutual promises, covenants and conditions herein contained, the parties agree as follows:

1. Acceptance of Designation. The Service Authority accepts its designation as operator of the Landfill #2 and accepts its designation as the primary site operator for the purposes of permits necessary to the operation of Landfill #2 under Permit 585.
2. Acknowledgment of Obligations as to Landfill #1. The Service Authority recognizes the ongoing responsibilities as to Landfill #1 under Permit 21 as they pertain to closure and post closure care, as such responsibilities are established by applicable local, state and federal laws and regulations, and performs such responsibilities for the benefit of the Owners.
3. Superseding Prior Agreements. It is the intention of this Agreement to supersede any prior management agreements among the parties and to specifically define the duties and responsibilities of the Service Authority in this Agreement.
4. Scope of Duties:
 - A. The Service Authority shall manage Landfill #2 under the direction of the Landfill Management Committee (also called the "Executive Committee") of the Owners and operate the Landfill #2 in accordance with Virginia Solid Waste Management Regulations (9VAC-20-81-10 et seq.); and in compliance with all provisions of the September 21, 1999 landfill agreement, as amended, including but not limited to all operational, financial, or regulatory requirements.
 - B. The Service Authority shall establish all personnel needs and qualifications to perform its responsibilities under this Agreement in an efficient manner and shall hire and supervise all such personnel so as to provide a safe and efficient landfill operation.
 - C. The Service Authority shall maintain all records associated with the landfill operation to include waste type, tonnage, generation and source (meaning Augusta,

Staunton, Waynesboro or Highland County, or such other entities as may be agreed by the Owners). Additionally, the Service Authority shall maintain all records required by the Landfill Agreement dated September 21, 1999, and all record keeping requirements required by DEQ.

D. The Service Authority shall submit to DEQ all records and reports as required by DEQ and shall submit all records and reports required by the Executive Committee of the Owners. The Service Authority shall provide monthly reports to the Owners outlining tonnages, revenue and expenses within 45 days of any month's end; maintain all customer records and conduct the billing for all landfill transactions; monitor operation and prepare reports in accordance with applicable laws and regulations as required by the Occupational Safety and Health Act, DEQ, the Environmental Protection Agency, and other Federal, State, and local regulatory agencies.

E. The Service Authority shall award all contracts for Landfill #2 and the closures of Landfill #1 and shall manage all contractual agreements associated with the landfill operation including closure, post-closure, new landfill planning, and construction in accordance with the requirements of the Virginia Public Procurement Act.

F. On or before February 28 of each year, the Service Authority shall prepare and submit to the Executive Committee of the Owners an annual budget and revenue projections for the operation, maintenance, administration and closure of the landfills and such other financial information as may be reasonably required by the Executive Committee of the Owners. Financial contributions of the Owners for the operation, maintenance, administration and closure of the landfills shall be made in accordance with the approved budget and the terms of the September 21, 1999 agreement.

G. The Service Authority shall be responsible for the management of recycling efforts at Landfill #2 to include wood waste, scrap metal, batteries, tires, appliances, waste oil, antifreeze, abandoned motor vehicles, amended soil and other materials that may be classified as recyclables from time to time, and shall maintain all records associated with the program.

H. The Service Authority shall organize and convene regular meetings of the Executive Committee of the Owners in accordance with the September 21, 1999

agreement.

I. The Service Authority shall make recommendations to the Executive Committee of the Owners relating to long-term planning, operational changes, waste trends, or other related matters. Additionally, the Service Authority shall identify the need for additional land for the landfill, but shall not conduct actual negotiations for land acquisition.

J. The Service Authority shall purchase all equipment as needed for the landfill operation in accordance with its budget and the Virginia Public Procurement Act.

K. The Service Authority may act as permittee for all DEQ or other permits relating to the landfill operation or closure.

L. The Service Authority shall manage all ground water and gas monitoring programs in accordance with the regulations of DEQ.

M. The Service Authority shall be responsible for removal and recycling of vehicles from the impound lot, upon proper written authorization and identification by the Sheriff's Department of the vehicle to be recycled.

N. The Service Authority shall be responsible for all aspects of the annual audit and implementation of any changes in financial reporting or procedures as may be required/suggested by the auditors.

O. The Service Authority shall be the fiscal agent for the Owners, managing both deposit and investment accounts of the Owners relating to the landfills.

P. In the event of requirements for changes from the regulatory agencies having purview over the landfills that materially impact or affect the fiscal aspects of the landfills, the Service Authority shall be responsible for notifying the Owners of the implementation date for those fiscal changes as appropriate.

5. Limitations of Responsibility. The Service Authority shall not be liable for any actions taken or required to be taken after closure or abandonment of the landfills and

shall not be required to make corrections under the Solid Waste Management Regulations. Although the Service Authority is acting as the agent for the Owners in the management, operation, and closure of the landfill, the Owners remain primarily responsible for actions, violations, future regulatory changes, remediation, or environmental consequences of the landfill operation and closure, except in the event of (a) the negligence or willful misconduct of the Service Authority, its officers, employees, contractors or agents, (b) a breach or default by the Service Authority in the discharge of its responsibilities under this Agreement, or (c) a willful or intentional violation by the Service Authority of any applicable local, state or federal laws or regulations with respect to the operation or closure of the landfills. In any such event, to the extent permitted by law, the Service Authority shall be liable to the Owners.

