Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
February 25, 2021
6:15 p.m.

6:15 p.m.		**Mayor's Introductory Remarks**
6:20 p.m.	**1.**	**Discussion and Consideration of Resolution of the Council of the City of Staunton Appointing an Acting and Interim Clerk of Council and Authorizing the City Manager to Designate Such Person in Certain Circumstances**
6:25 p.m.	**2.**	**Consideration of Work Session and Regular Meeting Agendas**
6:30 p.m.	**3.**	**Presentation by Middlebrook Trace VA, LLC Concerning Proposed Development of 914 Middlebrook Avenue for Multi-Family Use**
6:50 p.m.	**4.**	**Discussion of Recruitment of Clerk of Council**
7:15 p.m.		**Break**

Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
February 25, 2021
7:30 p.m.

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Robertson

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Special Called Meeting of February 4, 2021

Work Session and Regular Meeting of February 11, 2021

REGULAR MEETING

A. Public Hearing and Consideration of a Request by Carmen Sheets for a Special Use Permit at 11 Green Hills Drive, under the Provisions of SCC 18.60.070(4), B-2, General Business District, for the Establishment of a Child Daycare Facility*

B. Annual Report of Shenandoah Valley Social Services

C. Annual Report of Blue Ridge Court Services

D. Discussion and Consideration of Grant Application to Virginia Department of Criminal Justice Services for FY2022 Comprehensive Community Corrections Act for Local-Responsible Offenders and the Pretrial Services Act

E. Discussion and Consideration of Virginia Commission for the Arts 2021-2022 Creative Communities Partnership Grant Application

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
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- 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, February 26, 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:	**February 25, 2021**	**City Council**
Item #	**1**	
Ordinance #		
Department:	**City Council**	
Council Vision:	**Responsive, Efficient Government**	
Subject:	**Resolution of the Council of the City of Staunton Appointing an Acting and Interim Clerk of Council and Authorizing the City Manager to Designate Such Person in Certain Circumstances**	

Background: Under provisions of the City Charter and Chapter 2.30 of the City Code, City Council appoints a City Clerk who serves as Clerk of Council and clerk of such other boards and commissions as Council may designate. Faith Simmons, after three and one-half years of dedicated service to the City as Clerk of Council, has resigned from the position effective as of February 26, 2021. Additionally, Ms. Simmons will not attend Council's meeting on February 25, 2021.

Accordingly, it is necessary that an acting and interim clerk be appointed to fulfill the duties of Clerk of Council.

City Manager's Recommendation: Recommend that Council consider the resolution, as presented.

Suggested Motion: I move that Council adopt the proposed resolution appointing Morgan C. Smith acting and interim Clerk of Council, for the periods stated in the resolution, and authorizing the City Manager to designate a Clerk of Council in certain circumstances, to serve as clerk to bodies other than Council.

City Manager: Steven L. Rosenberg

RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON
APPOINTING AN ACTING AND INTERIM CLERK OF COUNCIL AND AUTHORIZING THE CITY MANAGER TO DESIGNATE SUCH PERSON IN CERTAIN CIRCUMSTANCES

Recitals

A. Pursuant to Chapter 2.30 of the Staunton City Code, City Council appoints a City Clerk who serves as Clerk of Council;

B. The Clerk of Council attends all meetings and maintains records of the proceedings of City Council, the Historic Preservation Commission, Planning Commission, the Board of Zoning Appeals, and other such boards and commissions as Council may designate;

C. Faith Simmons, after ___ years of dedicated service to the City as Clerk of Council, has resigned from the position effective as of February 26, 2021, and will not attend Council's meeting on February 25, 2021; and

D. It is necessary that an acting and interim Clerk of Council be appointed to fulfill the duties of Clerk of Council.

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

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

(i) Morgan C. Smith be, and hereby is, appointed by City Council as acting Clerk of Council, effective as of February 25, 2021, and continuing through February 26, 2021, and as interim Clerk of Council effective as of February 27, 2021, and continuing until such time as a new City Clerk is appointed by Council, as provided in the Charter and the City Code;

(ii) the City Manager be, and hereby is, authorized and directed to make provision for a temporary increase in Ms. Smith's salary in the amount of 10%, during the period of her appointment as interim Clerk of Council; and

(iii) on a continuing basis, without further action of City Council and until such time as a new City Clerk is appointed by Council, the City Manager be, and hereby is, authorized to designate a person other than Morgan C. Smith to serve as clerk to bodies other than City Council, including the

DRAFT

Historic Preservation Commission, Planning Commission, the Board of Zoning Appeals, and other boards and commissions.

AND, BE IT FURTHER RESOLVED that the individual designated as Clerk of Council, whether by Council or the City Manager, shall be vested with all the authority of the Clerk of Council and may perform all acts which are required to be performed by the Clerk of Council.

Adopted this 25th day of February 2021.

_____
Andrea W. Oakes, Mayor

Attest: _____
Morgan C. Smith
Acting Clerk of Council

DRAFT

CITY COUNCIL  AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 25, 2021**	**City Council**
Item #	**2**	
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

Work Session Agenda
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CITY COUNCIL AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 25, 2021**	**Staff Member:** **Rodney Rhodes**
Item #	**3**	
Ordinance #		
Department:	**Community Development – Planning and Zoning**	
Council Vision:	**Built Environment** **Inclusiveness**	
Subject:	**Presentation by Middlebrook Trace VA, LLC Concerning Proposed Development of 914 Middlebrook Avenue for Multi-Family Use**	

Background: During Council's work session on February 25, 2021, Middlebrook Trace VA, LLC, will provide an overview of its proposal to develop an 82-unit apartment complex at 914 Middlebrook Avenue that will serve low and moderate income families.

The development would be composed of two, 3-story buildings and consist of 41 units with two bedrooms and 41 units with three bedrooms. The site contains 24.34 acres and is zoned R-4 High Density Residential. Multi-family apartments are permitted in the R-4 District with administrative review/approval of a site plan. No further land use approvals are required. The proposed development is well within the density limits of the R-4 District.

As stated in the information submitted to the City, this would be a federal tax credit project with funding received through Virginia Housing (formerly the Virginia Housing Development Authority). In order for the application to be competitive in the upcoming Virginia Housing March 2021 application round (with a March 18, 2021 deadline), Council is requested by the developer to adopt the following:

- Revitalization area resolution
- Tax abatement ordinance

Note that the tax abatement, if approved, would only provide for the abatement of $2000 of potential real property taxes in the amount of $106,000.

The developer has provided examples of the requested documents, which are attached. The tax abatement ordinance requires a public hearing. Staff will advertise the public hearing and place both items on Council's agenda for consideration at the March 11, 2021 regular meeting. Staff will also provide an analysis of the project in the agenda briefing for the March meeting.

Attachments:

Attachment 1—Vicinity Map – 914 Middlebrook Ave
Attachment 2—Supporting documents provided by the developer

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

Vicinity Map – 914 Middlebrook Ave



Subject:

Tax abatement ordinance supporting construction of the Middlebrook Trace apartments at 914 Middlebrook Road, using tax credits issued by Virginia Housing using their revitalization area designation.

City Council Action Requested:

Adoption of the attached resolution that will increase the application score by 5 points, thereby making it tremendously more competitive in the upcoming Virginia Housing March 2021 application round.

Summary of Information:

Middlebrook Trace is a proposed multifamily apartment complex to be located at 914 Middlebrook Avenue. The developer for the apartments, Taft-Mills Group, LLC is planning to submit an application for tax credit financing through Virginia Housing. To qualify for tax abatement points, state law allows the City Council to pass an ordinance supporting the site for the apartments. The benefit of this program to the City of Staunton is to provide high quality affordable housing at a location that needs such housing to support economic development. The addition of these apartments will make a more sustainable and attractive mixed-use area by adding a mix of households. The high-quality apartments also provide a more stable (i.e., not cost-burdened) and desirable economic mix of residents in the area. For the developer to have the opportunity to compete favorably for this type of financing, the City of Staunton City Council shall by adoption of an ordinance allow for a small reduction in real estate taxes due for the property over a 3 year period, but significantly increasing the City's tax base into perpetuity.

AN ORDINANCE TO PARTIALLY EXEMPT REAL ESTATE TAXATION FOR THE PROPOSED DEVELOPMENT OF PROPERTY KNOWN AS MIDDLEBROOK TRACE VA LLC, HENCEFORTH KNOWN AS MIDDLEBROOK TRACE, LOCATED IN THE CITY OF STAUNTON, VIRGINIA, BY LOCAL CLASSIFICATION OR DESIGNATION FROM FULL ASSESSMENT OF TAXES:

WHEREAS, MIDDLEBROOK TRACE VA LLC, (hereinafter referred to as MIDDLEBROOK TRACE) has applied to the City Council of the City of Staunton, Virginia., for an ordinance providing it with partial tax exempt status from the City of Staunton on real property taxes relating to the proposed development of the MIDDLEBROOK TRACE apartment complex in the City of Staunton, Virginia located on THE CITY OF STAUNTON TAX MAP PARCEL ID 2896, 914 Middlebrook Avenue;

WHEREAS, the Council desires to support and encourage the development of said property by enacting an ordinance to provide MIDDLEBROOK TRACE with a partial tax exemption from the City of Staunton's real property taxes; and,

WHEREAS, the City of Staunton, Virginia did on March 11th, 2021 hold a public hearing in accordance with notice duly and lawfully published in the newspaper; and

WHEREAS, the Virginia Code Section 58.1-3219.4, authorizes the City to enact such exemptions within the limitations therein prescribed and as may be prescribed by this Council.

NOW THEREFORE be it Ordained, pursuant to Section 58.1-3219.4 of the Code of Virginia that:

1. The real property of MIDDLEBROOK TRACE to be partially exempted hereby is located in the City of Staunton, Virginia, being tax map parcel ID number 2896 located at 914 Middlebrook Avenue.

2. At a public hearing duly and lawfully held on March 11th, 2021, pursuant to public notice, the City Council of the city of Staunton, Virginia, examined and considered the MIDDLEBROOK TRACE proposal for partial tax exemption.

3. The City of Staunton's City Council hereby finds that:

A) The subject real property, along with improvements currently located thereon, is assessed at a total of Two Hundred Forty Three Thousand Nine Hundred Thirty Dollars ($243,930) for tax year 2020, and the cost of the intended improvements is expected to be Eleven Million Four Hundred Eighty Thousand Dollars and Zero Cents ($11,480,000.00).

B) The real property taxes that were paid by the subject property's owner for tax year 2020, was $2,317 dollars and 34 cents ($2,317.34) The increase in value caused by the proposed improvements could result in an increase of the amount of total tax on this real property to the amount of One Hundred Six Thousand Seven Hundred Forty Two dollars and Sixty Six cents ($106,742.66).

4. The city of Staunton's City Council finds that MIDDLEBROOK TRACE VA LLC is an organization that proposes to develop housing structures for historically underprivileged residents of the City of Staunton, and nearby areas. The proposed development of MIDDLEBROOK TRACE will serve the City of Staunton, and its residents, as an affordable housing option. As such, said organization is eligible for a partial exemption from the assessment of real property taxes as a result of said development under Virginia Code §58.1-3220, for a period of three (3) years, in an amount not to exceed Two- Thousand Dollars and Zero Cents ($2,000) annually.

5. The Board hereby exempts MIDDLEBROOK TRACE from that portion of their real property taxes accruing as a result of an increase in property value by reason of the proposed improvements or Fifty Percent (50%) of the cost of such improvements, whichever is greater but not to exceed Two Thousand Dollars ($2,000) annually, for a period of three (3) tax years once all improvements are completed.

A) The cost of the improvements shall be presumed as shown on the building permit application. The proposed improvements are those described in the attached exhibit which is hereby incorporated into this ordinance.

B) The exemption hereby granted in contingent upon the following:

1) MIDDLEBROOK TRACE providing housing predominately for persons with low to moderate income as defined by Virginia Housing.

It is so ORDAINED this ___ day of _____, 2021 .

Subject:

Resolution supporting construction of the Middlebrook Trace apartments at 914 Middlebrook Road, using tax credits issued by Virginia Housing using their revitalization area designation.

City Council Action Requested:

Adoption of the attached resolution that will increase the application score by 15 points, thereby making it tremendously more competitive in the upcoming Virginia Housing March 2021 application round.

Summary of Information:

Middlebrook Trace is a proposed multifamily apartment complex to be located at 914 Middlebrook Avenue. The developer for the apartments is planning to submit an application for tax credit financing through Virginia Housing. To qualify for revitalization points, state law allows the City Council to pass a resolution supporting the site for the apartments as a revitalization area. The benefit of this program to the City of Staunton is to provide high quality affordable housing at a location that needs such housing to support economic development. The addition of these apartments will make a more sustainable and attractive mixed-use area by adding a mix of households. The high-quality apartments also provide a more stable (i.e., not cost-burdened) and desirable economic mix of residents in the area. For the developer to have the opportunity to compete favorably for this type of financing, the City of Staunton City Council shall by resolution make a determination that providing residential housing serving low-to-moderate income households supports the revitalization and economic development of this area.

Attachments:

1. Middlebrook Trace Resolution
2. Middlebrook Trace Plat
3. Virginia Housing Description of Revitalization Area – please see number 5

RESOLUTION CONCERNING THE MIDDLEBROOK TRACE MULTIFAMILY DEVELOPMENT

WHEREAS, PURSUANT TO Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the City Council of the City of Staunton, Virginia, desires to designate the area described on Exhibit A attached hereto as a revitalization area;

WHEREAS, the above-referenced development is located in a an area where the industrial, commercial, or other economic development of such area will benefit City but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; and private enterprise and investment are not reasonably expected, without assistance, to produce the construction of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

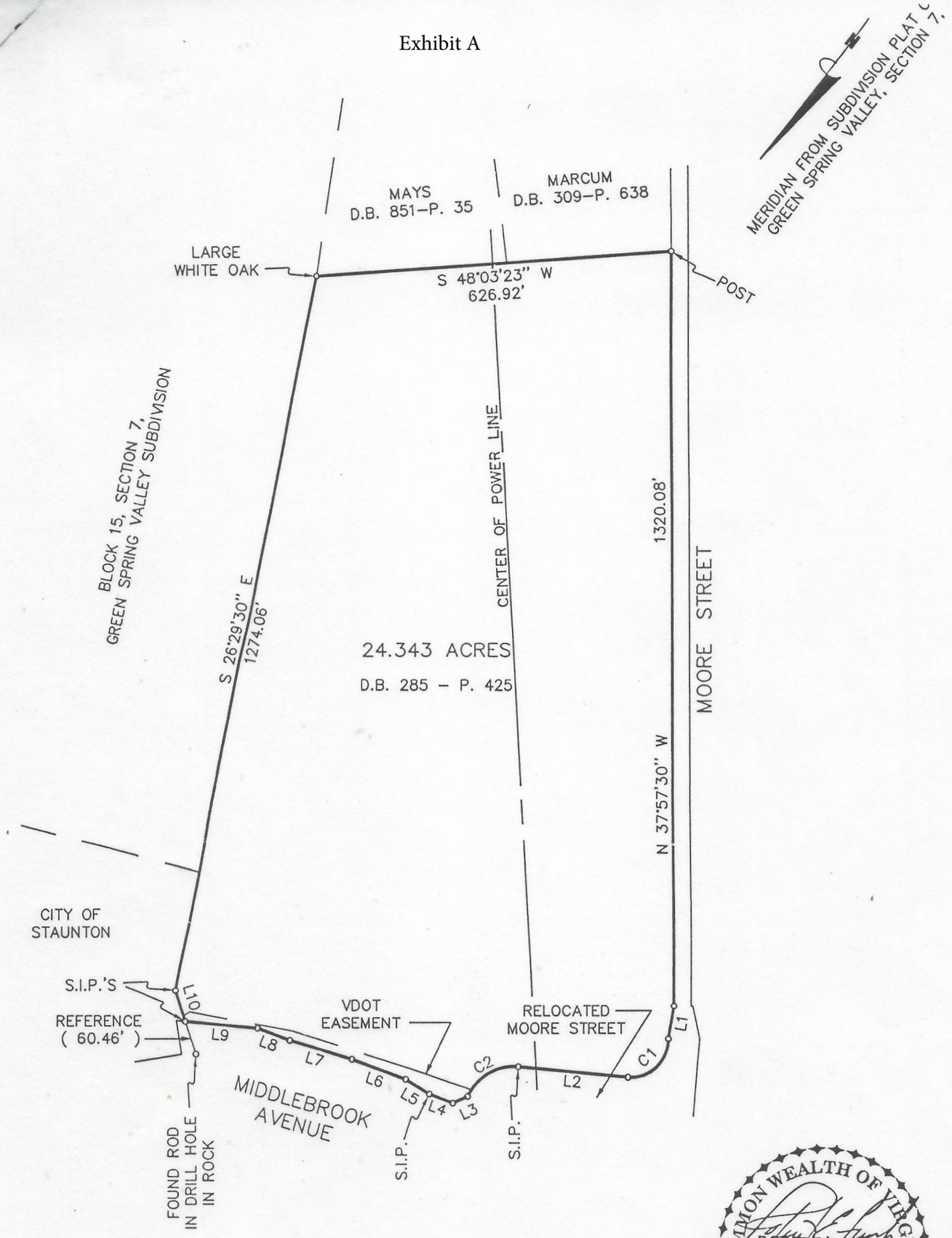
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Staunton, Virginia, that pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the area is hereby designated as a revitalization area.

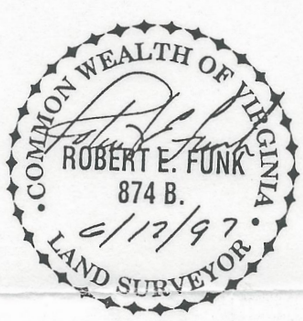
Adopted this ___ of _____, 2021.

_____
Andrea Oakes, Mayor

Attest: _____
Suzanne F. Simmons, Clerk of Council

Exhibit A





ALL CORNERS NOT OTHERWISE NOTED ARE FOUND IRON PINS.

NUMBER	DIRECTION	DISTANCE
L1	N 28°11'33" W	58.41'
L2	N 57°20'10" E	193.82'
L3	N 28°04'21" E	28.88'
L4	N 73°34'16" E	44.38'
L5	N 83°18'29" E	48.28'
L6	N 71°45'19" E	101.27'
L7	N 68°23'11" E	114.36'
L8	N 72°51'51" E	59.96'
L9	N 57°49'16" E	128.00'
L10	S 55°14'30" E	56.46'

PLAT OF THE

JOSEPH E. FURR ETAL. PROPERTY

STAUNTON, VA.

SCALE: 1" = 200' JUNE 17, 1997

R.E. FUNK – LAND SURVEYOR
15 TERRY ST., STAUNTON, VA.

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD DIRECTION	CHORD LENGTH
C1	95°23'10"	65.95	109.79	72.46	N 09°38'35" E	97.55
C2	69°39'49"	90.11	109.56	62.70	N 22°30'16" E	102.94

Revitalization Area

General Instructions

Revitalization areas are defined in Virginia Code §36-55.30:2.A.

Designation

To qualify for revitalization area points, select one of the following (and provide adequate documentation):

1. The development is located in a Qualified Census Tract, as defined by HUD.

2. The development is located in a census tract wherein 70% or more of the families have incomes which are ≤ 80% statewide median income. NOTE: these census tracts are included in the definition of targeted area for single-family lending purpose, but do not include ACEDS.

3. The development is located in an already established redevelopment area, conservation area or rehabilitation district created by a city or county, pursuant to §36-1 et seq. Documentation must show area boundaries and support that the development lies within those boundaries.

4. The development is located in a Housing Rehabilitation Zone established through an ordinance created by a city, county or town pursuant to §36-55.64. Documentation must include a copy of the ordinance with support that the development lies within the Rehabilitation Zone.

5. The development is located in a defined revitalization area. Documentation must include a resolution from the locality supporting the development's s location within the revitalization area. See language below.

   The above-referenced development is located in a Revitalization Area in the Town/City/County of _____, Virginia. The revitalization area is (i) ***either*** *(1) blighted, deteriorated, deteriorating or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to one or more of the following conditions- dilapidation, obsolescence, overcrowding, inadequate ventilation, light or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality or condition,* ***or*** *(2) the industrial, commercial or other economic development of such area will benefit the city or county but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area;* ***and*** *(ii) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.*

   Delete the language that does not apply, (i)(1) or (i)(2) above.

Middlebrook Trace VA LLC

Project Description

Middlebrook Trace will consist of the new construction of 82 multifamily apartments in two 3-story buildings. Exterior facades will be at least 85 percent brick. The development will be serviced by elevators and all 82 units will be Universally Designed, with at least 9 being fully 504 accessible and actively marketed to individuals with disabilities. Special 504/Universal Design features include, but are not limited to:

- Carpet that meets HUD specs UM.44d Type II Class I with texture E. 24 ounces per square yard minimum weight
- Ceramic tile to be installed in roll in showers
- Grab bars in all units and public restrooms by toilets with proper mounting
- Bathroom mirrors mounted 40" from finished floor to base of mirror
- Kitchen cabinets in units and community room kitchen shall have 34" high counter heights and 9" toe kicks. Doors and drawers shall have 4" greppable handles
- Side by side refrigerators with separate doors for refrigerator and freezer compartments
- Ranges shall be 30" wide and have front controls
- ADA accessible route to each dumpster
- Wall hung sinks mounted 34" from floor to top leading rim of the sink
- Switches to be located at 48" AFF and receptacles at 18" AFF

The proposed development will be certified by the National Green Building Standard program. Special Energy Star features include, but are not limited to:

- Energy Star rated solid vinyl windows
- Only low VOC paints used on external and interior surfaces
- Energy Star rated frost-free refrigerators
- Energy Star rated range hood
- Energy Star rated dishwashers
- Energy Star rated, WaterSense labeled, low-flow faucets, shower heads and toilets
- Energy Star rated water heaters
- Energy Star rated interior and exterior lighting

Community amenities will include a community building to include a kitchen, shared laundry facilities (washer and dryer hookups provided in every unit), a resident office center with computers, printers and access to the internet, as well as on-site leasing and management. Each unit will also have free individual Wi-fi access.

Project Timeline

Middlebrook Trace VA LLC has site control of the property. An application will be submitted to Virginia Housing for a reservation of LIHTCs by the application deadline of March 18, 2021. If credits are awarded, the success of which is greatly dependent on whether or not the Staunton City Council passes the requested revitalization resolution and tax abatement ordinance, it is anticipated that an allocation of tax credits will be made in November, 2021. At that time, full architectural and civil plans will be developed for submittal to the City for site plan review and approval. It is anticipated that building permits and all financing commitments will be in place by March, 2022 with construction beginning in April, 2022. Construction is anticipated to take approximately 12 months with completion in April, 2023. The property is expected to achieve full occupancy and be placed in service by early June, 2023.

Development Budget Narrative

The development budget for Middlebrook Trace is based on previous development, construction and management experience. Estimated hard costs are expected to be $140,000 per unit. Operating Costs are expected to be $4,517 per unit per year, with replacement reserves of $300 per unit per year. Permanent financing is projected from Virginia Housing, with $20,000 per unit in REACH funds at 2.95% with a 35-year amortization period and the balance from taxable bonds with an interest rate of 4.49% with a 35-year amortization period. Anticipated credits are $1.1M with equity pricing at $.85.