6. Conflicts. The Service Authority and the Owners shall reasonably cooperate in efforts to ensure that the operation of the Firing Ranges and the Impound Lot do not interfere with the operation of the landfills. It is expressly understood that landfill operations take precedence over firing range and impound lot activities. The final arbiter will be the ACSA Director of Solid Waste Management or his designee. To the extent that the operation of the Firing Ranges or the Impound Lot unreasonably interferes with the operation of the landfills, the Service Authority shall be excused from the performance of its responsibilities under this Agreement, for the period of such unreasonable interference.

7. Exclusions. The Service Authority shall have no responsibility, express or implied, for any matters arising from the operation, opening, or closure of the Firing Ranges on the property, the Impound Lot, the property acquired by the "Second Deed", future uses of the property for purposes other than a landfill, and for the actual land acquisition for additional land as may be required for the operation of a landfill, either in its own right or as agent for the Owners.

8. Indemnification-Owners. To the extent permitted by law, Owners hereby indemnify and holds harmless ACSA, its respective officers, directors, agents and employees, against any and all claims, liabilities, losses, damages, costs and expenses (including reasonable attorneys' fees) arising out of, or resulting from ACSA's performance under the terms of this Agreement, except any liability arising out of the sole negligence of ACSA.

9. Indemnification-ACSA. To the extent permitted by law, ACSA hereby indemnifies and holds harmless Owners, its respective officers, directors, agents and employees, against any and all claims, liabilities, losses, damages, costs and expenses (including reasonable attorneys' fees) arising out of, or resulting from Owners' actions under the terms of this Agreement, except any liability arising out of the sole negligence of Owners.

10. Sovereign Immunity. Nothing in this agreement waives or modifies or shall be construed to waive or modify any sovereign immunity applicable to the Owners and ACSA, each retaining sovereign immunity to the fullest extent permitted by law.

11. Insurance. On behalf of the Owners, ACSA shall purchase and maintain in force at all times during the term of this agreement:

A. Commercial General Liability insurance covering all business premises and operations with minimum coverage limits of \$1,000,000 combined single limit per occurrence.

B. For property losses, the Property insurance will cover fire and extended coverage for the replacement value of any structures and equipment located on the real property.

12. Payment. The Service Authority shall be paid reasonable compensation for its employees and reasonable fees for the operation, maintenance, and administration of Landfill #1 and #2 in accordance with the adopted annual operating budget by the Executive Committee of the Owners and as it may be amended.

13. Notice of Claims. ACSA shall give Owners notice of any claim made or asserted with respect to either landfill or the operations by ACSA as to either landfill, furnishing to the Owners such information as will allow the Owners to have timely notice of such claim and take action as may be warranted, including notifying any insurer of any of the Owners.

14. Notices. Notices hereunder shall be sent by certified mail to the respective parties to the following officers or their successors:

Patrick J. Coffield, Administrator
COUNTY OF AUGUSTA, VIRGINIA
P. O. Box 590
Verona, VA 24482

Stephen F. Owen, City Manager
CITY OF STAUNTON, VIRGINIA
P. O. Box 58
Staunton, VA 24402

Michael G. Hamp, II, City Manager
CITY OF WAYNESBORO, VIRGINIA
P. O. Box 1028
Waynesboro, VA 22980

Kenneth Fanfoni, Executive Director
AUGUSTA COUNTY SERVICE AUTHORITY
18 Government Center Lane
Verona, VA 24482

15. Term. The term of the Agreement shall commence as of January 1, 2016, and shall continue until December 31, 2020; provided, however, funding for the period subsequent to June 30, 2016, is subject to appropriation by the Board of Supervisors of Augusta County, Virginia, the City Council of the City of Staunton, Virginia, and the City Council of the City of Waynesboro, Virginia, respectively. This Agreement shall renew automatically for successive renewal terms of one year each subsequent to December 31, 2020, unless the Owners provide written notice to the Service Authority, or the Service Authority provides written notice to the Owners, of non-renewal at least ninety (90) days prior to the expiration of the initial term or the then current renewal term, as applicable.

16. Withdrawal. Should any of the Owners withdraw from ownership and operation of the landfills, in accordance with Article VI of the September 21, 1999 agreement, the Service Authority reserves the right to terminate this Agreement, but agrees, in the event of such termination, to enter into a new agreement with the remaining Owners on substantially the same terms as this Agreement.

17. Termination. The Owners or the Service Authority may terminate this

Agreement in the event of a material breach of a term of this Agreement by the other party upon sixty (60) days written notice to the breaching party, unless the breaching party cures the breach within the sixty (60) day period, or the Regulatory Agency having purview requires a longer termination period.