H. STRUCTURE AND UNITS INFORMATION

1. General Information

a. Total number of **all** units in development	82	bedrooms	205	
Total number of **rental** units in development	82	bedrooms	205	
Number of low-income rental units	82	bedrooms	205	
Percentage of rental units designated low-income	100.00%			

b. Number of new units:.....	82	bedrooms	205
Number of adaptive reuse units:	0	bedrooms	0
Number of rehab units:.....	0	bedrooms	0

c. If any, indicate number of planned exempt units (included in total of all units in development)..... 0

d. Total Floor Area For The Entire Development..... 104,112.53 (Sq. ft.)

e. Unheated Floor Area (i.e. Breezeways, Balconies, Storage)..... 1,197.29 (Sq. ft.)

f. Nonresidential Commercial Floor Area (Not eligible for funding)..... 0.00

g. Total Usable Residential Heated Area..... 102,915.24 (Sq. ft.)

h. Percentage of Net Rentable Square Feet Deemed To Be **New Rental Space**..... 100.00%

i. Exact area of site in acres .....

j. Locality has approved a final site plan or plan of development..... FALSE
If **True**, Provide required documentation (**TAB O**).

k. Requirement as of 2016: Site must be properly zoned for proposed development.
ACTION: Provide required zoning documentation **(MANDATORY TAB G)**

l. Development is eligible for Historic Rehab credits..... FALSE

Definition:

The structure is historic, by virtue of being listed individually in the National Register of Historic Places, or due to its location in a registered historic district and certified by the Secretary of the Interior as being of historical significance to the district, and the rehabilitation will be completed in such a manner as to be eligible for historic rehabilitation tax credits.

H. STRUCTURE AND UNITS INFORMATION

2. UNIT MIX

a. Specify the **average size and number per unit type (as indicated in the Architect's Certification):**

Note: Average sq foot should include the prorata of common space.

Unit Type	Average Sq Foot		# of LIHTC Units	Total Rental Units
Supportive Housing	0.00	SF	0	0
1 Story Eff - Elderly	0.00	SF	0	0
1 Story 1BR - Elderly	0.00	SF	0	0
1 Story 2BR - Elderly	0.00	SF	0	0
Eff - Elderly	0.00	SF	0	0
1BR Elderly	0.00	SF	0	0
2BR Elderly	0.00	SF	0	0
Eff - Garden	0.00	SF	0	0
1BR Garden	0.00	SF	0	0
2BR Garden	989.01	SF	41	41
3BR Garden	1550.32	SF	41	41
4BR Garden	0.00	SF	0	0
2+ Story 2BR Townhouse	0.00	SF	0	0
2+ Story 3BR Townhouse	0.00	SF	0	0
2+ Story 4BR Townhouse	0.00	SF	0	0
			82	82

Note: Please be sure to enter the values in the appropriate unit category. If not, errors will occur on the self scoresheet.

3. Structures

a. Number of Buildings (containing rental units)..... 2

b. Age of Structure:..... 0 years

c. Number of stories:..... 3

d. The development is a scattered site development..... FALSE

e. Commercial Area Intended Use:

f. Development consists primarily of : (Only One Option Below Can Be True)

i. Low Rise Building(s) - (1-5 stories with any structural elements made of wood)..... TRUE

ii. Mid Rise Building(s) - (5-7 stories with no structural elements made of wood)..... FALSE

iii. High Rise Building(s) - (8 or more stories with no structural elements made of wood)..... FALSE

O. PROJECT BUDGET - HARD COSTS

Cost/Basis/Maximum Allowable Credit

Complete cost column and basis column(s) as appropriate

Note: Attorney must opine, among other things, as to correctness of the inclusion of each cost item in eligible basis, type of credit and numerical calculations included in Project Budget.

Must Use Whole Numbers Only! Item	(A) Cost	Amount of Cost up to 100% Includable in Eligible Basis--Use Applicable Column(s): "30% Present Value Credit" (B) Acquisition	"30% Present Value Credit" (C) Rehab/ New Construction	(D) "70 % Present Value Credit"
1. Contractor Cost				
a. Unit Structures (New)	7,370,000	0	0	7,370,000
b. Unit Structures (Rehab)	0	0	0	0
c. Non Residential Structures	0	0	0	0
d. Commercial Space Costs	0	0	0	0
e. Structured Parking Garage	0	0	0	0
Total Structure	7,370,000	0	0	7,370,000
f. Earthwork	0	0	0	0
g. Site Utilities	0	0	0	0
h. Roads & Walks	0	0	0	0
i. Site Improvements	1,813,333	0	0	1,813,333
j. Lawns & Planting	0	0	0	0
k. Engineering	0	0	0	0
l. Off-Site Improvements	0	0	0	0
m. Site Environmental Mitigation	0	0	0	0
n. Demolition	0	0	0	0
o. Site Work	0	0	0	0
p. Other Site work	0	0	0	0
Total Land Improvements	1,813,333	0	0	1,813,333
Total Structure and Land	9,183,333	0	0	9,183,333
q. General Requirements	575,000	0	0	575,000
r. Builder's Overhead (1.5% Contract)	133,333	0	0	133,333
s. Builder's Profit (6.3% Contract)	575,000	0	0	575,000
t. Bonds	0	0	0	0
u. Building Permits	0	0	0	0
v. Special Construction	280,000	0	0	280,000
w. Special Equipment	250,000	0	0	250,000
x. Other 1: solid core doors	25,000	0	0	25,000
y. Other 2: elevator	458,334	0	0	458,334
z. Other 3:	0	0	0	0
Contractor Costs	$11,480,000	$0	$0	$11,480,000

O. PROJECT BUDGET - OWNER COSTS

MUST USE WHOLE NUMBERS ONLY!

Item	(A) Cost	Amount of Cost up to 100% Includable in Eligible Basis--Use Applicable Column(s): "30% Present Value Credit" (B) Acquisition	"30% Present Value Credit" (C) Rehab/ New Construction	(D) "70 % Present Value Credit"
2. Owner Costs				
a. Building Permit	15,000	0	0	15,000
b. Architecture/Engineering Design Fee ($1,958 /Unit)	160,525	0	0	160,525
c. Architecture Supervision Fee ($518 /Unit)	42,445	0	0	42,445
d. Tap Fees	95,000	0	0	95,000
e. Environmental	4,250	0	0	4,250
f. Soil Borings	7,500	0	0	7,500
g. Green Building (Earthcraft, LEED, etc.)	28,554	0	0	28,554
h. Appraisal	6,000	0	0	6,000
i. Market Study	7,500	0	0	7,500
j. Site Engineering / Survey	150,000	0	0	150,000
k. Construction/Development Mgt	0	0	0	0
l. Structural/Mechanical Study	0	0	0	0
m. Construction Loan Origination Fee	40,000	0	0	40,000
n. Construction Interest (4.5% for 10 months)	450,000	0	0	250,000
o. Taxes During Construction	7,500	0	0	0
p. Insurance During Construction	15,000	0	0	15,000
q. Permanent Loan Fee (1.0%)	69,400	0	0	0
r. Other Permanent Loan Fees	0	0	0	0
s. Letter of Credit	0	0	0	0
t. Cost Certification Fee	10,000	0	0	0
u. Accounting	0	0	0	0
v. Title and Recording	60,000	0	0	0
w. Legal Fees for Closing	40,000	0	0	30,000
x. Mortgage Banker	34,700	0	0	0
y. Tax Credit Fee	78,000			
z. Tenant Relocation	0	0	0	0
aa. Fixtures, Furnitures and Equipment	20,000	0	0	20,000
ab. Organization Costs	0	0	0	0
ac. Operating Reserve	373,094	0	0	0
ad. Contingency	574,000	0	0	574,000
ae. Security	0	0	0	0
af. Utilities	0	0	0	0

O. PROJECT BUDGET - OWNER COSTS

(1) Other* specify: lease up reserve	40,000	0	0	0
(2) Other* specify: syndicator fee	30,000	0	0	0
(3) Other* specify: construction inspections	20,000	0	0	20,000
(4) Other* specify: soft cost contingency	30,000	0	0	30,000
(5) Other * specify:	0	0	0	0
(6) Other* specify:	0	0	0	0
(7) Other* specify:	0	0	0	0
(8) Other* specify:	0	0	0	0
(9) Other* specify:	0	0	0	0
(10) Other* specify:	0	0	0	0
Owner Costs Subtotal (Sum 2A..2(10))	$2,408,468	$0	$0	$1,495,774
Subtotal 1 + 2 (Owner + Contractor Costs)	$13,888,468	$0	$0	$12,975,774
3. Developer's Fees	1,605,000	0	0	1,605,000
Action: Provide Developer Fee Agreement (Tab A)				
4. Owner's Acquisition Costs				
Land	800,000			
Existing Improvements	0	0		
Subtotal 4:	$800,000	$0		
5. Total Development Costs				
Subtotal 1+2+3+4:	$16,293,468	$0	$0	$14,580,774

If this application seeks rehab credits only, in which there is no acquisition and no change in ownership, enter the greater of appraised value or tax assessment value here:

	$0	**Land**
(Provide documentation at **Tab E**)	$0	**Building**

Maximum Developer Fee: **$1,605,077**

Proposed Development's Cost per Sq Foot	$149	**Meets Limits**
Applicable Cost Limit by Square Foot:	$198	

Q. SOURCES OF FUNDS

Action: Provide Documentation for all Funding Sources at **Tab T**

1. Construction Financing: List individually the sources of construction financing, including any such loans financed through grant sources:

	Source of Funds	Date of Application	Date of Commitment	Amount of Funds	Name of Contact Person
1.	First Bank	02/01/20	03/01/20	$7,000,000	Chris Clemmons
2.					
3.					
	Total Construction Funding:			$7,000,000	

2. Permanent Financing: List individually the sources of all permanent financing in order of lien position:

	Source of Funds	Date of Application	Date of Commitment	*(Whole Numbers only)* Amount of Funds	Annual Debt Service Cost	Interest Rate of Loan	Amortization Period IN YEARS	Term of Loan (years)
1.								
2.	VHDA	2/1/2020	3/15/2020	$5,300,000	$300,598	4.49%	35.00	35.00
3.	VHDA	2/1/2020	3/15/2020	$1,640,000	$75,190	2.95%	35.00	35.00
4.								
5.								
6.								
7.								
8.								
9.								
10.								
	Total Permanent Funding:			$6,940,000	$375,788			

3. Grants: List all grants provided for the development:

	Source of Funds	Date of Application	Date of Commitment	Amount of Funds	Name of Contact Person
1.					
2.					
3.					
4.					
5.					
6.					
	Total Permanent Grants:			$0	

Q. SOURCES OF FUNDS

4. Subsidized Funding

	Source of Funds	Date of Commitment	Amount of Funds
1.			
2.			
3.			
4.			
5.			
	Total Subsidized Funding		$0

5. Recap of Federal, State, and Local Funds

Portions of the sources of funds described above for the development are financed directly or indirectly with Federal, State, or Local Government Funds…… FALSE

If above is **True**, then list the amount of money involved by all appropriate types.

Below-Market Loans

a.	Tax Exempt Bonds	$0
b.	RD 515	$0
c.	Section 221(d)(3)	$0
d.	Section 312	$0
e.	Section 236	$0
f.	VHDA SPARC/REACH	$1,640,000
g.	HOME Funds	$0
h.	Other:	$0
i.	Other:	$0

Market-Rate Loans

a.	Taxable Bonds	$5,300,000
b.	Section 220	$0
c.	Section 221(d)(3)	$0
d.	Section 221(d)(4)	$0
e.	Section 236	$0
f.	Section 223(f)	$0
g.	Other:	$0

Grants*

a.	CDBG	$0
b.	UDAG	$0

Grants

c.	State	
d.	Local	
e.	Other:	

*This means grants to the partnership. If you received a loan financed by a locality which received one of the listed grants, please list it in the appropriate loan column as "other" and describe the applicable grant program which funded it.

R. EQUITY

1. Equity

a. Portion of Syndication Proceeds Attributable to Historic Tax Credit

Amount of Federal historic credits	$0	x Equity $	$0.000	=	$0
Amount of Virginia historic credits	$0	x Equity $	$0.000	=	$0

b. Equity that Sponsor will Fund:

i.	Cash Investment	$0	
ii.	Contributed Land/Building	$0	
iii.	Deferred Developer Fee	$4,403	(Note: Deferred Developer Fee cannot be negative.)
iv.	Other:	$0	

ACTION: If Deferred Developer Fee is greater than 50% of overall Developer Fee, provide a cash flow statement showing payoff within 15 years at **TAB A.**

Equity Total $4,403

2. Equity Gap Calculation

a.	Total Development Cost		$16,293,468
b.	Total of Permanent Funding, Grants and Equity	-	$6,944,403
c.	Equity Gap		$9,349,065
d.	Developer Equity	-	$0
e.	Equity gap to be funded with low-income tax credit proceeds		$9,349,065

3. Syndication Information (If Applicable)

a. Actual or Anticipated Name of Syndicator: TBD

Contact Person: Phone:

Street Address:

City: State: Zip:

b. Syndication Equity

i.	Anticipated Annual Credits	$1,100,000.00
ii.	Equity Dollars Per Credit (e.g., $0.85 per dollar of credit)	$0.850
iii.	Percent of ownership entity (e.g., 99% or 99.9%)	99.99000%
iv.	Syndication costs not included in Total Development Costs (e.g., advisory fees)	$0
v.	Net credit amount anticipated by user of credits	$1,099,890
vi.	Total to be paid by anticipated users of credit (e.g., limited partners)	$9,349,065

c. Syndication: Private

d. Investors: Corporate

4. Net Syndication Amount $9,349,065

Which will be used to pay for Total Development Costs

5. Net Equity Factor 85.0000000000%

Must be equal to or greater than 85%

T. CASH FLOW

1. **Revenue**

Indicate the estimated monthly income for the **Low-Income Units** (based on Unit Details tab):

Total Monthly Rental Income for LIHTC Units		$73,476
Plus Other Income Source (list):	laundry, late fees, etc.	$800
Equals Total Monthly Income:		$74,276
Twelve Months		x12
Equals Annual Gross Potential Income		$891,312
Less Vacancy Allowance	7.0%	$62,392
Equals Annual Effective Gross Income (EGI) - Low Income Units		$828,920

2. Indicate the estimated monthly income for the **Market Rate Units** (based on Unit Details tab):

Total Monthly Income for Market Rate Units:		$0
Plus Other Income Source (list):		$0
Equals Total Monthly Income:		$0
Twelve Months		x12
Equals Annual Gross Potential Income		$0
Less Vacancy Allowance	0.0%	$0
Equals Annual Effective Gross Income (EGI) - Market Rate Units		$0

Action: Provide documentation in support of Operating Budget **(TAB R)**

3. **Cash Flow (First Year)**

a.	Annual EGI Low-Income Units	$828,920
b.	Annual EGI Market Units	$0
c.	Total Effective Gross Income	$828,920
d.	Total Expenses	$395,000
e.	Net Operating Income	$433,920
f.	Total Annual Debt Service	$375,788
g.	Cash Flow Available for Distribution	$58,132

T. CASH FLOW

4. **Projections for Financial Feasibility - 15 Year Projections of Cash Flow**

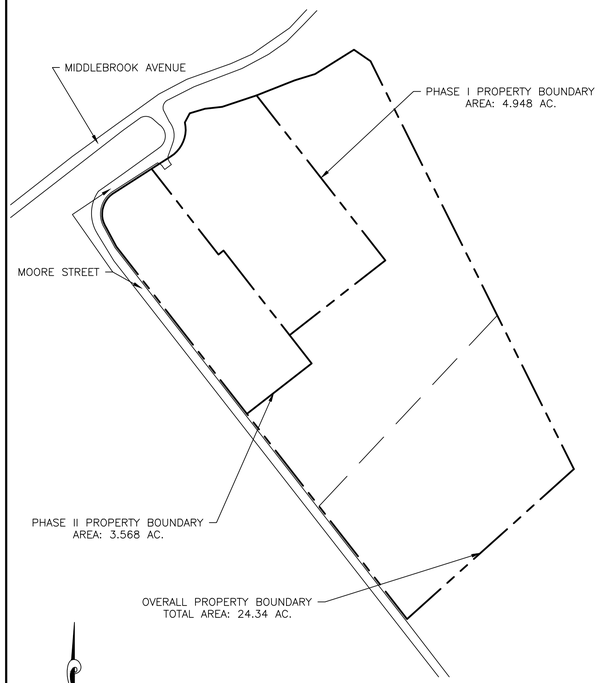
	Stabilized Year 1	Year 2	Year 3	Year 4	Year 5
Eff. Gross Income	828,920	845,499	862,409	879,657	897,250
Less Oper. Expenses	395,000	406,850	419,056	431,627	444,576
Net Income	433,920	438,649	443,353	448,030	452,674
Less Debt Service	375,788	375,788	375,788	375,788	375,788
Cash Flow	58,132	62,861	67,565	72,242	76,886
Debt Coverage Ratio	1.15	1.17	1.18	1.19	1.20

	Year 6	Year 7	Year 8	Year 9	Year 10
Eff. Gross Income	915,195	933,499	952,169	971,212	990,636
Less Oper. Expenses	457,913	471,651	485,800	500,374	515,385
Net Income	457,282	461,848	466,369	470,838	475,251
Less Debt Service	375,788	375,788	375,788	375,788	375,788
Cash Flow	81,494	86,060	90,581	95,050	99,463
Debt Coverage Ratio	1.22	1.23	1.24	1.25	1.26

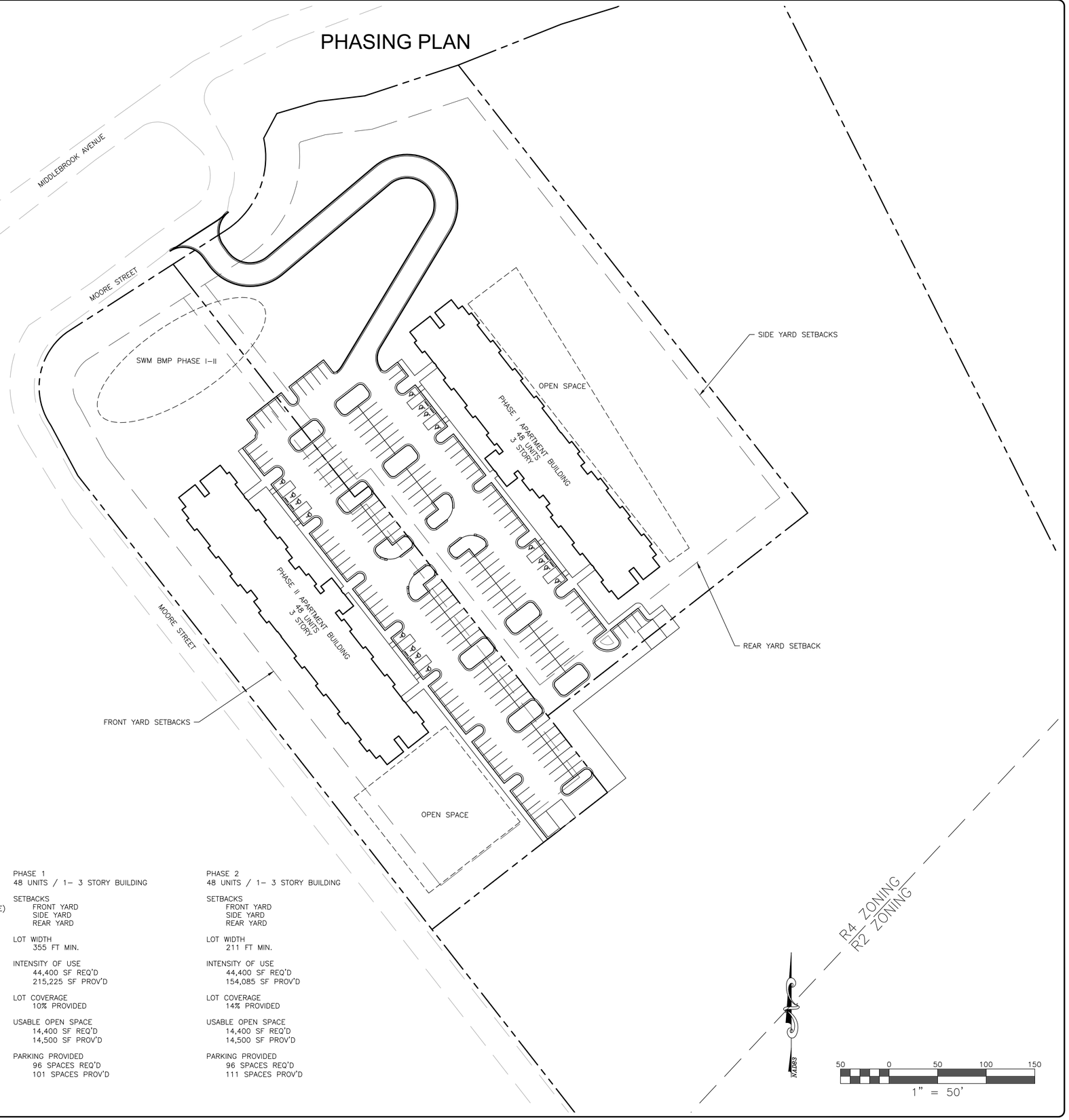
	Year 11	Year 12	Year 13	Year 14	Year 15
Eff. Gross Income	1,010,449	1,030,658	1,051,271	1,072,297	1,093,743
Less Oper. Expenses	530,847	546,772	563,176	580,071	597,473
Net Income	479,602	483,886	488,096	492,226	496,270
Less Debt Service	375,788	375,788	375,788	375,788	375,788
Cash Flow	103,814	108,098	112,308	116,438	120,482
Debt Coverage Ratio	1.28	1.29	1.30	1.31	1.32

Estimated Annual Percentage Increase in Revenue	2.00%	(Must be < 2%)
Estimated Annual Percentage Increase in Expenses	3.00%	(Must be > 3%)

OVERALL PROPERTY EXHIBIT



PHASING PLAN



OVERALL SUMMARY OF REQUIREMENT

R4 HIGH DENSITY
RESIDENTIAL DISTRICT

SETBACKS
- FRONT YARD – 35 FT (3 STORY OR MORE)
- SIDE YARD 13 FT (3 STORY)
- REAR YARD 30 FT (3 STORY)

LOT WIDTH
- MIN. 100 FT AT FRONT BUILDING LINE

INTENSITY OF USE
- 6,000 SF FOR EACH BUILDING
- PLUS 800 SF FOR EACH UNIT (3 STORY)

LOT COVERAGE
- 30% (3 STORY)

USABLE OPEN SPACE
- 300 SF PER UNIT

PARKING REQUIREMENT
- 2 PER DWELLING

PHASE 1
48 UNITS / 1– 3 STORY BUILDING

SETBACKS
- FRONT YARD
- SIDE YARD
- REAR YARD

LOT WIDTH
- 355 FT MIN.

INTENSITY OF USE
- 44,400 SF REQ'D
- 215,225 SF PROV'D

LOT COVERAGE
- 10% PROVIDED

USABLE OPEN SPACE
- 14,400 SF REQ'D
- 14,500 SF PROV'D

PARKING PROVIDED
- 96 SPACES REQ'D
- 101 SPACES PROV'D

PHASE 2
48 UNITS / 1– 3 STORY BUILDING

SETBACKS
- FRONT YARD
- SIDE YARD
- REAR YARD

LOT WIDTH
- 211 FT MIN.

INTENSITY OF USE
- 44,400 SF REQ'D
- 154,085 SF PROV'D

LOT COVERAGE
- 14% PROVIDED

USABLE OPEN SPACE
- 14,400 SF REQ'D
- 14,500 SF PROV'D

PARKING PROVIDED
- 96 SPACES REQ'D
- 111 SPACES PROV'D

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PRELIMINARY

MOORE STREET APARTMENTS

LAYOUT PLAN

CITY OF STAUNTON, VIRGINIA

DRAWN BY	DKO
DESIGNED BY	DKO
CHECKED BY	ERB
DATE	12/10/2020
SCALE	1" = 50'
REVISIONS	

#1

PROJECT NO. 34XX0XXX.00

CITY COUNCIL AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 25, 2021**	**City Council**
Item #	**4**	
Ordinance #		
Department:	**City Council**	
Council Vision:	**Responsive, Efficient Government**	
Subject:	**Recruitment of Clerk of Council**	

Background: Under provisions of the City Charter and Chapter 2.30 of the City Code, City Council appoints a City Clerk who serves as Clerk of Council and clerk of such other boards and commissions as Council may designate. Faith Simmons, after three and one-half years of dedicated service to the City as Clerk of Council, has resigned from the position effective as of February 26, 2021.

This item has been included on the agenda for a Council discussion concerning the recruitment of a Clerk of Council.

City Manager's Recommendation: Discuss and provide guidance and direction to staff.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

SPECIAL MEETING OF STAUNTON CITY COUNCIL
Thursday, February 4, 2021
5:30 p.m.

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: **Steve 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 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	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye		

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

Mr. Rosenberg stated the Capital Improvement Plan (CIP) Committee was comprised of thirteen individuals and noted twelve would be participating, with four participating on the Zoom platform – Chris Tuttle, Director of Parks and Recreation, Tum Lundquist, with Staunton City Schools IT Department, Lyle Hart, City Engineer, and Phil Trayer, Chief Finance Officer. In addition, on the Zoom platform was James Corbett, Superintendent of Recreation.

Mr. Rosenberg stated Council members Dull 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. 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, 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. 2021-04."

A. Discussion of FY2021-2025 Proposed Capital Improvement Program

Mr. Rosenberg stated at the City Council meeting on January 14, 2021 the proposed Capital Improvement Plan was presented by Phil Trayer, Chief Finance Officer. During that meeting, several Council members requested a special meeting be scheduled and allow time for Council members to ask questions during the presentation.

Phil Trayer, Chief Finance Officer, stated he was presenting to Council a more in-depth review of the revised FY21-25 Draft CIP Plan.

Mr. Trayer stated changes to the original submission included:

1) The alignment of the City's CIP Plan with VDOT's Six Year Plan. The alignment affected the timing and funding source of the Edgewood Sidewalk project from N. Augusta Street to N. Coalter Street which was scheduled to begin in October 2023 and was Fiscal Year 2024. He noted a N. Augusta Sidewalk project had been added, going from Lambert Street to Terry Street for $1,477,371 and was set to begin in October 2023 or Fiscal Year 2024. He noted a N. Augusta Street sidewalk project had been added from Terry Court to Meadowbrook Road and was budgeted for $1,058,211, and also set to begin in October 2023 and again was Fiscal Year 2024.
2) Mr. Trayer stated a summary of FY2020 Projects showing budget versus actual funding was on pages 28 and 29 of the plan.
3) A summary of the VDOT Six Year Project schedule was on page 41.
4) Mr. Trayer stated descriptions in the funding section of some of the general fund projects had been clarified.

Vice Mayor Robertson asked Mr. Trayer where the additional $3.2 million came from.

Mr. Trayer stated the VDOT Six Year Sidewalk Plan was incorporated and that pretty much encompassed the entire amount of the additional sidewalks. He noted staff was unaware that they were on VDOT's Six Year Plan and had been brought to his attention by members of the Planning Commission. Mr. Trayer stated 100% of that $3.2 million would be funded by the state.
Mr. Trayer stated this year's revised plan had increased from $79,840,545 to $83,074,003 and was broken down as follows:

- General Fund = $46,196,628, an increase of $3,233,458 over the initial draft of $42,963,170, for the added sidewalk projects referenced above
- Schools remained at - $9,356,000
- Water Fund - $19,805,000

- Sewer Fund - $1,805,000
- Stormwater Fund - $4,223,375
- Parking Fund - $1,688,000

Mr. Trayer stated as in previous years, the Basic Framework of the CIP had remained relatively unchanged as the City continued to fund annual reserves for:

- Street Projects
- Sidewalk Projects
- Fire Equipment
- Greenway Projects
- Utility Projects
- Pedestrian Paths
- Beginning in FY2022, Cardiac Heart Monitors and Self-Contained Breathing Apparatus replacements for the Fire Department

Mr. Trayer stated slide 4 showed a summarization of all of the General Fund projects and reserves for FY2021 thru FY2025. He noted the color indicated the source of the funding:
Orange – Represents budget transfers from the General Fund to the CIP fund to cover high dollar equipment replacement, maintenance and repair, sidewalks, VDOT matching reserves, etc.
Purple – Represents carry over budget amendments to fund a combination of one-time projects as well as reserves for Greenway and Bike Path projects. The Middle River Regional Jail was on the list as a placeholder to offset operational impact of potential expense increases. The plan under this scenario, was to apply carryover amounts to the Jail first to mitigate the potential increase in operational budget impacts. This would go towards the debt service of the quarterly billing.

Green – Projects funded via the issuance of debt service. This included emergency radio, Police station, Fire station, and School Warehouse projects.
Red – Projects funded by VDOT.
Yellow - Funded through FY21 Budget amendment for network switches and phone replacement.
Blue – Projected funding via FY22.
Grey – Funding via CIP reserves.

Mr. Claffey asked Mr. Trayer if the sidewalk project for Edgewood Road to N. Coalter Street and N. Augusta Street was in FY2025, but clarified that it would be October 2023.

Mr. Trayer stated in FY2024 the planning process would begin at that time. He noted the actual dollar amounts would begin in FY2025 for that project. He noted on page 41 of the CIP, the entire schedule for VDOT's Six Year Plan was listed.

Mr. Trayer stated Slide 5 addressed major changes to two previously scheduled projects in response to updated project specifications and scope.
Major Changes **i**n the General Fund are as follows:

- The first was for the telephone replacement project which is $1,000,000 and included the replacement of outdated and unsupported network switches. The switches are no longer receiving manufacturing support which includes security updates. The project will also

DRAFT

increase network redundancy, and replace the telephone equipment itself. This project was previously approved and funded via Budget Amendment # 4 which was considered on December 10, 2020.

Vice Mayor Robertson asked if there were still issues with dead zones.

Mr. Trayer stated it was his understanding that those dead zones were still there.

Vice Mayor Robertson asked if the replacement would fix those zones.

Kurt Plowman, IT Director, explained the system had been in place since 2011 and that there had been issues with coverage. He noted in May 2019 a consultant was hired to determine needs assessment and was expanded in August 2019.

- The next project is the Emergency Radio system which was moved back one year from an FY2021/22 implementation to a FY2022/23 implementation. More importantly, the City was able to obtain a clearly defined scope on the project which required a major increase in its placeholder amount of $800,000 moving to $4,000,000. The project will replace equipment which has reached the end of its useful life and will be compatible to surrounding localities. Bond monies will be required to fund this project.

Mr. Trayer stated slide 6 outlined the FY2021 plan modifications which included:

- The Police Station being moved from an FY2021/FY2022 implementation to FY2023 with the same placeholder amount.
- Reserve funding was cut in FY2021 for Fire Truck replacement, VDOT matching grants, and sidewalks projects. This was done to balance the revised FY2021 COVID Budget.
- The FY2021 reserve provisions for Middle River Regional Jail expansion and Emergency Radio replacement for $500,000 and $400,000 respectively, were transferred back to the General Fund in FY2020 to offset potential revenue losses due to the COVID 19 pandemic.

Mr. Claffey asked Mr. Trayer, for the reserve funding for projects suspended in FY2021 that didn't get spent, how many dollars was the City looking at to have available FY2022.

Mr. Trayer stated he did not have those reserve balances that were on the balance sheet with him at the meeting. He noted there were some fund balances out there. He stated he did know there was a $700,000 balance for sidewalks.

Vice Mayor Robertson asked if monies that weren't spent would be placed in some kind of fund where they earned some type of interest.

Mr. Trayer stated that was the responsibility of the City Treasurer and noted the funds were invested. He noted there were state guidelines of paths of investment with security reasons. He noted there were investment avenues that the Treasurer had used in order to safeguard the City's funds.

Ms. Mead asked Mr. Trayer if the objective of those funds was primarily preservation of capital as opposed to earning interest.

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Mr. Trayer stated they were preservation of capital. He noted the City Treasurer did invest a certain amount of the City's funds and noted there were ample reserves of cash flows.

Ms. Mead stated the more return that you get, the higher risk that you take. She noted when your objective is preservation of capital, the interest return was secondary.

Mr. Trayer stated slide 7 outlined FY2022's many modifications and included:

- Reduced provision for Middle River Regional Jail expansion from $500,000 to $200,000 which was done to assist the City in balancing its increasing CIP demands while allowing the City to pay for its share of design fees that are expected to be incurred in FY2022.
- A $300,000 provision was added for HVAC replacement at City Hall. The HVAC system in that building needs to be addressed as the system has been operating for 20 + years.
- $30,000 and $10,000 reserve funding for Self-Contained Breathing Apparatus and Cardiac Monitor replacements was added. The idea is that reserves would be built up so as to not disproportionally impact the City's budget every 5 years or so.
- The Telephone Replacement project had been moved to FY2021 due to obsolesce of the network switches, and increased the provision from $500,000 to $1,000,000 as the project scope was finalized.
- The Emergency Radio system provision was adjusted which increased from $400,000 to $2,000,000 (one half of revised estimated project)
- Two sidewalk projects were added - West Beverley Street to Grubert Street sidewalk scheduled for $50,000
- The other project is the Edgewood Road sidewalk project which has moved and is set to initiate in FY2024 and begin in FY2025.
- A Golf Cart provision of $200,000 was added to purchase 44 carts in anticipation of the Golf Course Committee's recommendation. This item was budgeted with the expectation of the Golf Committee's recommendation and staff chose to budget for it up front rather than scramble at later date to balance the budget if this item were to be added.
- The Firehouse provision of $4,500,000 was added to FY2024. Again, similar to the police station repositioning, this was moved due to the timing of other projects.

Mr. Holmes asked if the $200,000 for golf carts was pulled from somewhere else. Mr. Trayer stated the $200,000 was in some CIP reserves that was not designated. He stated money was taken from that. He noted it was thought initially that there was a potential parking plan in another part of the city that did not come to fruition and those funds were undesignated and pulled from those funds.

Mayor Oakes asked Mr. Trayer what was the reasoning behind the telephone replacement project from $500,000 to $1 million.

Mr. Trayer stated the scope of the project was finalized and once the network switch replacements were captured and the redundancies that needed to be built in, he noted it became a much larger scope. He stated in order to replace the telephone system, the network switches had to be replaced.

Mayor Oakes clarified that the City was trying to line up with VDOT's capital plan regarding the Edgewood Road sidewalk.

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Mr. Trayer stated that was correct.

Mr. Trayer stated slide 8 looked at FY2023 modifications which included:

- Adding the Police Station provision of $7,000,000 which was moved from FY2021 / FY2022 to FY2023
- Added $135,000 funding for the HVAC units which serve the Police Department
- Emergency Radio system provision of $2,000,000 was added. This the second half of revised projected cost.
- Added $30,000 and $10,000 reserve funding for Self-Contained Breathing Apparatus and Cardiac Monitor replacements
- NG911 Call handling equipment $160,000…it is recommended that the City update every 5 years or so with the equipment on a 6 to7 year cycle. IT had recommended the purchase of this equipment to occur in conjunction with the movement of the Police Station.
- For Schools, provision was added for School Warehouse acquisition / renovation $2,500,000
- Moved Telephone replacement from FY2023 to FY2021 as previously discussed

Ms. Mead asked Mr. Trayer to review the Emergency Radio System provision. She noted she understood Mr. Plowman to say that this was a joint radio system with Augusta County and Waynesboro. She clarified that $4 million was the City's part of that joint radio system.

Mr. Trayer stated that was the City's portion.

Ms. Mead asked how much would Augusta County and Waynesboro's portions be.

Mr. Trayer stated he did not know what their portions would be. He deferred to Mr. Plowman.

Mr. Plowman stated he believed Augusta County's portion would be approximately $12-13 million as it required more equipment and radios to purchase. He stated Waynesboro's portion was similar to Staunton's.

Ms. Darby asked Mr. Plowman how long had this been going on.

Mr. Plowman explained the system was put in place in 2011 and was only intended to last for 7 years.

Mr. Trayer stated slide 9 FY24 Modifications included:

- Added a Firehouse replacement placeholder of $4,500,000 which again, was moved from FY2023 to FY2024
- Added $30,000 and $10,000 reserve funding for Fire Equipment (Self -Contained Breathing Apparatus and Cardiac Monitor replacements)
- Zero-dollar placeholders were added for the three VDOT sidewalk projects referenced above. Cash expenditures are anticipated to begin in FY25.
- FY24 marks the beginning of the sidewalk projects on N. Augusta Street and Edgewood Road. No dollar amounts have been added as those projects are scheduled to be in the planning stage in this year.

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Mr. Trayer stated on slide 10, FY2025 Modifications included:

- Added $500,000 provision for Middle River Regional Jail Expansion
- Provisions for Fire Truck Replacement Reserves/Cardiac Monitors/ Self-Contained Breathing Apparatus were included
- Street and Sidewalk Reserves
- Maintenance, Greenways, Bike and Pedestrian Paths
- Montgomery Hall Park practice field lights have been added (There have been some inquiries as to moving this project to FY22 after guidance from Council)
- Budgeted Education reserves for Blue Ridge Community College and City Schools
- Added place holders for the Edgewood Road and the two N. Augusta Street sidewalk projects as cash outlays are expected to begin in FY25 in the amounts of $1.1M for Edgewood Road; $1.5M N. Augusta Street to Terry Street; and $1.1M for N. Augusta Street, Terry Street to Meadowbrook Road.

Vice Mayor Robertson asked what would happen to that money if the Middle River Regional Jail expansion was not done.

Mr. Trayer stated that would be up to City Council to decide.

Mr. Holmes asked Mr. Trayer if the Montgomery Hall Park field lights project could be moved up.

Mr. Trayer stated if that was what Council desired, he noted he would find a way.

Ms. Darby asked Mr. Trayer to talk more about the street and sidewalk reserves and what was already there.

Mr. Trayer stated there was $700,000 in sidewalk reserves. He noted there was no reserve funding in the brick sidewalk reserves. He noted he would provide more information to Council.

Mr. Claffey asked Mr. Trayer what criteria made the difference between waiting for VDOT to fund the sidewalk projects versus the City funding the sidewalks.

Mr. Trayer stated it was a matter of whether VDOT would fund the projects. He noted VDOT would take the lead on the projects and fund them. He noted there was a schedule in the six-year plan. He noted the City could move forward, but believed the City would be at risk of having to fund those projects 100% potentially. He stated he was unsure if VDOT would reimburse the City six years later, but noted he could inquire. He stated the reason that it was moved was to align it VDOT's funding.

Mr. Claffey asked if there was City money to fund a sidewalk project for Donaghe Street from Churchville Avenue to Lambert Street or was the City waiting on VDOT to make that decision.

Mr. Trayer stated he didn't see that was on the six-year plan. He stated perhaps the City could apply for VDOT funding. He stated he felt it would become more of an issue of how large of a

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project and whether the City could afford it. He noted currently there was $700,000 if Council chose to go forward.

Jeff Johnston, Director of Public Works, stated the reserve fund for sidewalks was a lot like other reserve funds. He noted it was set aside for that "rainy day" that wasn't seen coming. He noted the difference in what the City was doing and VDOT was doing in sidewalks was normally speed of response. He explained that Edgewood Road was initially a project for the City until VDOT picked up on it. He stated the reserve fund would help with the next flood, derecho, etc. He stated staff could talk to VDOT about the Donaghe Street project.

Mr. Trayer stated slide 11 finished with the General Fund CIP and a summary of VDOT's Six-Year Plan schedule. He noted this was the schedule that appeared on page 41 of the CIP. He noted that was at the recommendation of the Planning Commission.

Mr. Trayer stated slide 12 pertained to Unfunded and Unscheduled:
Unfunded and Unscheduled projects remained largely unchanged. Two modifications did occur and were as follows:

- Moved the West Beverley / Grubert Street sidewalk project to FY2022
- Will need to modify the scheduling of Edgewood Street sidewalk to line with VDOT's plan.

The scope of the Middle River Regional Jail expansion is scheduled to become clearer in the next 60 to 120 days. Current estimates were in the $1.7 million dollars range of additional expenses on an annual basis. Those amounts represented both operating and debt service costs and are amounts above the current Jail expense of $2.4 million.

Ms. Mead stated on page 4 of the CIP, it appeared that there was $106 million worth of projects that were not scheduled and not funded. She noted that they were projects that had been identified as being necessary to do, but had not been funded or scheduled. She clarified that approximately 70% of the total amounts for projects in the General Fund were not scheduled and not funded.

Mr. Trayer noted that would be a correct statement.

Mayor Oakers stated on page 8, added provision for the School Warehouse acquisition or renovation of $2.5 million, she clarified if that was for storage for the school system.

Mr. Trayer stated it was talking about storage, transportation maintenance areas, and a wide variety of options that the school needed. He noted it would include a warehouse and would include some transportation and mechanical areas as well.

On slide 12, Schools:
Overall the FY2021 CIP Plan equals $631,000 and includes:

- Annual funding of reserves for mechanical /roof / generator replacement of $100,000
- Parking expansion for Ware - $75,000
- Parking expansion for McSwain - $75,000
- Middle School CTE Cabinets / Appliances replacement- $16,000

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- Middle School Library Carpet - $15,000
- School Parking Lot Paving - $100,000
- $250,000 is added per year for work at Dixon Education Center to enhance CTE related programs for secondary education

- Reserves for School Bus, Maintenance Vehicles, IT Replacement, Furniture replacement was eliminated due to COVID reductions.
- The Tennis Court Project will be a part of the high school project and funded by high school bond interest proceeds.

Mr. Claffey questioned if final accounting for the high school project was over or under budget. He asked if there were any excess monies left.

Mr. Trayer stated the City was spending 100% of the $46 million budget. He stated staff would be going before Council for appropriation to true up on the interest revenue. He noted at that point was when Council would be able to officially approve or deny funding of the tennis courts with the additional interest money that was earned on the bond reserves. He stated there was approximately $1.7 million to draw down on that. He stated staff was working with architects to sign off on the retainage amounts. Mr. Trayer stated once everything was complete, that would be when the final retainage would be released and the final bond monies would be drawn out. Mr. Trayer stated the high school project did not go over budget and every cent was utilized.

Mr. Claffey asked Mr. Trayer when the true up should be expected.

Mr. Trayer stated it should be within approximately the next 60 days.

Slide 13:
FY2022 Education CIP Plan includes annual provisions for:

- Furniture - $25,000
- Maintenance Vehicles / Grounds Equipment - $50,000
- Mechanical / Roofs/ Generators - $100,000
- Paving of Parking Lots - $100,000
- Dixon Education Center CTE Improvements - $250,000
- School Warehouse Project of $300,000

Mr. Trayer stated provisions for bus replacement and IT equipment replacement had been waived in FY2022 in response to FY2021 funding.

Ms. Darby asked Mr. Trayer if any thought had been given to any need for additional signage at Staunton High School.

Dr. Garett Smith, School Superintendent, stated he felt all of the signs that were in the project were there. He noted the two large signs at the school were done as inexpensively as possible. He stated assistance had been received from the Maintenance Department as well as Matt Sensabaugh, City Horticulturist. Dr. Smith stated there weren't any plans for signage in the project.

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Ms. Mead asked Dr. Smith what was approximately the total cost of the signage for changing the name of the high school.

Dr. Smith stated that amount was $7,000.

Vice Mayor Robertson asked Mr. Trayer how often were monies left over or how often were monies needed to be added.

Mr. Trayer stated, absent of a project being bid out, the mark would be missed every time. He noted if the monies were spent, then it would stay in the fund balance and Council would decide at the end of the year how it might be appropriated the following year or if it would stay within the reserves itself.

Mr. Holmes asked if the school warehouse provision was to rent warehouse space now or was it to build a warehouse in the future.

Dr. Smith stated the School Board was looking for the opportunity to consolidate their operations. He noted the Maintenance Department was located in the basement at Shelburne Middle School and the bus lot was located at Public Works. He noted the conditions weren't ideal; therefore, they were looking to consolidate their operations. Dr. Smith stated they were considering all options and find the one that would be the most cost efficient for taxpayers and still met the needs of the school division. Discussion ensued regarding plans for consolidation of the transportation department and school nutrition services.

Ms. Darby asked Dr. Smith if staff would be capable of helping with the consolidation project.

Dr. Smith stated staff consisted of very skilled tradesmen and could perform a lot of the work themselves.

Slide 14:
Mr. Trayer stated Funding Reserves remained constant throughout FY2023- FY2025 with the exception of Dixon Reserve Funding in FY2024 which would go towards the Middle School CTE improvements.

Singular non-recurring projects totaling $6,681,000 are included as follows:

- Parking Extension – McSwain	$75,000	FY2021
- Parking Extension – Weller	$75,000	FY2021
- School Warehouse	$2,800,000	FY2022 and FY2023
- Shelburne CTE Renovations	$2,500,000	FY2024
- Shelburne Student Meeting	$1,200,000	FY2024
- Shelburne CTE Equip/Library	$31,000	FY2022
Total Non-Recurring	$6,681,000	

Mr. Trayer stated one major project remained unfunded and unscheduled - $15,000,000 for the renovation of Dixon Education Center. He stated there was a heavy emphasis on Shelburne Middle School.

Mr. Claffey asked for clarification of the project at Dixon Education Center.

Dr. Smith stated that cost was really just a placeholder in looking towards the future. He noted the plan was to keep the school functional in case additional classroom space would be added. He stated school enrollment was expected to increase as a result of the high school construction. Discussion ensued regarding renovation costs to the school's roof, gymnasium, classroom space, heating and HVAC systems as well as changes in food service.

Mayor Oakes asked for clarification regarding the $1.2 million costs for Shelburne Middle School.

Dr. Smith stated the architect for the high school project had been under contract and other services could be requested while they were still under contract. He noted they reviewed possible improvements of indoor and outdoor learning spaces. He stated one of the big issues was of the maintenance department being in the basement at the school. He noted it would be hard to move forward until a solution was found regarding that proposed project. Dr. Smith provided details and goals of the Career Pathways program.

Stormwater:
Mr. Trayer stated changes to the stormwater projects may be greatly impacted by recommendations from the Flood Study that was initiated earlier in the fiscal year and was scheduled for completion in early 2021. As of now, those projects have been pushed back one year and would regroup once the study was received.

FY2021

- Added Flood Study at a cost $78,000 with Wiley Wilson Engineers
- The Gypsy Hill Stream Renovation was moved to FY2022 pending recommendations from the Storm Water Study

Mr. Trayer stated all other projects had been moved back one year until results of the stormwater study were received.

Unfunded / Unscheduled Remains unchanged

Ms. Mead stated she wanted to point out that there was $24 million worth of projects identified in the Stormwater Fund and 83% were currently not scheduled for funding.