18. Modification. No change or modification of this Agreement shall be valid unless the same is in writing and is signed by the parties hereto.

19. Counterparts. This Agreement may be executed in more than one counterpart, each of which shall be deemed to be an original.

20. Due Authorization and Delivery. This Agreement has been executed and delivered by the parties pursuant to authorization from the respective governing bodies.

21. Applicable Law. This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia.

22. Severability. If any provision, covenant, agreement or portion of this Agreement or its application to any person, entity or property is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants or portions of the Agreement, and to that end, all provisions, covenants, agreements and portions of this Agreement are declared to be severable.

23. Entire Agreement. This Agreement contains the entire understanding of the parties and may be modified only by agreement of the parties and by written instrument executed by the parties.

WITNESS the following signatures:

COUNTY OF AUGUSTA, VIRGINIA

By: Michael T. Hull
Chairman, Board of Supervisors

ATTEST:

ESG

Clerk

Dated: 12/9/15

CITY OF STAUNTON, VIRGINIA

By: Carolyn W. Dull
Mayor

ATTEST:

Quida L. Little
Clerk

Dated: 12-10-15

CITY OF WAYNESBORO, VIRGINIA

By: Bruce Allen
Mayor

ATTEST:

Julia Bortle
Clerk

Dated: 12/22/15

AUGUSTA COUNTY SERVICE AUTHORITY

By: Mary C. Price Jr.
Chairman

ATTEST:

Sheri Deplin
Board Secretary

Dated: 12/31/15

As you are aware, the Augusta Regional Landfill is owned by the County of Augusta and the Cities of Staunton and Waynesboro. The Augusta County Service Authority (ACSA) contractually operates the landfill and serves as the fiscal agent for the owner localities.

The most recent landfill management agreement was entered into on December 31, 2015, with automatic renewal terms of one year. The limited number of renewals expired on December 31, 2020. The Augusta Regional Landfill Management Agreement has been revised and reviewed by ACSA and all three owner localities.

The agreement designates ACSA as the primary site operator of the existing sanitary landfill operated under Virginia Department of Environmental Quality solid waste Permit Number 585. The agreement also acknowledges ACSA's ongoing closure and post closure responsibilities under solid waste Permit Number 21 for the benefit of Augusta County and Staunton.

ACSA's scope of duties in the agreement include:

- ACSA shall manage Permit Number 585 under the direction of the owners' landfill management committee and convene regular quarterly meetings.
- ACSA shall establish all personnel needs and qualifications to provide a safe and efficient landfill operation.
- ACSA shall prepare and submit to the landfill management committee for consideration an annual budget and revenue projections for the landfill.
- ACSA shall act as the permittee for all environmental permits relating to landfill operation and closure.
- ACSA shall maintain all records and prepare all reports as needed by environmental and safety regulatory agencies and the owner localities.
- ACSA shall procure all equipment and award all contracts necessary to construct, operate, and close Permit No. 585 and Permit No. 21.
- ACSA shall be responsible for all recycling efforts including wood waste, scrap metal, batteries, tires, appliances, waste oil, antifreeze, amended soils and all other materials that may be classified as recyclables.
- ACSA shall make long-term planning and operational recommendations to the landfill management committee and notify the owner localities of any regulatory changes.
- ACSA shall be the fiscal agent for the Owners, managing both deposit and investment accounts of the owners relating to the landfill and be responsible for conducting the annual financial audit.

There were no significant changes to the agreement which would impact daily operations of the landfill. The revisions clarified, cleaned-up, and corrected language within the agreement.

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THIS LANDFILL MANAGEMENT AGREEMENT (“Agreement”) is made and entered into as of this ____ day of _____, 202_, by and among the County of Augusta, a political subdivision of the Commonwealth of Virginia (“Augusta”); the City of Staunton, a municipal corporation of the Commonwealth of Virginia (“Staunton”); the City of Waynesboro, a municipal corporation of the Commonwealth of Virginia (“Waynesboro”), collectively the “Owners”; and the Augusta County Service Authority, a public body corporate and politic of the Commonwealth of Virginia, created pursuant to the Virginia Water and Waste Authorities Act, Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended (the “Service Authority”).

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1. Staunton and Augusta entered into a Solid Waste Disposal Contract dated December 11, 1970 ("Disposal Contract"), for the landfill located in Augusta County which is now known as Landfill #1.

2. The Service Authority was a party to the Disposal Contract and also entered into a separate Contract for Sanitary Landfill Operation dated December 11, 1970 ("Landfill #1 Operation Contract"), with Augusta and Staunton for operation of Landfill #1.

3. The Service Authority operated Landfill #1 under Permit #21 issued by the Virginia Department of Environmental Quality (“DEQ”).

4. Staunton and Augusta entered into an Agreement dated September 12, 1990 ("1990 Agreement"), for operation of a landfill located in Augusta County now known as Landfill #2, which operates under Permit #585 issued by DEQ.

5. The 1990 Agreement contemplated that Landfill #2 would be operated by an operator and that Staunton and Augusta would execute a management agreement for operation of Landfill #2.

6. The 1990 Agreement set forth the duties of the operator; however, the Service Authority was never a party to the 1990 Agreement.

7. Staunton, Augusta and Waynesboro entered into an Agreement dated September 21, 1999 (“1999 Agreement”), by which Waynesboro joined both Staunton and Augusta as an owner of both Landfill #1 and Landfill #2 (referred to collectively in the 1999 Agreement as the “Landfill”).

36 8. Though the Service Authority was not a party to the 1999 Agreement, it is
37 designated in the 1999 Agreement as the operator of Landfill, to operate in accordance
38 with the general overall supervision of an Executive Committee of the Owners.

39 9. The Owners conveyed title to the real estate containing Landfill #1 and
40 Landfill #2 to a real estate trust designating as owners Patrick J. Coffield, Bernard J.
41 Murphy, Jr. and Schuyler M. Giles, Trustees of the Augusta County Landfill Land Trust,
42 under a certain Trust Agreement dated September 21, 1999 (the "Trust Agreement"),
43 which deed is dated September 21, 1999, and recorded in the Office of the Clerk of the
44 Circuit Court of Augusta County, Virginia, as Instrument No. 990012724.

45 10. In accordance with the terms of the Trust Agreement, C. Robert Stripling, City
46 Manager of Staunton, and Douglas C. Walker, City Manager of Waynesboro,
47 subsequently succeeded Bernard J. Murphy, Jr. and Schuyler M. Giles, respectively,
48 each as a Trustee of the Augusta County Landfill Land Trust.

49 11. At the direction of the Owners, Patrick J. Coffield, C. Robert Stripling and
50 Douglas C. Walker, Trustees of the Augusta County Landfill Land Trust, acquired
51 additional real estate by Deed and Certificate of Plat dated May 18, 2005, and recorded
52 as Instrument No. 050007131, in the aforesaid Clerk's Office (the "2005 Deed").

53 12. Pursuant to the 1999 Agreement, the Service Authority has engaged in
54 activities related to the closure of Landfill #1 for the benefit of the Owners.

55 13. The Owners entered into a contract with Highland County, Virginia, to accept
56 refuse from that locality into Landfill #2 under Permit #585.

57 14. The ownership of the Landfill did not change with the extension of the service
58 area to Highland County.

59 15. Augusta, Staunton and Waynesboro also have established a new firing range
60 to replace an older firing range, both of which are located on land included in the Trust
61 Agreement (the "Firing Ranges").

62 16. Augusta operates an automobile impound lot on a portion of the property
63 included in the Trust Agreement (the "Impound Lot").

64 17. In accordance with the terms of the Trust Agreement, Timothy Fitzgerald,
65 Administrator of the County of Augusta, Stephen F. Owen, City Manager of Staunton,
66 and Michael G. Hamp, II, City Manager of Waynesboro, subsequently succeeded
67 Patrick J. Coffield, C. Robert Stripling, and Douglas C. Walker, respectively, each as a
68 Trustee of the Augusta County Landfill Land Trust. Subsequently, Steven L.
69 Rosenberg, City Manager of Staunton, succeeded Stephen F. Owen as a Trustee of the
70 Augusta County Landfill Land Trust.

71 18. At the direction of the Owners, Timothy Fitzgerald, Steven L. Rosenberg and
72 Michael G. Hamp, II, Trustees of the Augusta County Landfill Land Trust, acquired
73 additional real estate by Deed and Certificate of Plat dated July 3, 2019, and recorded
74 as Instrument No. 190005164, in the aforesaid Clerk's Office (the "2019 Deed").

75 19. The parties desire now to memorialize this history and their agreements
76 regarding the management and operation of Landfill #2 under Permit #585 and the
77 closure of Landfill #1 under Permit #21.

78
79 NOW THEREFORE, for and in consideration of the premises and the mutual
80 promises, covenants and conditions herein contained, the parties agree as follows:

81
82 1. Designation and Acceptance of Designation. The Owners designate the Service
83 Authority as the primary site operator for purposes necessary to the operation of Landfill
84 #2 under Permit #585., and the Service Authority accepts such designation.

85
86 2. Acknowledgment of Obligations as to Landfill #1. The Service Authority
87 recognizes the ongoing responsibilities as to Landfill #1 under Permit #21 as such
88 responsibilities pertain to closure and post closure care pursuant to applicable local,
89 state and federal laws and regulations. The Service Authority agrees to perform such
90 responsibilities for the benefit of the Owners.

91
92 3. Superseding Prior Agreements. It is the purpose and effect of this Agreement to
93 supersede the Landfill #1 Operation Contract and any and all other agreements to
94 which the Service Authority is a party pertaining in whole or in part to management and
95 operation of Landfill #1, including its closure, and Landfill #2, and to specifically define
96 the duties and responsibilities of the Service Authority regarding management and
97 operation of Landfill #2 and closure of Landfill #1 during the term of this Agreement.