Water Fund:

Mr. Trayer stated changes to the Water Fund included:

FY2021

- Adding the Shutterlee Mill Tank painting and repair project - $250,000. The project became a priority after inspections indicated immediate preventative maintenance was necessary to maintain the tank.
- The Clear Well tank repair at the Water Treatment Plant was added for an estimated $1.5 million. The project was added as some leaks were detected at the Clear Water Tank and work would begin in the Spring as temperature reach a level which allow for tank repairs to be performed.

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FY2022

- Added Water Line repair provision of $400,000
- Removed Ground Water Source Evaluation of $245,000 as this was deemed unnecessary at that time given the two main initiatives of Gardner Springs and the North River Pipeline.

FY2023

- Removed Ground Water Source Evaluation of $225,000

FY2024

- Added Richmond Avenue Waterline upgrade - $2,200,000 The project was added in anticipation of the sale and development of the Staunton Crossing property.

FY2025

- Added Water Line repair provision of $400,000

Unscheduled / Unfunded Projects remained unchanged except for the scheduling of Richmond Avenue upgrade in FY2024.

Ms. Mead asked Mr. Johnston to explain what was a groundwater source evaluation.

Vice Mayor Robertson asked where did the Richmond Avenue water line upgrade transverse and would it mean a major disruption for those businesses.

Mr. Johnston stated the line currently ran down Richmond Avenue. He noted if a large water demand was incurred at Staunton Crossing, the options would be to install a larger line or to keep that same line but put a tank out in that area. He noted even if a larger line wasn't needed, the increased water velocity to those lines would probably need to be replaced with the same size line. He stated a lot of that would be driven by what happened at Staunton Crossing. Discussion ensued.

Mr. Holmes asked if the pump was still going to be raised up at Gardner Spring due to being in a flood plain.

Mr. Johnston stated the Gardner Spring pump house would be raised up out of the flood plain and also lock the pump well itself down. He noted that would be done next year.

Mr. Holmes asked Mr. Trayer if a bond would be required for the North River pipeline.

Mr. Trayer stated a bond revenue would be required. He explained those two projects could potentially be done together.

Mr. Johnston stated the Gardner Spring project was in front of the North River pipeline project for a reason.

Sewer Fund:

Mr. Trayer stated changes to the Sewer Fund CIP included:

FY2021

- Moved $150,000 from FY2022 to replace 440 linear feet of sewer line from Reservoir Street to Somerson Street.

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- $150,000 was spent to replace 410 linear feet of deteriorated sewer line alone E. Beverley Street (Completed)

FY2022

- The Commerce Road Sewer Line survey and design of $100,000 remained as previously planned.
- Manhole replacement reserves had been removed as Public Works feels like the City was stabilized in that area.

FY2023

- No changes, the Commerce Road Sewer Line Phase 2 replacement funding $450,000 remained as previously planned.

FY2024

- No changes to FY2024, the Commerce Road Sewer Line Phase 2 replacement funding $450,000 remained as previously planned.

FY2025

- Added preliminary engineering and design work for the Lewis Creek Sewer line of $100,000 and $300,000 respectively (Phase 3 and 4 former Commerce Road)

Unfunded / Unscheduled – Moved Phase 3 and 4 Preliminary Engineering and Design Work for Lewis Street Sewer upgrade to FY2025. All other projects remained unchanged.

Parking Fund:

Mr. Trayer stated the Parking implementation projects access had been delayed significantly for multiple reasons. Primarily, the credit card merchant processor selection, took longer than anticipated as compatibility issues with the current software was worked out. This had to be done prior to the selection of automated parking equipment to ensure compatibility with our merchant processor. Secondly, the COVID 19 shut downs further complicated things, particularly from a cash flow basis. The third reason was turnover in the Public Works area which slowed the progress of that project.

Mr. Trayer stated the Parking CIP Projects had been handled in much the same way as the Stormwater projects and had been moved back one year. The New Street Garage access equipment was anticipated within the next 90 days.

Changes to the Parking Fund CIP Included:

FY2021

- Moved New Street lot access and control equipment from FY2020 - $250,000
- Moved License Scanner for parking enforcement to FY2022

All other projects have been pushed back one year.

Ms. Mead questioned Mr. Trayer if there were ongoing revenue operation impacts relating to access and the controlled impacts of making those investments.

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Mr. Trayer stated once New Street garage equipment was installed and revenue was being captured with an upgraded system, that additional cash flow would be achieved. He noted it would need to be installed in order to ascertain how much of an impact that would be.

Ms. Mead questioned if staff would be able to be reduced once those parking lot access controls were installed.

Mr. Trayer stated he thought there was potential for that.

Vice Mayor Robertson asked where the City was in repairing the flood damage done to the Johnson Street parking garage.

Mr. Johnston stated that contract had been awarded and a pre-construction conference would be scheduled in the next week to 10 days.

Mr. Holmes asked if there was any income coming in from the parking lots.

Mr. Johnston stated income was being collected. He stated it could be described as "operationally solvent".

Ms. Mead asked how much of the Johnston Street parking garage repairs were covered by insurance and how much would be coming out of the City's pocket.

Mr. Trayer stated the Johnson Street garage repairs would be covered 100% by insurance.

Mr. Rosenberg stated there were daily customers at the parking facilities as well as monthly customers. He noted the monthly revenue was unchanged regardless of the status of the access control equipment in any one of the three parking facilities.

Mayor Oakes asked if Council members had any further questions.

Ms. Darby asked how long had the HVAC replacement project for City Hall been in the CIP.

Mr. Trayer stated that was a new addition. He noted significant maintenance and capability problems had started due to its age. He stated that was added in this year as it became apparent that the system needed to be addressed. He noted that system was 20-21 years old.

Mr. Johnston stated the average lifespan would be 10 years as well as changes in technology.

Mr. Rosenberg stated the CIP was on both the work session and regular meeting agendas on February 11, 2021 for Council's consideration.

Vice Mayor Robertson thanked staff for their preparation of the CIP.

Mr. Holmes asked if funding could be added for the Grubert Street area due to flooding issues.

Mr. Rosenberg stated staff could review that issue and provide further information to Council.

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ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:54 p.m.

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Suzanne F. Simmons
Clerk of Council

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City Council
WORK SESSION
February 11, 2021
5:00 p.m.

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

Mayor Oakes called the meeting to order: Mayor Oakes called the meeting of Staunton City Council to order. Mayer Oakes noted that the meeting was 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 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:

Mayor Oakes	aye	Ms. Mead	aye
Vice Mayor Robertson	aye	Mr. Claffey	aye
Mr. Holmes	aye	Ms. Darby	aye
Ms. Dull	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 Mead, Dull, and Holmes were participating on the Zoom platform. He stated he was also participating on the Zoom platform as was Assistant City Manager, Leslie Beauregard, the Clerk of Council, Faith Simmons, and Interim City Attorney, Andrew McRoberts. He noted several individuals affiliated with Staunton City Schools were also participating during the work session on the Zoom platform including Amy Wratchford, Bob Boyle, Natasha McCurdy, and Christine Poulson. Additional City staff members participating on Zoom included James Corbett and Chris Tuttle.

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

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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. 2021-04."

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.

Vice Mayor Robertson moved to approve the Work Session agenda and the Regular Meeting agenda as presented.

The motion was seconded by Ms. Darby 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. Joint Budget Work Session with Staunton School Board

Mr. Rosenberg stated this item was on Council's agenda annually as an event on the front end of the budget development process that brought City Council and the School Board together to discuss general items of mutual interest, such as capital improvement projects or current legislative issues. He noted School staff, as well as, School Superintendent, Dr. Garett Smith, had prepared a presentation to share with Council members.

Chairman Kenneth Venable called the Staunton City School Board to order. He turned the meeting over to Dr. Smith.

Dr. Smith's presentation highlighted milestones of the Staunton High School project. He noted the project was generally completed and was on schedule and on budget. The School's Nutrition Department had provided more than 383,000 free meals over the past 10 months. High school staff had received their first Covid-19 vaccinations. Dr. Smith stated, in partnership with Virginia Center for Inclusive Communities, the first ever Community Equity Committee had been formed comprised of students, staff, and citizens. He stated the city had been named a School Division of Innovation by the state.

Dr. Smith stated strategic initiatives in the budget included competitive living wages for all employees, having all students reading at grade level by the end of 2nd grade, expanding the pre-school program, restore the elementary school Fine Arts program, debit/credit card payment system, and continue to establish career pathways at the middle school. Dr. Smith stated the School Board wanted to consolidate Maintenance and Transportation departments into one facility. He noted the architect had conducted a site study at Shelburne reflecting upgraded modern modernized indoor outdoor learning spaces there.

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Brad Wegner, Staunton City Schools Budget Director, spoke on issues regarding significant cuts in revenues since the onset of the pandemic. He stated the proposal now was to restore those cuts to where they were in FY2020. In terms of local funding, that meant appropriating $13.85 million from the City of Staunton. He noted there was a significant increase in summer school enrollment to make up for learning losses that occurred over the current year. Mr. Wegner stated there was an additional pre-school class being added as well as growth in the English as a Second Language program. He reviewed current projections for revenue, but noted it would change.

Mr. Wegner stated expenditures included raises, payroll adjustments, new positions, stipends, restoration of non-compensation budget cuts, new funding not previously budgeted, and a health insurance increase. He noted in some cases, they'd been able to access some federal CARES Act funding to pay towards some of their budget requests.

Dr. Smith stated they were proposing a 3% general pay raise for employees for a total of $670,000. He noted last year teachers did not get the monetary step increase. He noted the governor's budget currently contained a 2% bonus for SOQ (Standards of Quality) funded positions. He stated they were proposing an additional 2% raise on top of the 3% for bus drivers, maintenance team, and cafeteria staff as well as increase the minimum wage to at least $11 an hour. Regarding entitled payroll adjustments, Dr. Smith stated they wanted to add a quarter of an hour or 15 minutes to elementary middle school instructional assistance schedules to facilitate bus loading and unloading, normalize salaries for 61 tenured years instructional assistants with approximately 20 years of service, have six individual salary salary contract changes, and increase access to interpreters due to growth in the ESL population.

Mr. Wegner then explained a new system implemented this year to prioritize their budget requests, non-compensation expenses, and budget priorities including utilities' costs and fuel prices. He stated Staunton was only one of two districts in the region that didn't pay a stipend to School Board members. He noted they had reduced their contracted subs budget and a variety of other items.

Ms. Mead asked what were contracted subs and what was included in that.

Mr. Wegner stated contracted subs were substitute teachers that were brought into the school when there were teacher absences.

Ms. Mead asked if they were expecting to need fewer of those contracted subs.

Dr. Smith stated when the cuts were made, it was such a drastic change for the teachers to become experts at being virtual teachers. He noted last year it was the main goal not to cut anybody. He noted cuts involved most of their substitute budget and teachers have had to cover for each other. He noted it was hard to find a single substitute who would have the skill set to replace a teacher on any given day.

Vice Mayor Robertson stated there were certain places where the School Board was asking for increases in budget and asked what was budgeted last year. He asked if the money not spent was still sitting there and could be moved over to pay for a part of the increase.

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Mr. Wegner stated carryover funds from this fiscal year would go into their reserve in order to balance the budget. He noted a budget amendment would be needed to put those funds into their operating budget.

Mr. Claffey asked how many reserve funds were left from FY2020.

Mr. Wegner stated the current reserve was $900,000. He noted they got the balance to budget $200,000. He stated everything was in flux until they got a final budget template from the state and figure out what the appropriation was from the City, and ultimately, what the what the federal budget was going to look like. He stated the next joint work session would be April 8, 2021.

Mr. Claffey asked what fiscal year fund controlled the money that went into summer school

Dr. Smith explained how the state allowed per pupil funds for students served in summer school. Discussion ensued regarding the summer school program and possible options.

Ms. Dull questioned if the Governor was going to put money in the budget to make sure schools were not harmed if they lost students.

Dr. Smith stated it appeared that school divisions in Virginia would be held harmless for enrollment loss due to the pandemic and would get a break for one year.

Ms. Dull asked if the School Board had started looking at solar panels for the schools. She noted there were some attractive opportunities and could help with the fuel costs.

Dr. Smith stated they had done some research on solar panels and had some initial conversations, but hadn't moved forward any further than that yet. He noted they very open to exploring those options.

Mayor Oakes stated it was her belief that the School Board should receive a stipend and it was unfortunate that it was going to be removed from the budget. She noted it was mentioned that the School Board could not vote to give themselves a stipend. She stated she was under the impression during the reorganization meeting that it could be brought up and voted on.

Dr. Smith stated it was his understanding that if the current current school board voted next year to have a stipend, then when they got to their next round of elections, only the newly elected board members would get the stipend to start, and it would have to go through one more cycle, or we got there.

Mayor Oakes asked Dr. Smith to comment on the operations of a consolidation of facilities within the school system as far as storage, or cold food storage, and buses.

Dr. Smith stated he had recently made a presentation with the Economic Development Authority outlining their needs. He stated the maintenance department had been located in the basement of Shelburne Middle School for 50 years and was very cramped and crowded. He noted sometimes the fumes from vehicles being worked on would sometimes drift up into the classrooms above

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causing teachers and students to evacuate their classrooms for a period of time. He noted they would like to recapture those learning spaces for the students. In order to move forward with some of the plans that are reflected in their CIP, the maintenance department would need to get out of the basement and find them a place to work. Dr. Smith stated the bus garage was not a garage at all, it was just a gravel parking lot requiring mechanics to work on buses in the outside.

Dr. Smith stated what they were asking of City Council was for the opportunity to consolidate their operations facility. He noted they wanted prove to Council that we could deliver again, on budget and on time, and at the lowest cost for taxpayers.

Ms. Dull stated there were a number of vacant properties on the West End that might have facilities that could be renovated or rebuilt and could increase traffic to the West End, and it might be cheaper.

Dr, Smith stated they had looked at several options, but hadn't discovered one that would be close to being cheaper than the solution that they focused on originally. He noted they were still open to any and all solutions. He stated it would be much more functional to have it in one place and were ready to mobilize right now to get the opportunity.

Mayor Oakes and Council members thanked Dr. Smith, Mr. Wegner, and School Board members for participating in the joint work session.

Mr. Venable stated he would like to comment that the School Board was trying to consolidate to one functional facility and was looking at everything, trying to find the best solution. He noted the site should have all of the solutions in once facility. He stated they were trying to be as efficient and cost wise to do that and one sale at one facility could do that. Mr. Venable stated it was not expensive for the City. He noted if they had to go out and look at buying land and to pull all at the end, it was really going to cost a lot more money.

Mr. Venable adjourned the Staunton City School Board at 5:55 p.m.

3. <u>Presentation by Valley Community Services Board</u>

Leslie Beauregard, Assistant City Manager, stated Dr. Kimberley McClanahan, Executive Director of Valley Community Services Board (VCSB), was participating on Zoom. She noted this was a follow-up on her presentation from the work session meeting on December 10, 2020. She stated Dr. McClanahan was returning to speak more about the crisis stabilization program at the CSB and the benefits of a local community crisis center. Joining her was Board Chair, Mr. Dan Sullivan.

Dr. McClanahan stated in December she spoke about crisis stabilization units and noted there wasn't one in the area. She noted a lot of emergency services were done at VCSB in terms of detention orders and emergency orders at Augusta Health. In 2017, she noted there were 3 entities – Augusta Health, Central Shenandoah Health District, and VCSB – engaged with a national company to look at the continuum of care in the surrounding areas. She noted without a proper continuum of care, people with behavioral health and addiction issues would be hospitalized more and in jail more, and would be in jail more. She stated there was a real need for a crisis stabilization unit in the area. She noted there were two units within 50 miles of the area – Harrisonburg and Charlottesville.

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Dr. McClanahan stated CAPSAW did some studies and found that mental health services was the single most important issue. Augusta Health commissioned a needs assessment and found that mental health and substance abuse ranked #2 and #3 as top ranked problems. She noted resources were needed to fund those in order to keep people out of the Emergency Room, the hospital, and were more likely to get back into the community sooner and less likely to end up in jail as well as save money. She stated a proposal had been made in the past to have a 16-bed unit with a five to seven day stay near Augusta Health. At that time, it was anticipated that first year expenses would be approximately $2 million, a little bit over, that included non-personnel expenses and personnel costs, it did not include the cost of a building. MTM also anticipated revenue, to almost breakeven that first year. Dr. McClanahan stated it was assumed that the state would be paying about $1.6 million of that, but noted she did not see that happening. She stated adult and child crisis units were very useful, but it depended on how you work them. She noted they are hard to sustain financially. She stated Virginia was in the last mental health America poll that was done ranked 26 overall, among the states in terms of mental health. She noted Virginia was 47th among states in adults with a mental illness who reported they were not able to get the treatment that they needed.

Mayor Oakes asked if Council had any questions or comments.

Mayor Oakes thanked Dr. McClanahan for everything that VCSB was doing to help the community.

Ms. Mead wanted to say that as Council considered the issue of the expansion of Middle River Regional Jail, not expanding the jail would not solve the community issues, like mental health issues, and Council needed to address those issues. She stated it was very expensive for us to put folks in the Jail who are in need of mental health, for any length of time. She stated it increased recidivism, and, and they don't get the kind of care that they need to be back outside in the community in a healthy way. Ms. Mead stated the crisis stabilization unit may be one of those solutions to the problem of overcrowding in our jail. She stated she didn't think they were going to get off scot-free on this issue of jail expansion. She noted if they can't just say no, they would have to figure out how to deal with the underlying issues in the community and that's going to mean Council would need to consider spending some money.

Dr. McClanahan stated currently VCSB had three therapists and a case worker that worked in the Jail. She noted they would certainly agree that was not the place for many folks with mental health issues, needing to be in a place where they can get those needs met in a better fashion, either as a step up from the community or the Jail, or step down from the hospital to really get stabilized and then back in community. The other thing was that many times even when people are coming out of the hospital, they would have to have someplace to go. She noted that brought up the issue of housing and a stable community living place. Dr. McClanahan stated she felt they needed to spend money on the behavioral health of our citizens.

Mayor Oakes stated focus was needed before and during, and even after any sort of incarceration. She noted she wanted to make sure that all citizens receive the treatment that they so deserved.

Council members did not have any further questions.

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4. Discussion of the Proposed Capital Improvement Plan FY2021-FY2025

Phil Trayer, Chief Finance Officer, stated this item was for a final review of the FY2021-FY2025 Capital Improvement Plan (CIP). He noted this year's five-year plan, both scheduled and unscheduled, equaled $254,413,000 and was introduced at the January 14 2021 meeting followed by a February 4 2021 Special Called meeting to further review the plan. He noted the School Board approved their side on January 11, 2021. The Planning Commission conducted a public hearing on January 21, 2021, which was properly advertised, and recommended approval of the plan afterwards.

Mr. Trayer stated Schedule CIP equaled 83,074,000. The breakout included:

- General Fund - $46,196,000
- School Fund - $9,356,000
- Water Fund - $19,805,000
- Sewer Fund - $1,805,000
- Stormwater Fund - $4,223,000
- Parking Fund - $1,688,000

Mr. Trayer stated slide 3 provided a breakout of the Unscheduled and Unfunded projects that was referenced at the meeting on February 4, 2021. He stated the Unscheduled portion of the CIP equaled $171,339,000. Breakout included:

- General Fund $106,724,000
- School Fund - $15,000,000
- Water Fund- $25,620,000
- Sewer Fund - $4,035,000
- Stormwater Fund - $19,959,000
- Parking Fund - $0

Mr. Trayer stated although this portion of the plan was called Unfunded and Unscheduled, the CIP was actually planned in that only the items that appeared in FY21 and FY22 would actually be funded within the FY21-FY22 fiscal years. Other scheduled projects in the outer years of FY23 to FY25 were reality placeholders in planned projects with planned sources of funding. In other words, the City did not have $46 million in cash sitting in a CIP account waiting to be drawn down.

Mr. Trayer stated slide 4 summarized projects and plan funding sources. Plan funding sources and that slide were color coded as follows:

- Orange represented budget transfers for the General Fund to the CIP fund to cover high dollar equipment replacement, maintenance repairs, sidewalks VDOT matching etc.
- Purple represented carry over budget amendments to fund a combine one-time projects as well as reserves for Greenway and bike path projects. The Middle River Regional Jail was also on that list as a placeholder to offset operational impact of potential expense increases. The plan under that scenario would apply carryover funds to the Jail first to mitigate operational budget impacts.

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- Green was projects funded via the issuance of debt. It included emergency radio, Police station, Fire station and School warehouse projects.
- Red was projects funded by VDOT.
- Yellow - the telephone project -. network switches telephone projects had been funded via FY21 budget amendment that was approved in December 2020.
- Blue will be funded via FY22 budget amendment which will occur in the second quarter of FY 22.
- Gray - funded via current CIP reserves.

Mr. Trayer stated slide 5 looked at the appropriation status of the FY21 Project/ Reserves in the case of FY20-FY21. He noted everything had been appropriated by Council already. Most of the projects in Reserves were appropriated the FY20 Budget Amendment, which appropriated FY2019's carryover. The total in that area was $725,000. The Courthouse roof replacement was appropriated via two different sources, the first being the above referenced FY2020 Budget Amendment for $150,000. The second from Reserves, which were built up in the Public Works maintenance line of $200,000. The most recent addition again was the network phone project for $1 million that was approved in December.

Mr. Trayer stated slide 6 looked at FY22 funding status. As a practice Staunton had budgeted General Fund monies to fund reserve to address high-cost items including reserves for fire equipment, sidewalk projects, Public Works items and education funding. He noted those items were expensed via a General Fund transfer and would be included in FY22 budget and would be appropriated at the time the budget was approved. The Emergency Radio project of $1.6 million as part of the $4 million project. He stated $400,000 was appropriated via Budget Amendment Number Four in December 2020. He stated the balance would need to be appropriated at the time Council considers debt issuance. Street Reserves - traffic control equipment and are scheduled for appropriations during FY22 via carryover budget amendment to occur again in the second quarter of FY22.

Mr. Trayer stated slide 7 showed projects in Reserves which are fully appropriated. He stated those projects could proceed if Council approved the plan as presented. He noted the first section was a mixture of Reserves and projects and was appropriated via Budget Amendment Number Four in December 2020. He noted those were mostly reserved provisions, but did include HVAC funding as well as Planning inspection software. VDOT funded projects of $1.4 million. Mr. Trayer stated the last section included $250,000 in projects, which included the W. Beverley Street/Grubert Street sidewalk project and golf carts. Funding for both projects were from previously appropriated CIP funds - one from sidewalk project line and the other from unassigned CIP funds. He noted both would be in a position to proceed if Council approves the CIP at tonight's meeting.

Mr. Trayer stated on slide 8, there was a question last week concerning the status of Reserves. Slide 8 showed the current status of Reserves which are funded annually through the CIP process. He stated the fire truck reserve was in a negative status, but that it was expected that to be significantly mitigated by the sale the old ladder truck as well as FY 22 Reserve funding. Reserve balances included the firetruck minus $801,000, VDOT matching $321,000, sidewalks $700,000, Public Works equipment $217,000, Public Works building fund $143,000, Street projects $85,000, control equipment $214,000, Bike and Pedestrian projects $125,000, Greenway projects $400,000, and Regional Jail reserves $319,000.

Mayor Oakes asked if Council had any questions or comments.

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Council members did not have any questions.

This will be Item B on the Regular meeting agenda.