98
99 4. Scope of Duties:

100 A. The Service Authority shall manage Landfill #2 under the direction of the
101 Landfill Management Committee (also called the "Executive Committee") of the Owners
102 and operate Landfill #2 in accordance with Virginia Solid Waste Management
103 Regulations (9VAC-20-81-10, *et seq.*); and in compliance with all provisions of the 1999
104 Agreement, including but not limited to all operational, financial, or regulatory
105 requirements.

106
107 B. The Service Authority shall establish all personnel needs and qualifications
108 to perform its responsibilities under this Agreement in an efficient manner and shall hire
109 and supervise all such personnel so as to provide a safe and efficient Landfill operation.
110

111 C. The Service Authority shall maintain all records associated with Landfill
112 operation to include waste type, tonnage, generation and source (meaning each of
113 Augusta, Staunton, Waynesboro and Highland County, or such other entities as may be
114 agreed by the Owners). Additionally, the Service Authority shall maintain all records
115 required by the 1999 Agreement and DEQ.
116

117 D. The Service Authority shall submit to DEQ all records and reports as
118 required by DEQ and shall submit to the Owners all records and reports required by the
119 Executive Committee. The Service Authority shall provide monthly reports to the
120 Owners outlining tonnages, revenue and expenses within 45 days of any month's end;
121 maintain all customer records and conduct the billing for all Landfill transactions;
122 monitor operation and prepare reports in accordance with applicable laws and
123 regulations as required by the Occupational Safety and Health Act, DEQ, the
124 Environmental Protection Agency, and other federal, state, and local regulatory
125 agencies.
126

127 E. The Service Authority shall award all contracts for Landfill #2 and the closure
128 of Landfill #1 and shall manage all contractual agreements associated with the Landfill
129 operation including closure, post-closure, new landfill planning, construction, and land
130 leases in accordance with the requirements of the Virginia Public Procurement Act, to
131 the extent applicable, and Service Authority purchasing policies. For the purpose of
132 contracts, if signature approval is required by the board of directors of the Service
133 Authority, the board shall provide such approval in accordance with direction of the
134 Executive Committee. For the purpose of land leases, the Service Authority shall act as
135 the Owners' agent.
136

137 F. On or before February 28 of each year, the Service Authority shall prepare
138 and submit to the Executive Committee for consideration an annual budget and revenue
139 projections for the operation, maintenance, administration and closure of the Landfill
140 and such other financial information as may be reasonably required by the Executive

Committee. Financial contributions of the Owners for the operation, maintenance, administration and closure of the Landfill shall be made in accordance with the approved annual budget and with the "Sharing Costs" provisions under Article IV of the 1999 Agreement.

G. The Service Authority shall be responsible for the management of recycling efforts at Landfill #2 to include wood waste, scrap metal, batteries, tires, appliances, waste oil, antifreeze, abandoned motor vehicles, amended soil and other materials that may be classified as recyclables from time to time, and shall maintain all records associated with the program.

H. The Service Authority shall organize and convene regular quarterly meetings, and such special meetings as are called, of the Executive Committee in accordance with Sec. 7-2(2) of the 1999 Agreement.

I. The Service Authority shall make recommendations to the Executive Committee relating to long-term planning, operational changes, waste trends, hours of operation and scheduling, or other related matters. Additionally, the Service Authority shall identify the need for additional land for the Landfill, but shall not conduct actual negotiations for land acquisition.

J. The Service Authority shall purchase all equipment as needed for the Landfill operation in accordance with its budget and the Virginia Public Procurement Act and Service Authority purchasing policies.

K. The Service Authority shall act as permittee for all DEQ or other permits relating to the landfill operation or closure.

L. The Service Authority shall manage all ground water and gas monitoring programs in accordance with the regulations of DEQ.

M. The Service Authority shall be responsible for removal and recycling of vehicles from the Impound Lot, upon proper written authorization and identification by the Augusta County Sheriff's Office of the vehicle(s) to be recycled.

176 N. The Service Authority shall be responsible for conducting the annual audit,
177 in all respects, and implementation of any changes in financial reporting or procedures
178 as may be required or suggested by the auditors.

179
180 O. The Service Authority shall be the fiscal agent for the Owners, managing
181 both deposit and investment accounts of the Owners relating to the Landfill.

182
183 P. In the event of requirements for changes required by regulatory agencies
184 having jurisdiction over the Landfill that materially impact or affect the fiscal aspects of
185 the Landfill, the Service Authority shall be responsible for notifying the Owners of the
186 implementation date for those fiscal changes as appropriate.