5. Discussion of Proposed FY2022 Holiday Schedule

Jon Venn, Chief Human Resources Officer, stated the City of Staunton observed 10 paid holidays annually, plus other holidays designated by City Council (Personnel Policy 5.3). He stated for FY2022, staff was recommending the 10 paid holidays listed below plus adding Monday, June 20, 2022 in recognition of Juneteenth holiday. Mr. Venn stated as the briefing indicated in regards to the addition of Juneteenth day, at the General Assembly's 2020 Special Session, a bill was enacted by the Assembly and subsequently approved by the Governor, establishing Juneteenth as an official legal state holiday.

1. Observe the following 10 holidays:

Holiday	**Date Observed**
Independence Day	Monday, July 5, 2021
Labor Day	Monday, September 6, 2021
Thanksgiving Day	Thursday, November 25, 2021
Day After Thanksgiving	Friday, November 26, 2021
Christmas Day	Friday, December 24, 2021
New Year's Day	Friday, December 31, 2021
Martin Luther King, Jr. Day	Monday, January 17, 2022
Presidents' Day	Monday, February 21, 2022
Memorial Day	Monday, May 30, 2022
Personal Holiday*	Discretionary
Additional holiday if granted by City Council: Juneteenth	Monday, June 20, 2022
*Must be on payroll July 1, 2021 to receive the personal holiday.	

Mayor Oakes asked if Council had any questions or comments.

Mr. Claffey asked approximately how much did each added holiday cost the City.

Mr. Venn stated he would need to speak with Mr. Trayer regarding that information.

Vice Mayor Robertson clarified that Juneteenth was being added, but on the other hand was taking away possibly one of the additional days during Christmas.

Mr. Venn stated Christmas was falling on Saturday this year. In that case, the Friday before Christmas and New Year's Day would be recognized. He noted a similar scenario occurred in 2010. He noted the same schedule that staff was proposing was approved by Council in 2010. He noted Council could approve two additional days allowing City staff to be off the Friday preceding the holiday as well as the Monday following that holiday.

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Mayor Oakes stated the proposed holiday calendar included the same number of days being given as the past holiday calendar. She asked Mr. Rosenberg if that was correct regarding the same number of days.

Mr. Rosenberg stated he thought that was correct. He stated the important thing there was that there was variability every year. Regarding Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day, he stated it was to be consistent across the years of how those four days were handled and look back to see how they were treated when those holidays fell on the same day of the week in a prior year. He noted there was always variability in the total number of holidays. He noted it could range from 10-12 in any given year depending upon how the Christmas and New Year's holidays fell.

Mr. Venn clarified what was being proposed was the exact same holiday schedule as in 2010 except adding Juneteenth, which would be 11 paid holidays. He noted in 2016, there were 12 paid holidays when Christmas and New Year's fell on a Sunday. Discussion ensued regarding the total number of days with 10 days being the lowest amount given.

Mr. Venn stated in the policy there were 10 set paid holidays. He noted Council could deviate or add any additional holidays. He stated if Council ended up approving Juneteenth, as the briefing indicated, staff could at some point in the future come to Council and add that to that to the Personnel Policy manual. Mr. Venn stated he did not have the exact cost, but would obtain that information. Discussion ensued regarding what was presented – 11 paid holidays.

Ms. Mead asked for clarification on what Council members were agreement on.

Mr. Rosenberg stated during the regular meeting, if it was the desire of Council to include Juneteenth on the holiday day schedule, that the suggested motion contained specific language that referenced that holiday and that the maker of that motion should include that language in the motion.

Council members did not have any further questions.

This will be Item C on the Regular meeting agenda.

6. <u>Discussion of Uncodified Emergency Ordinance Regarding Additional Conditions for Use of Electronic Communications in Meetings of City Public Bodies</u>

Mr. Rosenberg, stated this item was for a deferral from the meeting on January 28, 2021. He stated it was for a proposed ordinance that addressed a couple of issues that came up on January 14, 2021 when Council last considered an extension of the Continuity of Government ordinance. He noted that ordinance was extended with the electronic communications procedures extended through April 9, 2021. As Council considered that extension, he noted there were two issues that were raised in the discussions. Mr. Rosenberg stated one of those issues concerned a requirement that Council members participating in meetings on the electronic communications platform use the video feature on the platform during the course of the meeting. He stated that issue was addressed in the draft ordinance that is before Council at tonight's meeting. He stated the second issue that was raised in the discussion on January 14, 2021 was a requirement that Council members who are not members of the Nominations Committee be accommodated in their attendance of Nominations Committee meetings by electronic communications platform. Mr. Rosenberg stated

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that also was addressed in the draft ordinance. He noted Andrew McRoberts, the City's Interim Attorney, was on Zoom and was prepared to both practical and legal questions that Council members may have concerning either of those issues. Mr. Rosenberg stated that could be done during the work session or it could also be done during the closed meeting toward the end of the regular meeting, which whichever council preferred.

Mayor Oakes asked Council members if they desired having a conversation with Mr. McRoberts now or in the closed meeting.

Council members were in agreement to hold a discussion during the work session.

Ms. Mead stated she'd sent to Mr. McRoberts several questions and wondered if he would respond to those at that time. She stated one of the questions was whether or not the Nominations Committee could limit the number of City Council members who wished to attend a Nominations Committee meeting.

Mr. McRoberts stated he thought the answer to that was answered by the Freedom of Information Act. He noted in all cases, members of the governing body should be permitted to observe meetings of their committees, including the Nominations Committee. He stated Ms. Mead certainly had the right to attend and observe. Mr. McRoberts stated the question really became what sort of form did that attendance and observation take. He stated that he wasn't there when the dispute arose, but it was his understanding was there is a dispute over whether or not the Nominations Committee can conduct certain operations using Zoom, such as including interviewing potential nominees, and then exclude members of Council that wished to attend also by Zoom.

Mr. McRoberts stated he'd looked in the Freedom of Information Act, and the Continuity of Government ordinance, as well as talked to the executive director at the Freedom of Information Act Advisory Council. He stated he had not found anything where it was mandated by law to allow that attendance or observation which was otherwise mandated to be by Zoom even if Zoom access was allowed by others. Mr. McRoberts stated the general rule under the Freedom of Information Act was that if a body met and could lawfully enter closed session, they can decide for themselves who is necessary or appropriate to be in their closed session. He noted that included presumably discrimination amongst members of the Council. That being said, he stated he really didn't recommend it. He noted the reason that he didn't recommend it was that any time a public body was taking an act, and they're treating people differently, it could raise concerns about potential discrimination. It could raise issues under the ADA, under various other types of prohibitions against discrimination, it could raise even potentially First Amendment issues. Mr. McRoberts stated for that reason, and given the fact also, from his observation, it's inexpensive to free, to let Council members attend Zoom if other members of Council are attending Zoom, or nominees were attending by Zoom. Mr. McRoberts stated his advice was, even though there's no mandate to do it, and it's certainly up to the public body's choice, what they do, as your lawyer, his job was to advise you to act in ways that avoided legal disputes, and avoided potential litigation. He stated he was saying two things. One was, he didn't think there was any prohibition against the

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sort of Zoom discrimination that he'd learned about there, but that didn't mean that it couldn't go on and couldn't say it was illegal. Mr. McRoberts stated he did not recommend it because anytime that you have potential sort of issues like that it could potentially cause legal issues and potential litigation. He stated he wouldn't advise that, especially when was so easy to avoid it.

Mr. Claffey thanked Mr. McRoberts for that answer. He stated he'd been actively seeking the answer to that question for a while. He asked Mr. McRoberts to explain the difference with the Economic Development Authority (EDA). He stated he was well aware that the Mayor was asked not to attend a closed session of the EDA. He stated he was at a loss as to why Mr. McRoberts would do it for the EDA.

Mr. McRoberts stated first of all, there was no legal reason under the Continuity of Government ordinance and the FOIA itself, that a public body couldn't include or exclude whomever they wish, if that body discerned sides that certain people are desired, and they're meeting and other people are not. He stated, in the end, the whole reason behind a closed meeting was the public body can have a closed meeting without people they don't wish to be in there to be participating or observing. Mr. McRoberts stated the difference between the EDA and the Council's Nominations Committee, was the EDA was not a committee of the Staunton Council. Unlike the Nominations Committee, that was a committee of the Council appointed by the Council, and in fact, exercised delegated duties and advised the Council, the EDA was an independent authority set up by statute, its duties are set up by statute, and while it may informally give advice to Council from time to time, statutorily that's not part of its assigned duties. He stated its assigned duties were those that were set forth in the statute regarding Economic Development Authority. He stated even though Council appoints it, it is not a committee or other body set up by Councill to advise or carry out delegated duties of Council. Mr. McRoberts stated it was just fundamentally a different type of beast. Because of that, then the requirement under Virginia code 2.2 3712 F, which was the requirement for public bodies must require to permit members of Council to attend their committees didn't apply to the EDA. He stated there was no mandate under the law for Council members to be able to attend the EDA meetings or the EDA closed sessions. Mr. McRoberts stated the bottom line was that the EDA was not a committee of the Council so Council members are not mandated to be able to attend. He noted the EDA certainly in their closed sessions didn't have to allow any Council member at all and if it chose to allow a Council member then that was at the discretion of the EDA.

Vice Mayor Robertson asked Mr. McRoberts if it was true that at such time when Council decides to end the uncodified emergency then that would therefore end the Zoom meetings.

Mr. McRoberts stated it might end them as a routine course and that would revert back to the standard language under FOIA, which allowed electronic participation under a policy elected by the public body under certain circumstances, including, health and emergency, or a personal issue, he believed, up to once or twice a year. He noted there would still be some allowance for members of the public body to attend but there was certainly nothing in there that prohibited participation by either people outside that public body or members of the public electronically if the public body wished to allow that.

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Ms. Darby asked Mr. McRoberts for his legal opinion were he to advise Council regarding Zoom use for the Nominations Committee and whether all boards and commissions should be consistent in regards to meeting in person, meeting in a hybrid format and meeting entirely via Zoom.

Mr. McRoberts stated it was certainly important to be consistent. He noted one thing to remember is that the Council, of course, in the end was in charge of its committees. He stated if Council wished to adopt a policy to apply across the board, the Council certainly may do so. He noted it may also adopt an ordinance if it wished to do so. He stated those policies and ordinances would be binding on their committees since they report to and were committees of the Council. He stated if the council is concerned about consistency, and wished for their committees to behave the same way and regarding those issues, his advice would be to consider some sort of a policy. He stated certainly ad hoc also worked, but as was pointed out, it certainly may not be consistent.

Mayor Oakes stated she would like to piggyback on Ms. Darby's question. With what Council had before them now, it specifically pointed out the Nominations Committee. On reviewing the March 24, 2020 ordinances, the uncodified emergency ordinance number 2020-24, under number 4.2, it said may be held through electronic means. She noted as it was stated, the boards and commissions were not mandated to offer Zoom; however, she stated it was good policy to allow it if she was understanding Mr. McRoberts' advice properly. Mayor Oakes stated with having consistency, it would appear to her that instead of isolating the Nominations Committee, that this should be addressed with all boards and commissions. She stated it almost seemed like they were cherry picking what they're telling the Nominations Committee they have to do. She stated if Council were to pass this tonight, next week, Council could have another board or commission, instead of having Zoom or hybrid, to go full in person and then Council would be back here again deciding whether or not we need another ordinance to address that particular board or commission. She stated with the consistency, should the Nominations Committee be taken out, as far as the name of that committee, be taken out of the ordinance being considered tonight and simply have all boards and commissions.

Mr. Rosenberg asked if he might interject for a moment and suggest an approach that he thought achieved what Mayor Oakes was suggesting. He stated keeping in mind that the framework of the entire ordinances originally adopted was that this would be a permissive scheme and not a mandatory scheme. He stated she was correct in what was in paragraph two of the ordinance this evening changed that somewhat with regard to the Nominations Committee as was presently drafted. He stated it seemed to him that consistency would be achieved if rather than referring to the Nominations Committee, we refer to any committee of City Council. He stated the permissive nature of the ordinance would continue, except in circumstances related to committees of Council and for those committees, members of Council who were not on any of those committees would be accommodated in their attendance of those committee meetings. Mr. Rosenberg stated it still would leave the EDA, the School Board, the Planning Commission,
Historic Preservation Commission to make decisions for themselves consistent with the existing ordinance about how they conducted their meetings. He stated Council could broaden what was in paragraph two so that it applied not only to the Nominations Committee, but to any other committee of City Council.

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Mayor Oakes clarified that what Mr. Rosenberg was stating was because the Nominations Committee consisted of Council members, that's why he would say committees of Council rather than boards and commissions. She noted she was trying to understand Mr. Rosenberg's explanation.

Mr. Rosenberg stated he wasn't sure what Council was trying to achieve by broadening it to address all boards and commissions because that was sort of the circumstance that was unique to City Council, as he understood it.

Mayor Oakes stated tomorrow Council could have another board to decide to go full in-person, and then Council would be right back here. She noted if a Council member wanted to attend that particular board or Commission's meeting through Zoom, we're going to be right back,

Mr. Rosenberg stated the provision that Mr. McRoberts was referring to that mandated that a Council member be able to attend a meeting only applied to committees of City Council. He asked for clarification from Mr. McRoberts.

Mr. McRoberts stated he thought that was a good shorthand description. He noted the language actually in the statute said committees or subcommittee of Council created to perform the delegated functions of or to advise Council. He noted that was word for word out of 2.2-3712 G. He noted only those committees were the ones that had the mandate under FOIA to allow Council members to observe and attend. He stated he thought that was where the issue seemed to arise.

Mayor Oakes stated it was not mandated by law. If they want to have the Nominating Committee wanted in person they could, but the recommendation was that it be allowed. She asked Mr. McRoberts if that was correct.

Mr. McRoberts stated that was his advice.

Mayor Oakes questioned if that wasn't already in place and wasn't it a matter of the Nominations Committee to make that decision and not the City Council. She stated if the Nominations Committee decided they would allow Zoom, then that was their choice and was given to them under 4.2 of the ordinance which was adopted back on March 24, 2020. She stated to her, City Council should not be voting on that and should be the Nominations Committee.

Mr. Rosenberg stated the majority of Council could proceed on that however it desired. He noted staff had prepared the ordinance to address both of those issues that were raised during the Council meeting on January 14, 2021.

Mayor Oakes stated she appreciated that, but the thing was they were getting down into the weeds and they were doing the job of the Nominations Committee for them. She stated the Nominations Committee could make that decision.

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Mr. Rosenberg stated he wanted to be sure that Council members understood that the ordinance need not be adopted in the form that it was presented. He noted if there were provisions of the ordinance that a majority of Council chose not to include in the adopted ordinance that was certainly the prerogative of the majority.

Mayor Oakes stated she took issue with the full body of the City Council directing the Nominations Committee on how to conduct their business when it's rightly given to them and they could make that decision on their own.

Mr. Claffey questioned if, as far as offering an electronic option, it was only pertinent from now until the expiration of the uncodified act only.

Mr. McRoberts stated that issue may very well be less important upon the expiration of the emergency and the end of the pandemic because at that point in time there wasn't the same kind of provision for Zoom access to people. He stated he would caution Council that it didn't mean that the Council or a subcommittee couldn't choose, or committee, couldn't choose to provide additional access by audio, visual Zoom, however, it wished. He stated what he was saying was that it was certainly not required by the Freedom of Information Act. He stated if it's provided, his recommendation is that it's provided in an even-handed non-discriminatory manner.

Mayor Oakes asked Mr. Rosenberg if he wanted to make any comments about the second part of item on the agenda as far as Zoom and showing one's face and whether they're participating on Zoom, whether it be in the regular meeting or closed meeting.

Mr. Rosenberg stated he didn't have any comments. He noted that again it was intended to reflect comments made from Council members on January 14, 2021. just to explain the provision. He stated it would mandate the use of the video feature of the Zoom platform with limited exceptions during the course of any particular meeting. He stated he felt it was pretty straightforward in that regard.

Mayor Oakes asked Mr. McRoberts if he had any thoughts on that issue or any legal advice for Council on whether or not they could mandate that someone show their face during an open meeting and or closed meeting if they were utilizing Zoom.

Mr. McRoberts stated that was the kind of thing that would be subject to a policy of Council. He stated he did not think you could force a member of the public to show their face. He stated he thought that was a matter of freedom of speech and freedom of association. He noted he certainly thought Council can govern its members to behave in ways that the Council wished during meetings. Mr. McRoberts stated if there was a desire for a sort of electronic meetings policy that addressed showing of the face, he stated he felt that was something within the purview of Council.

Mr. Rosenberg stated to elaborate a bit, he would note that the ordinance as proposed applied to the members of City Council or the members of any other public body that invoked the authority

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to use an electronic communications platform under the previously adopted ordinance. He noted members of the Planning Commission, members of the Historic Preservation Commission, members of the School Board, members of the EDA, but not non-members under the ordinance as was drafted would be required to utilize a video feature.

Mayor Oakes questioned if that could be altered, as mentioned before, concerning the Nominations Committee, the enlisted, that can be altered as well as stating the public, and all the different boards and commissions.

Mr. Rosenberg stated he did not think it needed to be. He stated the way it was drafted presently provided for exactly what he just recited. He stated it was very clear as it was drafted that it did not apply to the public. He stated it applied only to members of City Council or other public bodies that invoked the authority to meet on an electronic communications platform.

Ms. Dull stated, as Council members should know, Council had already received at least one, if not more, emails from committee chairs or board or commission chairs, who were appalled because they don't want to have to call out members because they're meeting totally virtually. She noted their attendance was nearly 100%. She noted not everyone had the bandwidth to have the video on. She stated they were asking what would they do if they refused to call out members if they weren't visible at all times. She stated she thought this this piece was embarrassing. Ms. Dull stated Council could take that whole thing out if Vice Mayor Robertson would like to apologize to her for making comments about her face in a previous meeting and if he promised not to do it again. She stated if he did do it again, then the Mayor would promise to do her job and call him out of order.

Mayor Oakes asked Mr. Rosenberg for further explanation.

Mr. Rosenberg stated the members of City Council, or members of any other public body in the city that invoke the authority under the ordinance to meet on an electronic communications platform, would be required to utilize the video feature of the platform.

Mayor Oakes stated she was going back to her first point when she said that could be stricken and it could apply to simply the City Council.

Mr. Rosenberg stated Council certainly could make that change.

Mayor Oakes clarified that Council could remove or edit that portion about the Nominations Committee.

Mr. Rosenberg stated that was correct.

Ms. Dull stated she would like to have language added that said that there wouldn't be any personal comments on physical features by one Council member to another and that the Mayor shall call

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them out and remove them from the meeting if they do that. She stated nothing seemed unfair about that.

Vice Mayor Robertson stated he was not going to apologize to Ms. Dull, but would simply explain the reason the comment was made. He stated the reason the comment was made was when Ms. Dull was talking and then she made a gesture with her mouth and face.

Ms. Dull stated Vice Mayor Robertson had told her to stop smiling, not smirking, and told Vice Mayor Robertson to go back and listen to the recording.

Mr. Holmes stated is just ridiculous and that Council sounded like a bunch of children. He felt that everybody should apologize to everybody and then maybe Council could move one. Mr. Holmes stated he felt Council should be able to use Zoom and felt it was crazy not to let somebody come to the Nominations Committee meeting.

Mayor Oakes called for a point of order. She stated they were letting her attend, just in person.

Mr. Holmes stated with the pandemic going on, he didn't want to make anyone else sick as he wasn't feelt well himself. He stated a lot of people were worried about their health. He stated it just seemed very petty.

Council members did not have any further questions.

The work session adjourned at 7:20 p.m.

_____

Suzanne F. Simmons
Clerk of Council

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REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, February 11, 2021
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
Andrew McRoberts, Interim 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. Mayer Oakes noted 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 participating on the Zoom platform were Council members Mead, Dull, and Holmes. He stated he was also participating on the Zoom platform as were Assistant City Manager, Leslie Beauregard, Interim City Attorney, Andrew McRoberts, Clerk of Council, Council, Faith Simmons, as well as James Corbett and Chris Tuttle, with Parks and Recreation Department.

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

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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 Matters from the Public is a time 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. 2021-04."

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 Mayor Oakes.

MAYOR'S REPORT

Mayor Oakes stated she and Mr. Claffey attended a virtual meeting on Covid-19 Emergency Response. She noted she and Ms. Dull attended the Emergency Food and Service Program board meeting. She noted $136,682 in emergency relief was distributed. Mayor Oakes stated she'd attended a CAPSAW meeting in which Covid-19 Relief Grant money continued to be distributed to different organizations in the area. She stated she and Ms. Darby recently toured the basement at Shelburne Middle School. She noted other Council members would be touring there in the near future.

Mayor Oakes stated she wanted to recognize the recent passing of former Council member, Bruce Elder. She noted his passing was truly a loss for the City of Staunton.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Mr. Holmes asked if Council would be interested in taking the greenway area near Mr. Elder's garage and Mill Street and dedicate it in Mr. Elder's honor.

Ms. Mead stated she'd attended another update meeting of the Central Shenandoah Valley Planning District committee doing a food HUB study. She noted a grant had been obtained to conduct a feasibility study to determine the type of and location of a potential food HUB in the community.

Ms. Dull stated she'd attended the Central Shenandoah Planning District Commission meeting by Zoom. She also virtually attended the SAW MPO meeting and the Emergency Food and Shelter

meeting. Ms. Dull stated she'd participated on a television show airing from Charlottesville, Virginia. She stated she hoped everyone was paying attention to the second impeachment proceedings of former President Trump.

Mr. Claffey stated the Nominations Committee met on February 2, 2021 and offered the following recommendations for persons to serve on Boards and Commissions:

REAPPOINTMENTS:

Blue Ridge Criminal Justice Board – To reappoint Susan Richardson to a two-year term beginning February 15, 2021, and expiring February 28, 2023.

Library Board – To reappoint Randolph Bertin to a four-year term beginning February 1, 2021 and expiring January 31, 2025.

Planning Commission – To reappoint Joseph Mills to a four-year term beginning March 1, 2021 and expiring February 28, 2025.

Recreational Advisory Commission - To reappoint Michael Keatts to a three-year term beginning December 1, 2020 and expiring November 30, 2023.

Tourism Advisory Board – To reappoint Sarah Lynch to a three-year term beginning November 1, 2020 and expiring October 31, 2023, and Damon Strickland to a three-year term beginning March 1, 2021 and expiring February 28, 2024.

Economic Development Authority – To appoint Joseph Leigh to fill the unexpired term of Wilson Vellines, beginning February 12, 2021 and expiring January 31, 2022.

And to appoint William Sowers to replace the expired term of Robert Baldygo for a four-year term beginning February 12, 2021 and expiring January 31, 2025.

Mr. Claffey stated he moved for Council to appoint all persons listed.

Ms. Mead stated she believed that Mr. Baldygo had asked to be reappointed to the EDA. She asked if there was a particular reason why he was not.

Mr. Claffey stated nine candidates were interviewed on February 2, 2021 and felt that the best candidates were chosen that were available.

Ms. Mead stated she had a question for Andrew McRoberts, Interim City Attorney, related to a complaint from a citizen that was interviewed for the EDA on that date. She noted that citizen understood Mr. Claffey to say that in her interview that the Nominations Committee was specifically looking for people who wanted to sell Staunton Crossing. She questioned if Mr. McRoberts could respond as to whether that as appropriate or not.

Mr. McRoberts stated the Nominations Committee, as he understood it, was set up to interview and to make a recommendation to Council of the best candidate that they found. He stated he did not see anything wrong with asking perspective nominees what their positions were on issues that

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might be facing the committees to which they would be appointed and bodies to which they would be appointed. However, he stated he would be careful about that because if something was asked of one candidate and not asked of another candidate, for example, it might give rise to allegations of discrimination of various kinds. He stated he would recommend that the kind of questions asked steered clear of prohibited categories such as race, gender, health, disability, etc.

Council members did not have any further questions or comments.

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

REGULAR MEETING

A. Consent Agenda

Mayor Oakes stated all items would be voted on in one motion. If requested by any member of Council, an item placed on the Consent Agenda shall be removed and taken up as a separate matter. She noted if any Council member would like to discuss Item A.1 or A.2, she stated that would be added to the bottom of the agenda.

As provided in Council Procedure Memorandum No. 15, it is the policy of City Council to have the City Manager place routine, noncontroversial items on a Consent Agenda. Briefings for each item included on the Consent Agenda have been prepared in the manner and format of regular business items on the agenda, with each item described in sufficient detail to provide the public with an appropriate understanding of such item. All matters listed on the Consent Agenda will be enacted by one motion and as a single item. There will be no separate discussion of an item. If discussion is desired, the item may be removed from the Consent Agenda at the request of a member of City Council and considered separately at the end of the regular meeting agenda.

A.1. Approval of Meeting Minutes
Work Session and Regular Meeting of January 14, 2021
Special Meeting of January 25, 2021
Work Session and Regular Meeting of January 28, 2021

A.2. Application for Virginia Department of Motor Vehicles Highway Safety Grant

Ms. Dull stated she would like Item A.2. addressed separately and pulled from the Consent Agenda. She noted there was a Council memorandum that specifically stated for more transparency that Council review every grant. She stated it if were on the Consent Agenda, Council was not reviewing it.

Mayor Oakes stated Item A.2. would now become Item E. She stated she hoped that all Council members had reviewed the different items listed under the Consent Agenda. She stated she believed that the action that Ms. Dull was referring to was that Council vote on every grant

application that was presented to the City. She noted it was part of the regular meeting agenda and anyone could review it.

Ms. Dull stated the reason was because of transparency so the fact that Council members may or may not have read the grant, did not provide that information and that discussion to the public. She stated transparency was for the public, not for the Council.

Mayor Oakes stated again it was part of the agenda attached to the regular meeting which could be found on the City's website. She noted it was a matter of voting on every grant was the reasoning for the action that Ms. Dull referred to.

Ms. Mead stated it was her understanding that a Council member may remove an item from the Consent Agenda without any reason or without any explanation required.

Mayor Oakes questioned Ms. Mead if that was her wish to remove an item from the Consent Agenda.

Ms. Mead stated she believed Ms. Dull asked for an item to be taken off of the Consent Agenda, Item A.2., based on the regular agenda.

Mayor Oakes stated Item A.2. would now become Item E. She stated no explanation was required; however, she was allowed to give comments.

Vice Mayor Robertson moved to approve the Consent Agenda with the exception of item A.2., and that item will be moved to the end of the regular agenda for discussion and a separate vote as Item E.

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		

B. Consideration of the Proposed Capital Improvement Plan FY2021-FY2025

Phil Trayer, Chief Finance Officer, stated this item was to consider the FY2021-FY2025 Capital Improvement Plan (CIP). He stated this year's plan, both scheduled and unscheduled, equaled $254,413,439 and was introduced at the January 14, 2021 followed by a February 4, 2021 special called meeting. He noted further review was conducted during the work session earlier.

Mr. Trayer stated the School Board approved the CIP on January 11, 2021. He noted the Planning Commission conducted a public hearing on January 21, 2021, which was properly advertised, and recommended approval of the plan afterwards.

Mr. Trayer stated the scheduled FY2021-FY2025 CIP totaled $83,074,003, breakout General Fund $46,196,000, School Fund $9,356,000, Water Fund $19,805,000, Sewer Fund $1,805,000,

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Stormwater Fund $4,223,000, and Parking Fund $1,688,000.

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

Mayor Oakes asked Council members if they had any questions.

Ms. Dull stated the CIP items, according to what was in the document, was supposed to have a life of 10 or more years, but noted staff stated golf carts only had a life of 5-7 years. She questioned if it was appropriate for them to be in the CIP.

Mr. Trayer stated he believed that the lifespan of the golf carts, although Parks and Recreation staff would prefer to rotate carts within 5 years, he noted the current fleet was well in excess of 5 years. He stated he believed that those carts would be in operations at Gypsy Hill Golf Course well in excess of 5 years, most likely 10+ years given the history of the utilization of golf carts.

Council members did not have any further questions.

Vice Mayor Robertson moved that City Council adopt the FY 2021-2025 Capital Improvement Plan, totaling $254,413,439.

The motion was seconded by Mr. Claffey.

Ms. Mead stated she would like to make a few comments. First of all, she stated she thought Council should remember that the City's responsibility to citizens of Staunton was to provide core services – sanitation, water, streets – including snow removal, public library, schools, emergency services, transportation. She noted everyone should keep in mind that one cent on property tax equaled $205,000 of expenses. She stated in the earlier School Board presentation, $200,000 equaled a 1% raise for teachers. Ms. Mead stated she would like to review the CIP numbers on page 4 of the five-year plan. She noted that of the identified $152,000,921 of projects in the General Fund, that projects not scheduled and not funded totaled 70% of that number. Of the Staunton City Schools, of the $24,356,000 in projects scheduled, 62% were not scheduled and not funded. In the Water Fund, a core service, of the $45,425,000 of projects identified, only 56% were not scheduled and not funded. In the Sewer Fund, another core service, of the $5,840,000 of projects over the next 5 years and beyond, $4,000, 035 were not scheduled and not funded. In the Stormwater Fund, of the $24 million in projects identified, 83% were not scheduled and not funded. Ms. Mead stated the total number of projects in the CIP - $254,413,439, 67% of that amount were projects that were not scheduled and not funded. She stated she would also like to point out that the criteria for evaluating capital projects was major equipment having a useful life greater than 10 years. She stated Council heard repeatedly from staff, and appreciated Mr. Trayer's remarks, that golf carts useful life was 5-7 years. She then read remarks from citizens posted on social media of people seeking assistance with meeting the needs of their families and friends. She then asked Council members to tell her, or tell themselves, how $200,000 worth of golf carts would help those citizens.

Ms. Mead stated at the Council meeting on May 14, 2020, when water and refuse fee increases were proposed, consideration of an ordinance to increase water user fee, the annual cost for a family of four was $15.12. She noted Mr. Trayer had stated that additional funds would go towards

major CIP projects which were scheduled over the next four years, including the $6.9 million Gardner Spring pump house project in FY2022 and phase one of the North River pipeline replacement project of $6.5 million in FY2024. She noted both projects were deemed critical for the city's water infrastructure. Ms. Mead stated, at that time, Ms. Oakes stated in good conscience during a pandemic crisis and economic hardship, that she could not vote to increase fees. Secondly, consideration of an ordinance to increase refuse fees, the annual cost for residential consumers was $22.80. She noted those rate increases would go primarily towards retaining the recycling program and scheduled CIP projects both at the Augusta Regional Landfill and to the City of Staunton. Ms. Mead noted, at that time, that Ms. Oakes stated she could not in good conscience during a pandemic crisis and economic hardship vote to increase fees. Ms. Mead stated that she could not in good conscience during a pandemic crisis and economic hardship vote to buy $200,000 worth of golf carts that would not do anything for citizens who were in real trouble.

Ms. Dull stated budgets were a matter of priorities. Ms. Dull asked did Council want to put sidewalks on the majority of Montgomery Avenue, W. Beverley Street, and Stuart Street or did Council want 44 golf carts. She asked if Council wanted to have ADA compliant pedestrian signals on N. Coalter Street and W. Beverley Street, or did Council want golf carts. She asked if Council wanted Armstrong Avenue, Jiffee Mart, and Grubert Avenue stormwater issues to be fixed, or did Council want golf carts. She stated all of those projects could be done with that same amount of money, or less. She asked if Council wanted Tams Street and Westmoreland Drive drainage system put in, or did Council want golf carts. She asked if Council wanted New Street at the Beverley, the storm drain problem fixed at $40,000, or did Council want golf carts. She asked if Council wanted Market Street, New Street, and Augusta Street to have a drainage system installed for $136,500, or did Council want golf carts. She asked if Council wanted Orchard Lane to have storm drains, and Sheets Avenue and Bare Street to redirect their runoff, and Marshall Road to prevent runoff. She noted those were all less than the golf carts. Ms. Dull asked if Council wanted Mulberry Street apartments to have multiple drop inlets put in and Elm Street to have inlets, Baylor Street and Woodlee Road, all for less than the costs of those golf carts. Ms. Dull stated that was a choice that she was not willing to make and that Council needed to prioritize. She stated she did not feel that the city would benefit on the whole from the golf carts as compared to the real issues that Ms. Mead and herself had read. She stated she would be voting no unless someone wanted to amend the CIP to remove the golf carts and then she would support the rest of the CIP.

Mayor Oakes stated any citizens that were in need to contact the Salvation Army, the Valley Mission, CAPSAW, Community Foundation, and Augusta Health. She stated, as far as voting in the past concerning fees to increase the cost of water usage, water during a pandemic was very important and told people to wash their hands. She noted water and utilities were vital, especially during a pandemic.

Mr. Holmes stated he was in agreement with Ms. Mead and Ms. Dull. He noted he did not want the golf course to be shut down, but at that time did the City have the money to spend when it could be spent on other things. He noted the country was still in a pandemic and the golf course wasn't going anywhere. He stated it might be another year to put off the golf carts, but noted he didn't think the City should be buying golf carts right now when that money could be spent on other things.

Mayor Oakes stated hopefully the golf carts would help to be a revenue generator for the City.

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Mr. Holmes stated that was unknown and referred to the sprinkler system that was previously installed at the golf course. He stated he would not vote in favor.

The motion carried as follows:

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

C. Consideration of Proposed FY2022 Holiday Schedule

Jon Venn, Chief Human Resources Officer, stated the City of Staunton observed 10 paid holidays annually, plus other holidays as designated by City Council. He noted for FY2022, staff was recommending the 10 paid holidays listed in the briefing as well as adding June 20, 2022 in recognition of the Juneteenth holiday. He noted that would be a total of 11 paid holidays in the FY2022 holiday schedule.

Recommend the following FY 2022 (July 1, 2021-June 30, 2022) Holiday Schedule, consistent with the schedule for prior fiscal years:

1. Observe the following 10 holidays:

Holiday	**Date Observed**
Independence Day	Monday, July 5, 2021
Labor Day	Monday, September 6, 2021
Thanksgiving Day	Thursday, November 25, 2021
Day After Thanksgiving	Friday, November 26, 2021
Christmas Day	Friday, December 24, 2021
New Year's Day	Friday, December 31, 2021
Martin Luther King, Jr. Day	Monday, January 17, 2022
Presidents' Day	Monday, February 21, 2022
Memorial Day	Monday, May 30, 2022
Additional holiday if granted by City Council: Juneteenth	Monday, June 20, 2022
Personal Holiday*	Discretionary
*Must be on payroll July 1, 2021 to receive the personal holiday.	

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Ms. Mead moved to adopt the fiscal year 2022 holiday schedule with the addition the observance of Juneteenth on Monday, June 20, 2022, 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		

D. Annual Update on Utility Connection Fees and Facility Fees

Jeff Johnston, Director of Public Works, stated every year the Public Works Director provided an update to Council on two related, but distinctly separate fees – the utility connection fee and utility facility fees. He explained the connection fee was the actual one-time cost of connecting new service to either the water or sewer system. He explained the facility fee for water and sewer were more complex. He noted they were a one-time fee to address an unknown impact.

Mr. Johnston stated the water fee was $2,100 per connection and had not been increased since July 2008. He noted the trend there was on its way up, but there really was no reason to raise that fee now; however, would probably need to be evaluated in the future. Mr. Johnston stated the sewer fee was $3,100 and was raised in two increments of $500 in FY2020 and FY2021. He stated it was comfortably aligned and did not see that number changing anytime soon.

Mr. Johnston stated at that point he was not recommending to change either fee, but had a closer eye on the water number than the sewer number going forward.

Mr. Johnston stated facility fees were based on the size of the water connection and ranged vastly in price depending on the structure. He stated the facility fees has been increased in July 2006, July 2011, and July 2016. He noted a consultant was hired approximately every 5 years to conduct an analysis of what the City's facility fees should be. He stated a new study was included in the 2021 budget, but a decision was made to hold off on that study. Mr. Johnston stated Mr. Trayer had indicated that it was safe to go ahead and execute that new study. He noted that study would inform his conversation next year with City Council.

Mr. Johnston stated he was not recommending raising the fees currently, but would probably have that conversation next year.

Mayor Oakes asked Council members if they had any questions.

Ms. Mead stated she did not see any information regarding connection costs in the connection fee section. She noted in the facility fee area there were any costs. She asked if there was a reason for that.

Mr. Johnston explained it was difficult to articulate the costs as they didn't always manifest themselves right away. He stated the facility fee study was needed to look at the CIP and what other revenues were coming in and what connections were coming off. He noted the capacity changes weren't always linear.

Ms. Mead clarified that projects that were coming up the water fund and the CIP for water projects would need to be adjust facility fees in order to accommodate future water projects that was in the plan.

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Mr. Johnston stated that was correct.

Mr. Holmes asked Mr. Johnston if the City's fees were comparable to the surrounding area such as Augusta County and Waynesboro.

Mr. Johnston stated the on-paper fees were a little bit higher. He stated in actuality surrounding areas were more prone to do actual cost connection fees, while the City of Staunton uses fixed fees.

Council members did not have any further questions.

E. Application for Virginia Department of Motor Vehicles Highway Safety Grant

Mr. Rosenberg stated this item, off of the Consent Agenda, was now before Council for discussion and consideration. He stated Ms. Beauregard would present the item.

Ms. Beauregard stated this item was for an application to a grant that would be made by the Staunton Police Department. She noted this was for a traffic and pedestrian safety grant provided annually through the Virginia Department of Motor Vehicles (DMV). She noted those funds were allocated throughout the state. In this case, she stated those funds would allow the Police Department to increase the number of patrols dedicated to areas which had high collision rates. She noted that was in the form of overtime for those increased patrols.

Ms. Beauregard stated the Police Department had been awarded that grant for the past two years. She noted for the next funding cycle – FY2022 – they would be requesting $12,352. She noted the grant application was due on February 28, 2021. She noted there was no fiscal impact to the City in accepting the grant funds as the grant match was all in kind.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Vice Mayor Robertson moved that City Council authorize application for the National Highway Traffic Safety Grant, from the Virginia Department of Motor Vehicles, in the amount of $12,352, to support traffic safety in the City of Staunton, as proposed.

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		

MATTERS FROM THE CITY MANAGER

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

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Mr. Rosenberg stated he did not have anything for Council.

MATTERS FROM THE PUBLIC

Mayor Oakes read the following statement:

"This part of City Council's agenda is entitled "matters from the public." It is a time that Council sets aside to hear from citizens and others about a wide variety of subjects. Before we begin, I'd like to share five basic ground rules that we ask you to respect as you make your remarks:

1. Please come to the podium, identify yourself, and complete your remarks within 5 minutes. The Mayor will let you know when you've reached your 5 minutes. So we ask that you please give your name, your address, and then keep your remarks at 5 minutes or less.

2. This is a time for us as a Council simply to listen to your remarks. In an effort to encourage and maintain orderly conduct, we will not engage in give and take debate. If you are seeking information, you may mention it during your remarks and the City Manager or his staff may get in touch with you in the days ahead.

3. We ask that you direct your comments to Council as a whole and not to identify members of Council or to an individual employee of the City. If you want to take up an issue with an individual member of Council or an employee, please speak with us before or after the meeting. We are also accessible by phone, mail or email. Again, we ask that you direct your comments to the Council as a whole.

4. We expect every speaker to be civil and courteous. Using profanity, making personal attacks on an individual, and doing anything that is disruptive to the orderly conduct of this meeting will not be tolerated.

5. Finally, as the presiding officer, it is my duty to remind you that if you choose not to abide by these ground rules, I may find that you are out of order and will ask you to withdraw from the podium. We certainly do not want to reach that point and even beyond, so we respectfully ask for your full cooperation in observing these guidelines.
   When you reach 5 minutes, I will let you know. If you continue to speak, I will ask you to step away from the podium, and a third time I will ask you to please stop speaking and step away from the podium. Otherwise, you may be charged with disorderly conduct under Virginia Code Section 18.2-415.

If you wish, you may obtain a copy of the ground rules from our Clerk of Council, Ms. Simmons. And now, we welcome all speakers. The podium is now available for matters from the public."

Speaking in person were:

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Dr. Erik Curren, 14 S. Washington Street, thanked Council for their recognition of former Councilman Bruce Elder. He stated last month he'd asked Council to pass a resolution regarding the events at the U.S. Capitol on January 6, 2021 and noted since that time nothing had happened. Dr. Curren stated he'd started a petition and noted so far he'd collected 319 signatures in support of the resolution. He stated he felt obliged as an American citizen to address the issue. He spoke on the three points that he was asking for in the resolution. Dr. Curren then submitted the petition to Mayor Oakes.

James Mills, N. Coalter Street, stated he hoped that Council would make it a point to utilize whatever revenues were brought in by the golf course to go towards helping those that were most in need in the city. He stated he understood the intention behind telling people about community resources and asked that Council members choose their words better and consider the context of the conversation.

There was no one else to speak in person.

Callers on the line included:

Baldwin Jennings, 332 Sharon Lane, stated he wanted to remind Council that Gypsy Hill Park and the golf course attracted a lot of people and business. He stated the golf carts were needed in order to attract tourists.

Marnie Sheets, 121 Carrsbrook Drive, stated she wanted to thank City Council for everything they were doing during the past stressful year. She noted she wanted to apologize to the Mayor and the three new Council members on how they had been treated since the night of the election. She stated national issues did not need to be discussed during Council meetings.

Travis Smiley, Tivoli Lane, stated thanked members of Council for their service. He stated he appreciated the work being done under new leadership. He noted all seven Council members deserved respect as they had earned the right to represent Staunton's citizens through a democratic election. He stated funds needed to be allocated from the CIP in order to attract new businesses and new residents.

Deborah Kushner, 1311 N. Augusta Street, stated she did not feel taxpayers should pay the Mayor's legal fees. She questioned why Ms. Mead was shut out of the recent Nominations Committee meeting. She stated transparency would be a welcome change in that administration. She questioned why Council was meeting in person and not in quarantine after being exposed to COVID at their last meeting.

Fritz Fairfield, Thornrose Avenue, stated Dr. Curren's efforts would not make a difference in decisions of that Council. She thanked Council for being able to listen to the live meeting. She stated she was excited about the new golf carts and might try playing.

Mark Jeter, Sunnyside Street, spoke on the recent Council election and number of votes and campaign spending. He stated he would like to reiterate Dr. Curren's request for a resolution and would send a message of unity. He asked why Council had not moved on Jazmine Brooks' request for an equity officer. He noted Council members should be allowed to attend Nominations

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Committee meetings on the Zoom platform. He stated as a taxpayer he did not want to pay for the Mayor's recent legal fees.

Nitch Narduzzi, S. Jefferson Street, spoke on transparency, acceptability to community members. She stated the Mayor's statement on rules of engagement was not appropriate. She stated she was against spending taxpayers' dollars on golf carts as well as paying the Mayor's legal fees. She stated she'd never received a call or response to emails sent to Council members.

Barbara Lee, 904 Rockway Street, stated it was good to know that the Mayor chose golf carts over human needs.

Jim (last name and address not given), stated the request for an equity officer would defund the police department. He stated the News Leader should cover the truth. He noted the $200,000 needed to be spent for the golf carts.

Clarence Durrette, President of Staunton NAACP branch, stated a letter had been sent to the Mayor asking to have a conversation regarding events in Washington, DC as well as her recent remarks of the Dr. Martin Luther King speech. He noted a response had not yet been received.

Julie Scofield, Lake Avenue, stated she strongly supported the comments made by Dr. Erik Curren. She noted citizens were asking for Council to signal their support for the election of President Biden and Vice President Harris. She stated it was a travesty to spend money on golf carts as well as the Mayor's legal fees.

Mr. Rosenberg stated there was another caller on the line, but that person had already spoken and invited the Mayor's instruction on how to handle that caller.

Mayor Oakes stated one caller for 5 minutes only as well as one speaker at the podium for 5 minutes only.

There were no other callers on the line.

CLOSED MEETING FOR: (i) Discussion of Possible Disposition of Publicly Held Real Property Within the City; and (ii) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such Counsel Pertaining to a Possible Council Action and Procedures of Council and Its Committees

Vice Mayor Robertson moved that Council enter a closed meeting for: (i) discussion of possible disposition of publicly held 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) consultation and discussion with legal counsel requiring the provision of legal advice by such counsel pertaining to a possible Council action and procedures of Council and its committees, pursuant to Virginia Code Section 2.2-3711(A)(8).

The motion was seconded by Mr. Claffey 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		

Vice Mayor Robertson 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 Mr. Claffey and carried as follows:

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

CONSIDERATION OF UNCODIFIED EMERGENCY ORDINANCE REGARDING ADDITIONAL CONDITIONS FOR USE OF ELECTRONIC COMMUNICATIONS IN MEETINGS OF CITY PUBLIC BODIES

Mr. Rosenberg stated if he could get some discussion from Council about what their consensus was, he would have some language to share with them.

Mayor Oakes invited him to proceed.

Mr. Rosenberg stated there were two issues in the proposed ordinance. He noted one addresses the mandated use of a video feature on an electronic communications platform and the other addresses access to meetings of the Nominations Committee of Council by all members of Council. He stated he understood from the prior discussion that perhaps there was a consensus that the first issue concerning use of video features should be limited only to City Council so that it does not mandate use of the video feature by other public bodies that invoke the authority to meet electronically. He stated if that was the sentiment of Council, then Council could replace lines 39 through 49 of the draft ordinance with the following language:

> As an additional condition of City Council's use of any electronic communications platform that includes available video features, all members of Council during City Council meetings, shall at all times activate and keep activated the available video feature of any electronic communications platform, such as Zoom, so that the Council member is seen at all times during Council's meetings except during recesses of Council and brief, intermittent periods due to unanticipated technical difficulties or unexpected other circumstances; and if such conditions are not honored by a Council member, the presiding officer shall caution the member twice during any meeting and, absent compliance in yet a third instance of non-compliance, shall direct that the meeting continue without the presence of the non-compliant member[.]

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Mr. Rosenberg stated Council could adopt an ordinance that substitutes that language in place of lines 39 through 49 and the effect of that would be to limit the requirement only to Council members participating in Council meetings. He asked if Council members had any questions.

Mr. Claffey asked for clarifications of certain language, which Mr. Rosenberg provided.

Mr. Rosenberg noted a Council member could make the motion to adopt the ordinance with the changes to lines 39 through 49 as suggested by the City Manager. He noted in the minutes the adopted ordinance could reflect what he just read to Mr. Claffey. He stated he didn't think Mr. Claffey necessarily needed to read in the motion the change that he just shared with him.

Interim City Attorney Andrew McRoberts agreed.

Ms. Dull stated she would much prefer that her name be put in there instead of "Council member" because the whole intent of that was to try to humiliate or punish her. She stated that that's the intention and there would be no other reason to have that paragraph in the ordinance. She stated in the absence of receiving an apology from the Vice Mayor, she wanted her name in there.