187
188 5. Limitations of Responsibility. The Service Authority shall not be liable for any
189 actions taken or required to be taken after closure or abandonment of the Landfill and
190 shall not be required to make corrections under the Solid Waste Management
191 Regulations. Although the Service Authority is acting as the agent for the Owners in the
192 management, operation, and closure of the Landfill, the Owners remain responsible for
193 all actions, violations, future regulatory changes, remediation, or environmental
194 consequences of the Landfill management, operation and closure, except in the event
195 of (a) the gross negligence or willful misconduct of the Service Authority, its officers,
196 employees, contractors or agents, (b) a material breach or material default by the
197 Service Authority in the discharge of its responsibilities under this Agreement, or (c) a
198 willful or intentional violation by the Service Authority of any applicable local, state or
199 federal laws or regulations with respect to the management, operation or closure of the
200 Landfill. Upon the occurrence of any of the events described in subsections (a), (b) or
201 (c) of this Section 5, and to the extent permitted by law, the Service Authority shall be
202 liable to the Owners.

203
204 6. Conflicts. The Service Authority and the Owners shall reasonably cooperate in
205 efforts to ensure the operation of the Firing Ranges and the Impound Lot do not
206 interfere with the operation of the Landfill. It is expressly understood Landfill operations
207 take precedence over activities at the Firing Ranges and the Impound Lot. The final
208 arbiter of conflicts in such activities will be the Service Authority Director of Solid Waste
209 Management or designee. To the extent the operation of the Firing Ranges or the
210 Impound Lot unreasonably interferes with the operation of the Landfill, the Service

Authority shall give prompt written notice of the same to the Owners and be excused from the performance of its responsibilities under this Agreement, in the event such unreasonable interference continues unabated for 30 days after delivery of notice (or such additional reasonable time as the circumstances may warrant provided the Owners undertake diligent, good faith efforts to abate the unreasonable interference within such 30-day period and continue such efforts thereafter).

7. Exclusions. The Service Authority shall have no responsibility, express or implied, for any matters arising from the operation, opening, or closure of the Firing Ranges, the Impound Lot, the properties acquired by the 2009 Deed and the 2019 Deed, future uses of the property for purposes other than a landfill, and for the actual land acquisition for additional land as may be required for the operation of a landfill, either in its own right or as agent for the Owners.

8. Indemnification-Owners. To the extent permitted by law, Owners shall indemnify and hold harmless the Service Authority, its officers, directors, agents and employees, against any and all claims, liabilities, losses, damages, costs and expenses arising out of, or resulting from the Owners' actions, omissions, and performance arising out of this Agreement, except any liability in whole or in part arising out of the occurrence of any of the events described in subsections (a), (b) or (c) of Section 5.

9. Indemnification-Service Authority. To the extent permitted by law, the Service Authority shall indemnify and hold harmless Owners, their respective officers, directors, agents and employees, against any and all claims, liabilities, losses, damages, costs and expenses in whole or in part arising out of, or resulting from, the occurrence of any of the events described in subsections (a), (b) or (c) of Section 5.

10. Sovereign Immunity. Nothing in this agreement waives or modifies or shall be construed to waive or modify any sovereign or other immunity applicable to the Owners and the Service Authority, each retaining sovereign and other immunity to the fullest extent permitted by law.

11. Insurance. On behalf and at the expense of the Owners, the Service Authority shall procure and maintain in force at all times during the term of this Agreement:

246 A. Commercial General Liability insurance covering all business premises and
247 operations with minimum coverage limits of \$1,000,000 combined single limit per
248 occurrence.

249 B. Property insurance which includes fire and extended coverage for the
250 replacement value of any structures and equipment located on the real property.
251

252 12. Payment. The Service Authority shall prepare an annual operating and capital
253 budget for consideration by the Executive Committee which may be amended as
254 needed. The Service Authority shall be reimbursed for all of its incurred costs and
255 expenses in connection with operation, maintenance, and administration of the Landfill
256 in accordance with the adopted annual budget. In addition, subject to appropriations
257 and in accordance with the adopted annual budget for the Landfill, the Service Authority
258 shall be paid a reasonable fee for its services under this Agreement as may be
259 negotiated with the Executive Committee.
260

261 13. Notice of Claims. The Service Authority shall immediately give Owners notice of
262 any claim made or asserted with respect to the Landfill or the operations by the Service
263 Authority, furnishing to the Owners such information as will allow the Owners to have
264 timely notice of such claim and take action as may be warranted, including notifying any
265 insurer of any of the Owners. "Claim" shall include but not be limited to any assertion of
266 the right to indemnification.
267

268 14. Notices. Notices hereunder shall be in writing and delivered by certified mail to
269 the respective parties to the following officers (or their successors as designed in writing):
270

271
272 Timothy Fitzgerald, County Administrator
273 COUNTY OF AUGUSTA, VIRGINIA
274 P. O. Box 590
275 Verona, VA 24482
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277 Steven L. Rosenberg, City Manager
278 CITY OF STAUNTON, VIRGINIA
279 P. O. Box 58
280 Staunton, VA 24402
281

282 Michael G. Hamp, II, City Manager
283 CITY OF WAYNESBORO, VIRGINIA

P. O. Box 1028
Waynesboro, VA 22980

Phillip A. Martin, Executive Director
AUGUSTA COUNTY SERVICE AUTHORITY
P. O. Box 859
Verona, VA 24482

15. Term. The term of the Agreement shall commence as of January 1, 2021, and shall continue until December 31, 2025; provided, however, funding from and after July 1, 2021, subject to separate and sufficient appropriation by the Board of Supervisors of Augusta County, Virginia, the City Council of the City of Staunton, Virginia, and the City Council of the City of Waynesboro, Virginia, respectively. This Agreement shall renew automatically for successive renewal terms of one year each subsequent to December 31, 2025, unless the Owners provide written notice to the Service Authority, or the Service Authority provides written notice to the Owners, of non-renewal at least six (6) months prior to the expiration of the initial term or the then current renewal term, as applicable.