Mayor Oakes asked Mr. Rosenberg to go over the second part.

Mr. Rosenberg stated on that issue he expressed an understanding that there may be a consensus to broaden the language concerning access by a Council member to a meeting of a committee of Council so that it is not only limited to meetings of the Nominations Committee. He stated on that item lines 51 through 56 could be replaced with the following language:

> Council members who are not members of a committee of Council may observe such committee's meetings, including closed meetings, using an electronic communications platform, and such committee will facilitate such observation by a Council member using an electronic communications platform, with support to the extent necessary from City staff and the Clerk of Council.

Mr. Claffey confirmed Mr. Rosenberg's proposed language.

Vice Mayor Robertson asked Mr. Rosenberg if it were okay to say this would carry on until Council ended said uncodified emergency.

Mr. Rosenberg stated changes also needed to be made to lines 27 through 29 because there was specific reference to the Nominations Committee there. He noted that could be rewritten to say "to allow a Council member who is not a member of a committee of Council to observe such committee meetings including closed meetings of such committee."

Ms. Beauregard stated there was also a reference on line 17.

Mr. Rosenberg stated that could be revised to read "remote attendance of City Council members who desire to observe meetings of City Council's committees."

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Ms. Mead stated on line 37 it says "the fullest extent permitted by law under these circumstances." She noted circumstances was referenced earlier.

Mr. Rosenberg stated he would take the view that given the language in the recitals referring back to the continuity of government ordinance as it's been extended, that it is understood that all of those provisions, including the mandated video and the access to meetings of Council committees, are tied to the underlying continuity of government ordinance so that when it expires on April 9, 2021, if it's not extended, those provisions too expire.

Mr. Claffey asked whether that wouldn't be taken care of in line 67, with a date of April 9, when the Mayor signed it.

Mr. Rosenberg stated that could be done and have it included in the motion if that was what he wished to do.

Mayor Oakes inquired how that would read. Mr. Claffey stated line 67 would now read April 9, 2021.

Mr. Rosenberg noted to Mr. Claffey that he could very simply make a motion to adopt the ordinance amended in the manner suggested by the City Manager. He noted all of his remarks were recorded and the ordinance as it would appear in the final minutes would reflect all of the changes that were discussed without the need for Mr. Claffey, in detail, to go through every substitution that was talked about. He stated if it were Mr. Claffey's preference to do that, he should by all means do so.

Mr. Claffey proposed that Council accept the draft of January 21, 2021 with the corrections and additions as presented by the City Manager, Steve Rosenberg, on lines 17, 27, 28, 29, 39 through 46, 51, 52, 53, and line 67 to be replaced with the expiration date of April 9, 2021.

The motion was seconded by Vice Mayor Robertson.

Ms. Darby questioned if copies should be provided to the chair of each public body on line 60.

Mr. Rosenberg stated he did not think there was any harm in doing that. He noted the ordinance itself wouldn't touch and concern those bodies the way that it's been revised. He stated as the next in the series of ordinances concerning continuity of government, he thought it made sense to provide it to them and did no harm in doing so.

Ms. Darby stated she agreed. She noted the Nominations Committee meeting may need to be added in to be consistent with all of the committees that were listed.

Mr. Rosenberg stated he did not think there was a need for that since it would be provided to each member of City Council and they populate those committees. He further stated that the committees would be covered by providing a copy to each member of Council.

Ms. Darby stated that was fine.

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Mr. Rosenberg asked, for the record, the maker and seconder of the motion to clarify that this was a motion to adopt the ordinance with those changes.

Mr. Claffey moved that the ordinance be adopted with said amendments.

The amended motion was seconded by Vice Mayor Robertson.

Ms. Dull stated she would not be supporting the ordinance because she could not believe the stupidity that was involved in those two items. One, the purpose is to punish Councilmember Mead instead of accommodating someone in the midst of a pandemic to allow her to participate on Zoom. The other purpose was to punish her because she did not want to be harassed by Vice Mayor Robertson about her facial appearance.

Mr. Holmes stated he was under the impression that someone would be able to attend a meeting through Zoom, like the Nominations Committee.

Mr. Claffey and Mayor Oakes stated that was correct and was what was being passed.

The motion carried as follows:

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

Ordinance No. 2021 - 06

AN UNCODIFIED EMERGENCY ORDINANCE REGARDING ADDITIONAL CONDITIONS FOR USE OF ELECTRONIC COMMUNICATIONS IN MEETINGS OF CITY PUBLIC BODIES

Recitals

A. Staunton City Council has adopted a series of ordinances to ensure the continuity of government related to the COVID-19 pandemic, including: Ordinance 2020-04; Ordinance 2020-24; and Ordinance 2021-04;

B. At its January 14, 2021 regular meeting, City Council engaged in a discussion about possibly requiring public body member use of any available video feature in any meeting held using an electronic communications platform as well as about the possible remote attendance of City Council members who desire to observe meetings of City Council's committees both in open and closed meetings;

C. City Council believes that it is consistent with transparency and accountability in the use of electronic communications for meetings of City Council, to include additional conditions that relate to a Council member's utilization of available video features of any electronic communications platform, especially during a closed meeting so that there is added assurance no other person is remotely accessing the closed meeting;

D. City Council also believes it is consistent with transparency and accountability to allow a Council member who is not a member of a committee of Council, to observe such committee meetings, including closed meetings of any such committee;

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

F. 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 circumstances, that:

1. As an additional condition of City Council's use of any electronic communications platform that includes available video features, all members of Council, during City Council meetings, shall at all times activate and keep activated the available video feature of any electronic communications platform, such as Zoom, so that the Council member is seen at all times during Council's meetings except during recesses of Council and brief, intermittent periods due to unanticipated technical difficulties or unexpected other circumstances; and if such conditions are not honored by a Council member, the presiding officer shall caution the member twice during any meeting and, absent compliance in yet a third instance of non-compliance, shall direct that the meeting continue without the presence of the non-compliant member; and

2. Council members who are not members of a committee of Council may observe such committee's meetings, including closed meetings, using an electronic communications platform, and such committee will facilitate such observation by a Council member using an electronic communications platform, with support to the extent necessary from City staff and the Clerk of Council; and

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

Adopted: February 11, 2021
Effective Date: February 11, 2021
Expiration Date: April 9, 2021

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

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

DISCUSSION AND CONSIDERATION OF POSSIBLE CITY PAYMENT OF JUDGMENT AND ATTORNEY'S FEES RELATED TO FOIA LITIGATION

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Vice Mayor Robertson moved that Council, as authorized by Virginia Code § 15.2-1520:

1. find that Case No. GV20-851 decided in the Staunton General District Court was brought against Mayor Andrea Oakes by virtue of her actions in furtherance of her duties as a member of Council in serving the City of Staunton;

2. ratify the engagement of Jennifer L. Brown, Esquire as counsel for Mayor Oakes in that case to the extent necessary to appropriate the sum(s) below;

3. appropriate and authorize payment of the sum of $4,050.00 for fees and costs incurred by Mayor Oakes in defending that case to its conclusion;

4. appropriate and authorize payment of the sum of $3,374.25 for the judgment awarded against Mayor Oakes in that case said monies to be taken from the General Fund.

The motion was seconded by Mr. Claffey.

Ms. Dull stated she felt this was a misappropriation of taxpayers' dollars for various reasons. She stated that Council, in advance, did not approve the expenditure of those funds. She stated Council's own memorandum stated the "Mayor is limited to $250 without the Council's prior approval". She stated no one ever asked them for that. She noted there was plenty of time as the court case was delayed at least one time. She stated State code section 15.2-1520, again said to ratify an expenditure ahead of time. She stated she would argue that this was not really in the furtherance of the Mayor's duties. She stated Ms. Mead had asked for a copy of an ordinance in her first email that had to be voted on without ever seeing. She noted the recording of that meeting on September 10, 2020 indicated that Vice Mayor Robertson after reading it, said he was giving the copy to the Mayor. She stated it was very clear that she had that document, but chose not to give her the courtesy of responding to Ms. Mead's email. Ms. Dull stated the Mayor had not complied with Council's memoranda and had not complied with the State code and was totally opposed to the misappropriation of taxpayers' dollars. She noted the Mayor had come on Council in 2008 and had received 12 years of FOIA training.

Ms. Mead stated she would question whether the Mayor met the criteria of having incurred the expenses in furtherance of her duties. She noted "furtherance" was the act of helping or advancement. She noted the Mayor did not help or advance any effort of the City in that case. She noted she'd failed to perform her duties when she failed to provide the amended resolution to the Clerk of Council at the end of the meeting on September 10, 2020, she failed to answer any of the three emails that Ms. Mead sent requesting a copy of the amended document, she failed to respond, but she had misplaced the document or offer any of the legal exemptions provided under FOIA, she declined mediation when offered by the Judge in the first hearing on the matter stating that her case was so strong that she didn't need to mediate, she hired an attorney who had no local government experience, no FOIA experience, came to court poorly prepared, and charged 50% more than Ms. Mead's attorney from Richmond in order to defend her. In addition, Ms. Mead stated on the first day that she was elected Mayor, she publicly endorsed her attorney for chairmanship of the 6th district Republican Committee. Ms. Mead stated she did not think any of those things were in furtherance of her duties as Mayor of the City of Staunton. She stated she

would abstain from the vote as she mentioned to Mr. McRoberts. She stated it was a difference between what was legal and what was ethical.

The motion carried as follows:

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

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 10:26 p.m.

_____

Suzanne F. Simmons
Clerk of Council

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CITY COUNCIL AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 25, 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 Carmen Sheets for a Special Use Permit at 11 Green Hills Drive Under the Provisions of SCC 18.60.070(4), B-2, General Business District, for the Establishment of a Child Daycare Facility**	

Background: Ms. Carmen Sheets is requesting a Special Use Permit to locate and operate a child daycare at 11 Green Hills Drive. The property is located on the northern end of the City, near Verona, on Green Hills Drive just west of its intersection with Commerce Road. The property consists of an existing commercial building and associated parking lot. The building was constructed in 2000 and currently contains multiple commercial spaces. This property is zoned B-2, General Business District. A daycare is permitted in the B-2 District only by Special Use Permit. The daycare will occupy a little more than half the building and the remainder of the building could potentially be leased to a separate tenant(s).

Review: Staff has reviewed the request and has identified several issues, all of which have been addressed:

- ***Building Permit.*** The proposal is a change of use under the Virginia Uniform Statewide Building Code so that a building permit is required. Ms. Sheets has already made application for a building permit, and that permit has been reviewed and is ready to be issued pending approval of the Special Use Permit.

- ***Fire Lane.*** A fire lane around the building will need to be marked and maintained in accordance with the requirements of the Virginia Statewide Fire Prevention Code.

- ***Parking.*** Chapter 18.105, Development Standards for Uses Permitted on Review, of the Zoning Code requires that all daycare facilities have a fenced play area, and Ms. Sheets' proposal includes a 33' x 45' fenced play area. The play area is proposed to be located on the northwest side of the building in an area that is currently used for parking. The play area would extend 33' into the current parking area and drive aisle. As a result, the applicant has proposed the elimination of 15 parking spaces on the northwest side of the building. The elimination of these spaces will also ensure adequate access for fire apparatuses. The attached site layout shows the approximate location of the play area and the parking spaces that will be eliminated. The sketch also contains a parking analysis. Currently, there are 60 usable code compliant parking spaces onsite. There are nine other spaces onsite, but they cannot be considered useable. Of those nine spaces, (i) four spaces are in an area that is now a connector between this parking lot and the adjacent lot to the north, (ii) two spaces are behind the building and are obstructed by an accessory building that has been placed in the parking lot, and (iii) three spaces are obstructed by air conditioning units. After the elimination of parking for the play area and Fire-Rescue Department access, 45 parking spaces will remain. Staff conducted a parking calculation based on parking requirements established in Chapter 18.125 of the Zoning Code and determined that 23 spaces are required for the daycare. This will leave 22 parking spaces to be used by future tenants of the remainder of the building.

As illustrated on the attached map (Attachment 3), surrounding zoning is all B-2, General Business District.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map, designates this area as Commercial.

The only criteria set forth in the Zoning Code for evaluating applications for daycare facilities is that a fenced play area must be provided and that the daycare meet the requirements of the Virginia Department of Health.

Planning Commission Recommendation: At its meeting of February 18, 2021, the Planning Commission conducted a public hearing on the matter and considered the request. During the public hearing no one spoke in opposition. On a 5-0 vote, the Commission unanimously voted to recommend approval of the Special Use Permit with the following conditions, concurring with staff's recommendation:

1. A building permit is required for change of use and the building and use must comply with all applicable provisions of the Virginia Uniform Statewide Building Code.
2. A fire lane around the entire building shall be marked and maintained according to City standards.
3. The fenced play area is required and shall be maintained for the duration of the Special Use.
4. The daycare must meet all of the requirements of the Virginia Department of Health.

Attachments:
Attachment 1—Application for Special Use Permit and Floor Plan
Attachment 2—Site Layout - 11 Green Hills Drive
Attachment 3—Vicinity Map - 11 Green Hills Dr.
Attachment 4—Current Zoning - 11 Green Hills Dr.
Attachment 5—Future Land Use, *2018-2040 Comprehensive Plan* - 11 Green Hills Dr.

Suggested Motions (to be made after the public hearing is conducted): I move that Council approve the Special Use Permit for 11 Green Hills Drive, with the conditions as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg

Attachment 1

STAUNTON
VIRGINIA

DEPARTMENT OF PLANNING & INSPECTIONS
116 W. BEVERLEY STREET | P.O. BOX 58 | STAUNTON, VA 24402
540.332.3862 (OFFICE)
540.332.3807 (FAX)

APPLICATION FOR SPECIAL USE PERMIT

DATE: 1.15.21

NAME OF APPLICANT: Carmen Sheets

ADDRESS OF APPLICANT: 3742 Churchille Ave. Churchille, VA 24421

PHONE #: 540.480.0499

E-MAIL ADDRESS: bisonbeginningsp@gmail.com

IF APPLICANT IS ***NOT*** THE OWNER OF THE PROPERTY IN QUESTION, EXPLAIN. A COPY OF A PENDING CONTRACT OR OPTION AGREEMENT MUST BE ATTACHED HERETO AND MADE A PART OF THIS APPLICATION.

LOCATION OF PROPERTY: 11 Green Hills Drive, Verona

MAP PROVIDED: YES _____ NO _____

SITE PLAN PROVIDED: YES ✓ NO _____

FEE PAID: YES ✓ NO _____ **check or cash only*

PRESENT ZONING OF THE PROPERTY: B2

APPLICABLE SECTION OF ZONING CODE STATING USE IS PERMITTED ON REVIEW:

_____

ARE PUBLIC UTILITIES AVAILABLE AND ADEQUATE FOR PROPOSED USE? IF ***NO***, EXPLAIN HOW UTILITIES WILL BE PROVIDED:

Yes

LEGAL DESCRIPTION OF PROPERTY: _____

DETAILED DESCRIPTION OF PROPOSED USE (DRAWINGS MUST BE INCLUDED IF NEW CONSTRUCTION, ADDITIONS, OR CHANGES TO THE EXTERIOR OF THE PROPERTY ARE PROPOSED).

Day care | Learning Center

SIGNATURE: Carm Sheets

Preschool

Toddlers

Accessible RR

Office/Storage

Toddlers

PHASE II

PHASE I

Open Area

Preschool

Toddlers

Exist. Office

Passage

Exist. Util.

Infants

Exist. HC RR

Exist. Boys/Men

Exist. Office

Exist. Girls/Women

Kitchen

Preschool

Preschool

Preschool

Exist. Public Lobby

Existing Laund.

Exist. Utility

Exist. Restroom

Exist. Vest.

Exist. Corridor

Exist. Restroom

FUTURE BUSINESS SPACE NOT INCLUDED IN THIS PROJECT

Floor Plan

1/4" = 1'-0"

Michael C. Brown
Architect

AIA
NCARB

11 East Beverley Street
Suite 5
Staunton
Virginia
24401

P/F: 540.851.0121
E: mcb_arch@verizon.net
W: www.mcbarch.com

New
Child Care Facility
for
Carmen
Sheets

Staunton, Virginia

REVISIONS:

PROJECT NO: 2018.22
ISSUED: 11/02/2020
DRAWN: MC Brown
CHECKED: MC Brown
TITLE:

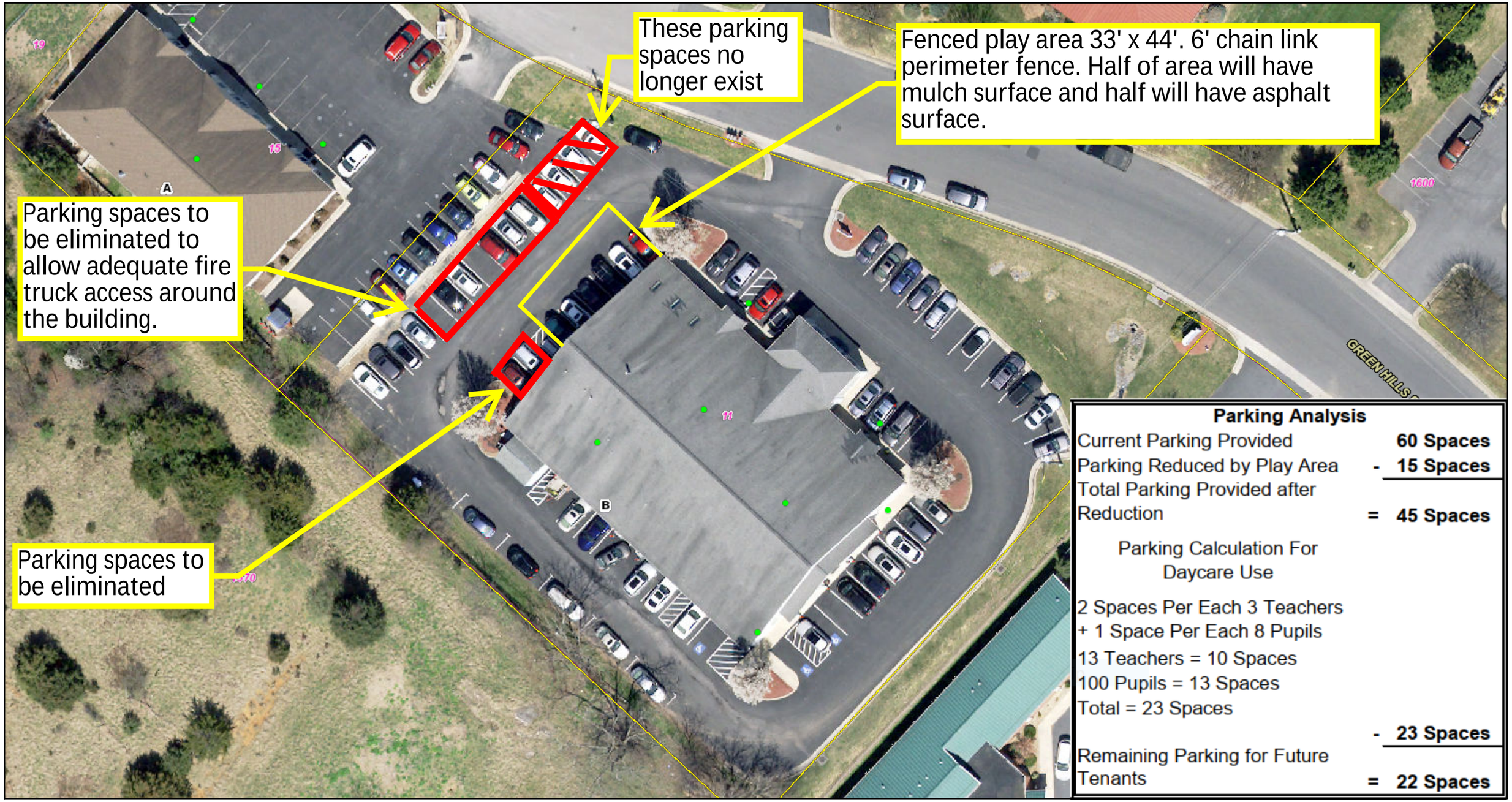
THE DRAWINGS, & THE PROPERTY OF ARCHITECT. BEFORE / AFTER THEY ARE SENT TO OR PREPARED BY OWNER OR ANY PARTY BESIDES THE ARCHITECT OR HIS CONSULTANTS, THE ARCHITECT MUST BE PAID IN FULL FOR ALL ARCHITECTURAL AND ENGINEERING SERVICES PERFORMED TO THAT POINT IN THE PROJECT. ANY USE OF THE DRAWINGS WITHOUT PAYMENT IS AN INFRINGEMENT OF COPYRIGHT.

FOR CONSTRUCTION

A1.01

11 Green Hills Drive - Bison Beginnings

Attachment 2



Parking Analysis

Current Parking Provided		**60 Spaces**
Parking Reduced by Play Area	-	**15 Spaces**
Total Parking Provided after Reduction	=	**45 Spaces**

Parking Calculation For Daycare Use

2 Spaces Per Each 3 Teachers
+ 1 Space Per Each 8 Pupils
13 Teachers = 10 Spaces
100 Pupils = 13 Spaces
Total = 23 Spaces

	-	**23 Spaces**
Remaining Parking for Future Tenants	=	**22 Spaces**

2/5/2021, 10:39:04 AM

1:444

0 0.01 0.01 0.02 mi
0 0.01 0.01 0.03 km

- Lot_Lines
- Lot_Numbers
- City Limits
- Parcels

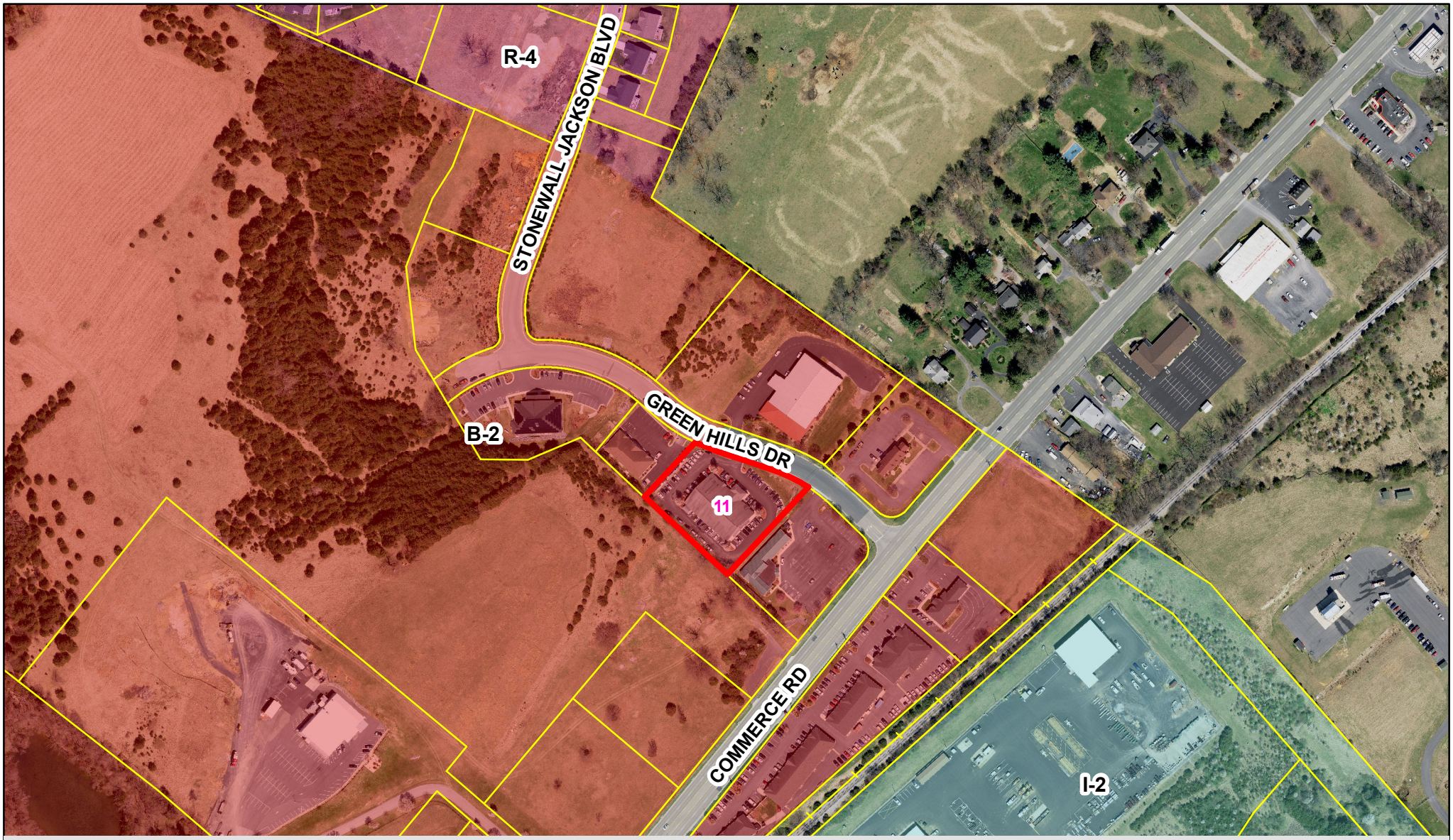
Vicinity Map – 11 Green Hills Dr.