16. Withdrawal. Should any of the Owners withdraw from ownership or use of the Landfill in accordance with Article VI of the 1999 Agreement, the Service Authority reserves the right to terminate this Agreement, but agrees, in the event of such termination, to enter into a new agreement with the remaining Owner or Owners on substantially the same terms as this Agreement with such modifications as are necessitated by the withdrawal.

17. Termination. The Owners or the Service Authority may terminate this Agreement in the event of a material breach of a term of this Agreement by the other party upon six (6) months' written notice to the breaching party, unless the breaching party cures the breach within the six (6) month period or a regulatory agency having jurisdiction over the management, operation, or closure of the Landfill requires a longer termination period, in which event such longer period shall apply.

18. Modification. No change or modification of this Agreement shall be valid unless the same is in writing and is signed by the parties hereto.

19. Counterparts. This Agreement may be executed in more than one counterpart, each of which shall be deemed to be an original.

20. Due Authorization and Delivery. This Agreement has been executed and delivered by the parties pursuant to authorization from the respective governing bodies.

21. Applicable Law. This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia without reference to conflict of law rules or principles.

22. Severability. If any provision, covenant, agreement or portion of this Agreement or its application to any person, entity or property is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants, or portions of the Agreement, and to that end, all provisions, covenants, agreements and portions of this Agreement are declared to be severable.

23. No Third-Party Beneficiary. This Agreement is not intended to and shall not be construed to create any third-party beneficiary.

24. Entire Agreement. This Agreement, along with the agreements and instruments specifically incorporated herein by reference, contains the entire understanding of the parties.

WITNESS the following signatures:

COUNTY OF AUGUSTA, VIRGINIA

By: _____
Chairman, Board of Supervisors

ATTEST:

Clerk

Dated: _____

CITY OF STAUNTON, VIRGINIA

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By: _____
Mayor

ATTEST:

Clerk

Dated: _____

CITY OF WAYNESBORO, VIRGINIA

By: _____
Mayor

ATTEST:

Clerk

Dated: _____

AUGUSTA COUNTY SERVICE AUTHORITY

By: _____
Chairman, Board of Directors

ATTEST:

Board Secretary

Dated: _____

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	Staff Member: R. Scott Garber
Item #	G	
Ordinance #		
Department:	Fire and Rescue	
Council Vision:	Responsive, Efficient Government	
Subject:	Emergency Operations Plan	

Background: As required by the Code of Virginia, Augusta County and the cities of Staunton and Waynesboro have recently completed an update of their regional Staunton-Augusta-Waynesboro Emergency Operations Plan (EOP). Central Shenandoah Planning District (CSPDC) staff assisted with the update. Virginia Code § 44-146.19 requires each local and interjurisdictional agency to prepare and keep current a local or interjurisdictional emergency operations plan. Every four years, each local and interjurisdictional agency is further required to conduct a comprehensive review and revision of its emergency operations plan to ensure that the plan remains current. The statute also requires that the governing body of the locality formally adopt the revised plan.

Attached to this briefing are the Preface, Table of Contents and Introduction from the proposed updated EOP. The EOP includes the following sections:

- The **Basic Plan** which uses an all-hazards approach to describe the concepts and structures of mitigation, preparedness, response, and recovery operations.
- The **Emergency Support Functions (ESFs) Annexes** which describe the structure for emergency operations and how they will be organized and implemented.
- The **Support Annexes** and **Hazard Specific Annexes** that address hazard situations requiring specialized response and recovery procedures.

The proposed updated EOP may be viewed in its entirety at www.staunton.va.us/EOP.

Also attached is a proposed resolution for Council's consideration, providing for approval of the proposed updated EOP.

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

Suggested Motion: I move to adopt the resolution adopting the revised Staunton-Augusta-Waynesboro Emergency Operations Plan dated December 2020.

City Manager: Steven L. Rosenberg

PREFACE

Augusta County and the Cities of Staunton and Waynesboro are vulnerable to many natural hazards such as flooding, winter storms, tropical storm systems, and wind events; manmade hazards including hazardous materials incidents; and health emergencies such as pandemics. This Emergency Operations Plan (EOP) addresses the variety of hazards faced by the local jurisdictions to provide an organizational framework and operational concepts in order to minimize loss of life and property, and expedite the restoration of essential services following an emergency, severe weather, or disaster.

Components of the Staunton-Augusta-Waynesboro Emergency Operations Plan (S-A-W EOP):

- The **Basic Plan**, using an all-hazards approach to incident management, describes the concepts and structures of response and recovery operations; identifies staff, departments, and organizations with lead and support emergency management functions; and defines emergency preparedness, response, recovery, and mitigation responsibilities of local governments, nongovernmental organizations (NGOs) and private partners.
- **Emergency Support Functions (ESFs) Annexes** provide the structure for emergency operations by identifying lead and support departments and organizations, and explain in general terms how those functions will be organized and implemented.
- Two other types of annexes are also included in the S-A-W EOP, **Support Annexes** and **Hazard Specific Annexes**. The Support Annexes address those functions that are applicable to every type of incident and support all the Emergency Support Functions. The Hazard-Specific Annexes address hazard situations requiring specialized response and recovery procedures.

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1. INTRODUCTION

1.1 Approval and Implementation

Located in western Virginia, Augusta County and the Cities of Staunton and Waynesboro are continuously threatened by emergency and disaster situations such as floods, hurricanes, tornadoes, winter storms, hazardous materials incidents, resource shortages, and utility outages. The Code of Virginia, 44-146.19, requires each local jurisdiction and inter-jurisdictional agencies to prepare and keep a current Local Emergency Operations Plan (EOP). Every four years, each local jurisdiction will conduct a comprehensive review and revision of its Emergency Operations Plan to ensure that the plan remains current. The revised plan shall be formally adopted by the locality's governing body. As is the case with this plan, an inter-jurisdictional plan, the EOP must be adopted by each of the governing bodies of the jurisdictions included in the plan. This plan for Augusta County, and the Cities of Staunton and Waynesboro is designed to meet this responsibility and to include these jurisdictions in the mutually-supportive statewide emergency management system.

The Staunton-Augusta-Waynesboro Emergency Operations Plan (S-A-W EOP) consists of a Basic Plan and Functional, Support, and Hazard-Specific Annexes. The Basic Plan describes the general concept of emergency operations and assigns duties and responsibilities to agency heads or organizations which are either part of or support local government in time of emergency. The broad responsibilities include the four areas of emergency management; hazard mitigation, preparedness, response, and recovery. The Functional Annexes highlight the Emergency Support Functions which are an element of the National Incident Management System (NIMS). NIMS is used in planning documents at the national, state, and local levels including the National Response Framework (NRF), the Commonwealth of Virginia Emergency Operations Plan (COVEOP), and local Emergency Operations Plans (EOPs). The Support Annexes and Hazard-Specific Annexes enhance the plan with more detailed information for specific emergency management topics.

The purpose of the S-A-W EOP Basic Plan and Functional Annexes is to set forth the concepts and procedures whereby Augusta County, Staunton, and Waynesboro can effectively apply available resources to ensure that casualties and property damage will be minimized and that essential services will be restored as soon as possible. The S-A-W EOP was developed by the Coordinators of Emergency Management of the three jurisdictions. Assistance and input was also provided by local organizations that play key roles during emergencies and disaster situations, the Central Shenandoah Planning District Commission and other applicable regional agencies, and the Virginia Department of Emergency Management.

1.2 Record of Changes

The S-A-W EOP will be reviewed and possibly revised if the following situations occur:

- A formal update of planning guidance or standards
- A change in elected officials
- A plan activation or major exercise
- A change in any of the jurisdictions' demographics or hazard or threat profile, or
- The enactment of new or amended laws or ordinances or policy changes

Change Number	Date of Change	Page or Section Changed	Summary of Change	Name of Person Authorizing Change
1				
2				
3				
4				
5				
6				
7				

1.3 Record of Distribution

[illegible]

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	January 14, 2021	City Council
Item #	I	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	City Council to Consider Appointment and Employment of New City Attorney	

Background: Under Chapter II, Section 10 of the Staunton City Charter, Council shall elect a City Attorney. With the impending retirement of its current City Attorney and, consequently, an upcoming vacancy, the City has undertaken a several-months long process to recruit a new City Attorney to begin service in 2021, at such time and upon such terms as may be mutually agreed. After review of applicants, interviews, and further review and discussions in closed meetings, an informal consensus emerged on a choice.

A background check, including references, has been conducted and was satisfactory. The Mayor, on behalf of Council, has been involved in an informal process to negotiate the terms of an employment contract. Council members will be briefed further on the contract draft during the closed meeting scheduled during the work session on January 14, 2021. If Council concurs, formal consideration of the appointment of the City Attorney is appropriate during the regular meeting on the same date.

Suggested Motion: I move that City Council hereby appoint and employ the following individual as the new City Attorney of the City of Staunton, for an indefinite term to begin March ___, 2021, and that the Mayor be authorized to execute the Appointment-Employment Agreement, as reviewed and discussed further in today's closed meeting, with such modifications and in final form as approved by the City's special counsel:

_____.

Second. Discussion. Vote – Clerk of Council to poll members of Council.