Attachment 3



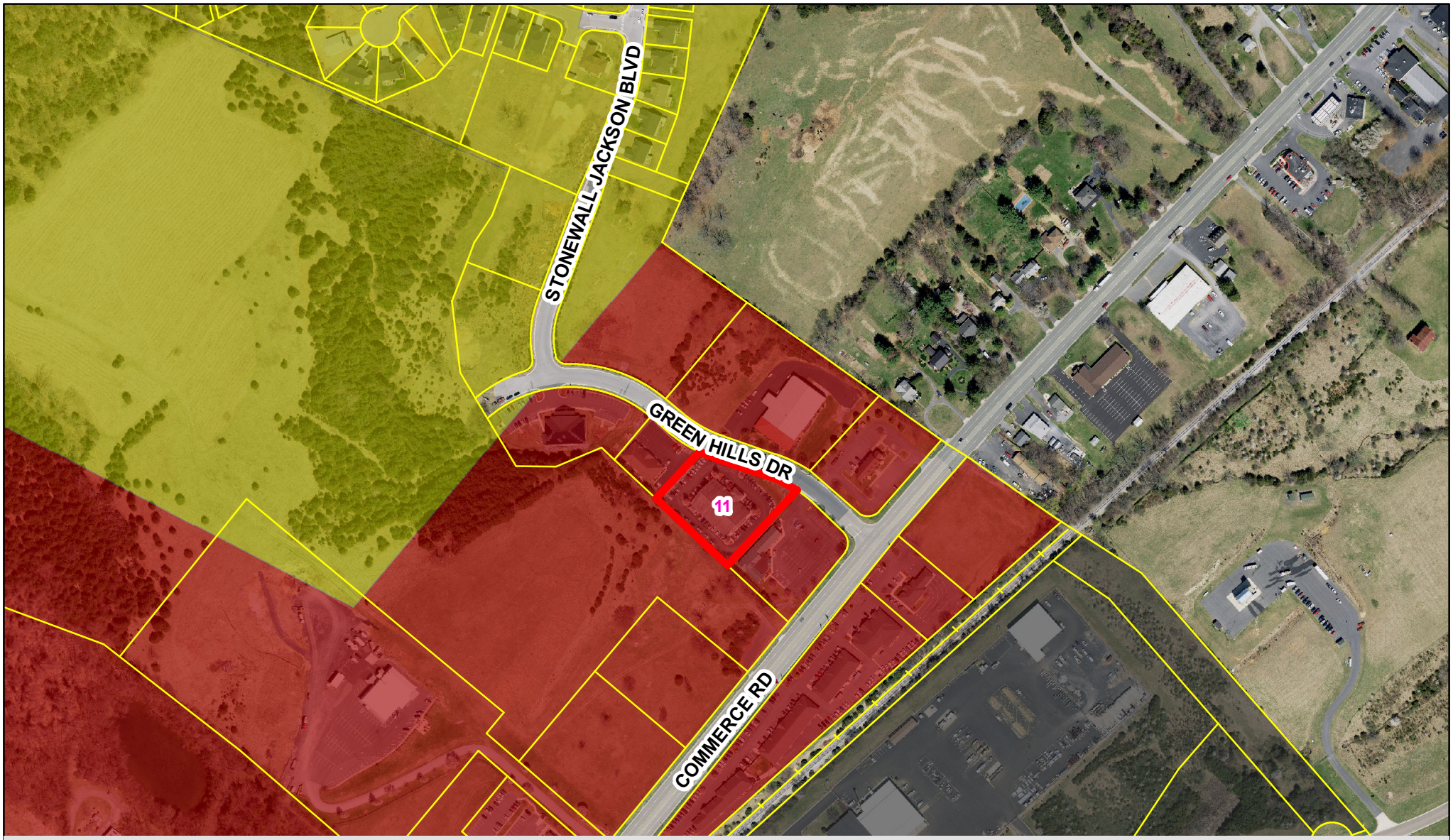
Current Zoning – 11 Green Hills Dr.

Attachment 4



Future Land Use - 11 Green Hills Dr.

Attachment 5



CITY COUNCIL AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 25, 2021**	**Staff Members:** **Anita Harris** **Lisa Shiflett**
Item #	**B**	
Ordinance #		
Department:	**Shenandoah Valley Social Services**	
Council Vision:	**Responsive, Efficient Government**	
Subject:	**Annual Report of Shenandoah Valley Social Services**	

Background: Anita Harris, Director of Shenandoah Valley Social Services, and Lisa Shiflett, Assistant Director, will discuss the highlights of the department's Annual Report for FY 2019-2020. Materials are attached for Council's review.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

Shenandoah Valley Social Services
Program Highlights and Accomplishments
Fiscal Year 2019/2020

Benefit Programs – Financial and medical assistance is provided to eligible residents for benefits under Temporary Assistance to Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Medicaid, Virginia Employment Not Welfare (VIEW) and Energy Assistance.

TANF – Provides financial services to children and their families in need.

- TANF applications received – **829**
- TANF cases under care monthly average - **381**
- Diversionary cases *FY19/20* – **9**
- TANF benefits issued - **$1,490,933**

SNAP Program – Provides food assistance for low-income families.

- SNAP applications received *FY19/20* – **4,548**
- Average # cases served per month – **4,999**
- FS benefits issued *FY19/20* - **$15,524,606**



Medicaid – Pays for health and medical care for low income people.

- Families & Children Medicaid, Plan First, & Medicaid Expansion cases under care – **10,044**
- Long Term Care/Aged, Blind, & Disabled, and Auxiliary Grant Medicaid cases under care – **4,734**
- Total Medicaid benefits issued *FY19/20* – **$144,601,521**

General Relief – Provides assistance for families with unrelated minors.

- Number of children receiving assistance – **10**
- Total GR spent – **$29,557**

Burial Assistance – Provides burial assistance for those with no family or resources to pay burial expenses.

- Number of burial applications approved – **40**
- Total Local Burial Expense - **$19,229**

LIHEAP – Low Income Energy Assistance Program - Provides heating/cooling assistance to low income families, the disabled and elderly.

- Fuel applications processed *FY19/20* – **2,219**
- Fuel benefits issued *FY19/20* – **$880,954**
- Cooling applications processed *FY19/20* – **1,509**
- Cooling benefits issued *FY19/20* –**$285,196**
- Crisis applications processed *FY19/20* - **742**
- Crisis benefits issued *FY19/20*- **$114,067**

Child Care Services for Children – Provides quality day care services for children.

- Day care cases (monthly average) – **205**
- Day care benefits issued *FY19/20* – **$547,696.20**

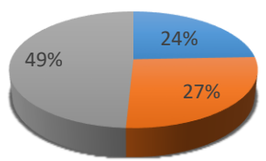
VIEW – Assists, trains, and prepares TANF recipients for employment.

- VIEW total cases (monthly average *FY19/20*) – **78**
- VIEW customers employed (monthly average) – **42**
- **%** of VIEW customers employed – **54%**
- VIEW avg. hourly wage – **$10.63**

Welfare Fraud Referrals and Collections

- TANF collections – **$6,749.94**
- SNAP collections – **$175,970.98**
- Daycare collections – **$1,988.97**
- Medicaid collections – **$180.00**
- VIEW collections - **$139.00**
- Total collections *FY19/20* – **$185,028.89**

FY 19/20 CASELOAD COUNTS FOR STAUNTON, AUGUSTA COUNTY, AND WAYNESBORO



Service Programs – Families and Children and Adult Services include the program areas of Child Protective Services (CPS), Adult Services, Adult Protective Services (APS), Foster Care (FC), Adoption, Family Treatment and FC Prevention.

Adult Services and Protective Services – Investigations of adult abuse, neglect and exploitation of elderly and incapacitated adults. Provides services to reduce the risk to adults and assist adult to remain independent.

- APS Intake referrals *FY19/20* – **2,788**
- APS investigations *FY19/20* – **1558**
- APS found in need of services *FY19/20* – **786**
- APS ongoing service cases *(monthly average)* – **170**
- AS Intake Referrals/Contacts – **1,769**
- AS ongoing service cases *(monthly average)* – **129**
- Guardianships *(monthly average)* – **213**
- Volunteer Payee Program *(monthly average)* – **38**



Child Protective Services and Prevention Services - Investigations of child abuse/neglect. Services opened to families determined at further risk of abuse/neglect.

- CPS referrals *FY19/20* – **2,110**
- CPS investigations/assessed *FY19/20* – **641**
- CPS families opened to service *(monthly average)* – **35**
- Prevention cases (*monthly average*)– **34**

Foster Care and Adoption Services – Provides a safe home for children coming into care with an emphasis on seeking permanent placements for the child.

- Number of children entering care during *FY19/20* – **40**
- Average monthly caseload – **155**
- Adoptions completed *FY19/20* – **19**
- Post adoption subsidized cases completed *FY19/20* - **271**
- Number of approved foster homes *FY19/20* – **40**

CSA – Children's Services Act

- Number of youth served *FY19/20* – **402**
- Total CSA dollars spent – **$11,273,210**

MISSION: **The promotion of self-reliance and protection of citizens through community-based services.**

Management Team

Benefit Programs:

Benefit Programs / Fraud Manager	Amber Bokelman, Supervisor (540) 942-6664
Family and Children	Cristi Abshire, Supervisor (540) 245-5860
	Krystina Guerrero, Supervisor (540) 942-6595
Medicaid Expansion	Adrienne Jackson (540) 942-6709
Adult Medicaid/Long Term Care	Holly Pritt, Supervisor (540) 245-5864
	Jonathan Kelton, Supervisor (540) 942-6402

Service Programs:

Adult Services/Adult Protective Services	Lindsay Combs, Supervisor (540) 942-6565
Child Protective Services	Amber Martino, Supervisor (540) 245-5848
Foster Care	Cherish Humphries, Supervisor (540) 245-5842
Adoption	Stephanie Huffman, Supervisor (540) 245-5833
Prevention	Shelly Catterton, Supervisor (540) 213-3692
VIEW, Daycare & Family Outreach Program	Christina Jones, Supervisor (540) 245-5884
Children's Services Act (CSA)	Crystal Breeden, Supervisor (540) 213-3690
Administrative Office Manager	Susan Hughes (540) 245-5813



Anita Harris, Director
Phone: (540) 245-5810
Email: anita.harris@dss.virginia.gov

Lisa Shiflett, Assistant Director
Phone: (540) 245-5838
Email: lisa.shiflett@dss.virginia.gov

Office Locations

Augusta County Government Center
68 Dick Huff Lane, P.O. Box 7
Verona, Virginia 24482-0007
Telephone (540) 245-5800
Fax (540) 245-5880

1200 Shenandoah Avenue
Waynesboro, Virginia 22980-0748
Telephone (540) 942-6646
Fax (540) 942-6658

Shenandoah Valley Social Services

Annual Report FY 2019/20



CITY COUNCIL AGENDA BRIEFING

Staunton, VA

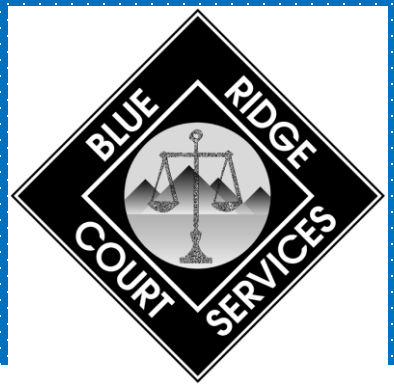
Meeting Date:	**February 25, 2021**	**Staff Member:** **Megan Roane**
Item #	**C**	
Ordinance #		
Department:	**Blue Ridge Court Services**	
Council Vision:	**Responsive, Efficient Government**	
Subject:	**Annual Report of Blue Ridge Court Services**	

Background: Megan Roane, Director of Blue Ridge Court Services, will discuss the highlights of the Blue Ridge Court Services FY 2020 Annual Report. The annual report is attached for Council's review.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg



BLUE RIDGE COURT SERVICES

FY 2020 Annual Report

BRCS MISSION STATEMENT

The mission of Blue Ridge Court Services is to provide research proven sentencing alternatives for the local criminal justice system in an effort to reduce jail overcrowding, enhance public safety and offer rehabilitative opportunities to local offender and pretrial populations in the Cities of Staunton, Waynesboro, Lexington and Buena Vista and the Counties of Augusta, Rockbridge and Highland.

HIGHLIGHTS OF 2020

BRCS served over 2,300 new clients this year . . .

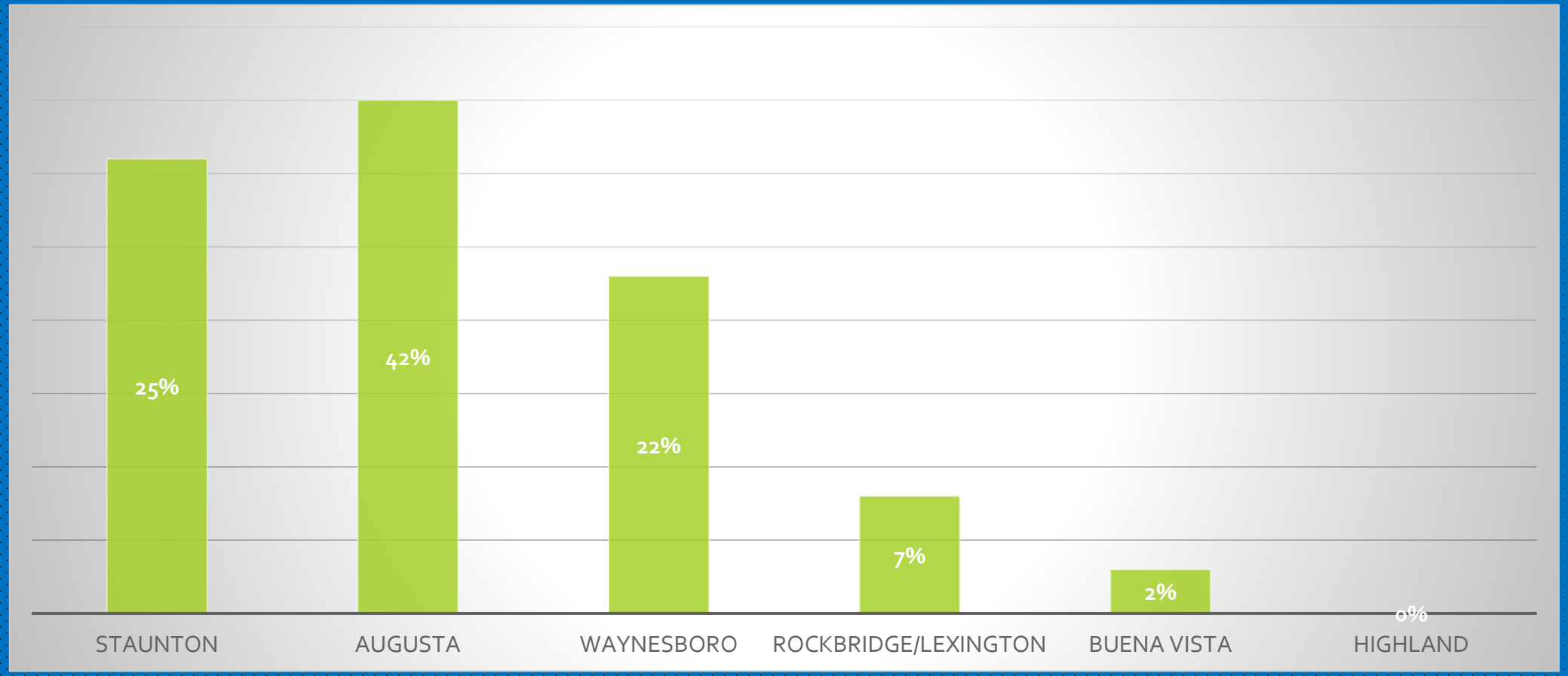
- Local Probation Services - - - - - - - - - - - - - 831
- Pretrial Services - - - - - - - - - - - - - - - - - 1,016
- Domestic Violence - - - - - - - - - - - - - - - - - 173
- Re-entry Program - - - - - - - - - - - - - - - - - 208
- Pretrial Initiative on Mental Illness - - - - - 213
- Home Electronic Monitoring - - - - - - - - - -71
- Therapeutic Docket - - - - - - - - - - - - - - - - 21
- Drug Court -30

PROBATION SERVICES

In FY 2020 Blue Ridge Court Services received 831 probation placements.

- 678 (82%) misdemeanor cases and 153 (18%) felony cases
- 64% male and 36% female
- 80% Caucasian, 17% African American and 3% Hispanic/Other
- 77% Program Success Rate (completing all of the court ordered requirements)
- 56% employed, 42% unemployed and 2% unknown
- Probationers by Risk: 81% low risk, 26% medium risk and 1% high risk
- Average Daily Cost of Probation Supervision in 2020 is $1.40 compared to Average Daily Jail Cost of $85.83

PROBATION PLACEMENTS BY JURISDICTION



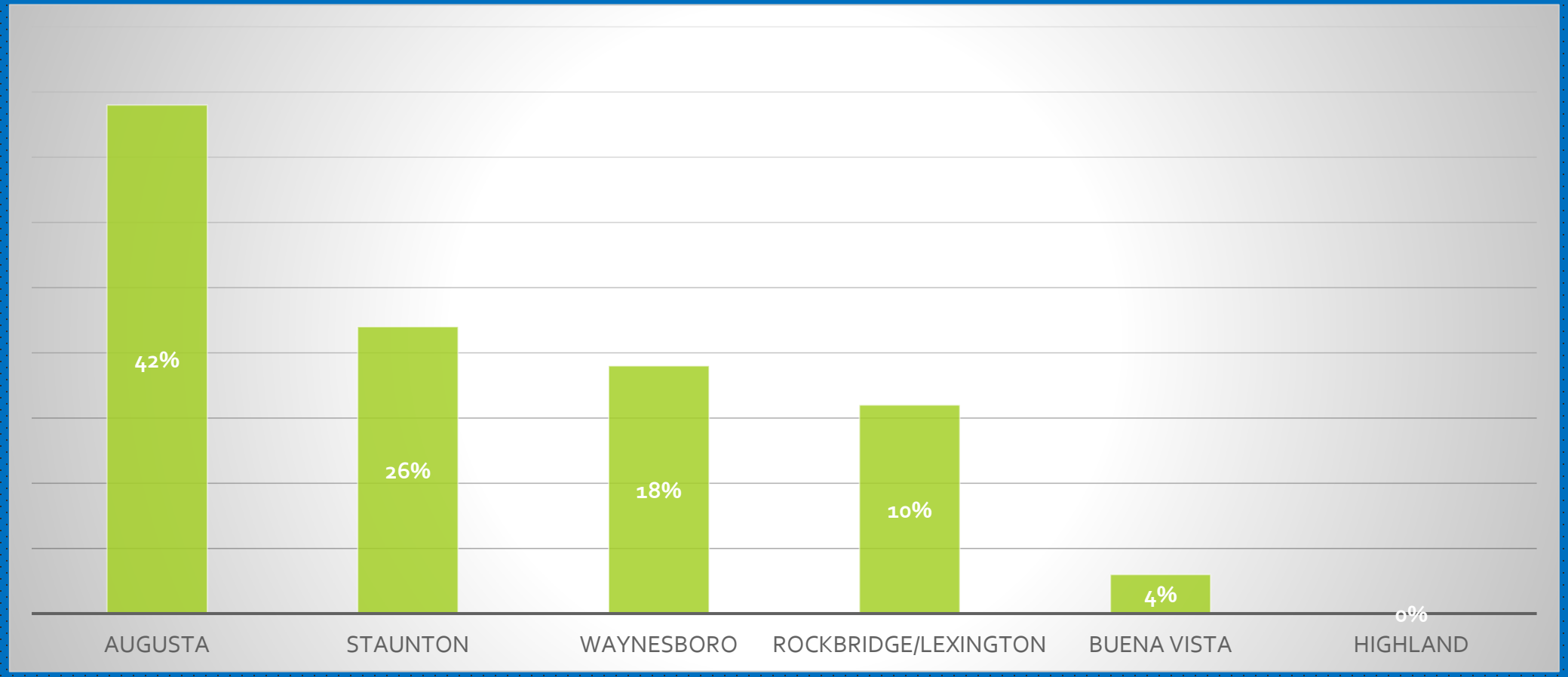
RE-ENTRY SERVICES

- Supported by $20,500 grant from CAPSAW
- BRCS staff assisted 208 re-entry clients
- FY 2020 Stats . . .
  - 83 clients were provided assistance in obtaining employment
  - 79 clients received transportation assistance
  - 26 self-care kits were distributed to clients
  - 24 clients were assisted in obtaining safe temporary shelter
  - 17 clients received reduced cost mental healthcare

PRETRIAL SERVICES

- Performed a total of 842 pretrial investigations
- Received 1,016 pretrial placements
- 87% Program success rate, 96% appearance rate, 93% public safety (arrest free) rate
- 68% Male and 32% Female
- 80% Caucasian, 18% African American and 2% Hispanic/Other
- Minimum Age = 18, Average Age = =36, Maximum Age = 80
- Average Daily Cost of Pretrial Supervision is $1.93 compared to the Average Daily Jail Cost of $85.83

PRETRIAL SERVICES BY JURISDICTION



PRETRIAL INITIATIVE ON MENTAL ILLNESS

- Three Major Objectives . . .
  - Swiftly move appropriate pretrial defendants from the criminal justice system into the community and into community based therapeutic treatment
  - Assist those defendants who remain incarcerated to obtain jail based mental health services pending their release
  - For those defendants released into the community, provide intensive supervision by a Mental Health Pretrial Officer, assessments, and weekly therapeutic groups for more intensive outpatient treatment
- In 2020, 213 were referred to PIMI

DOMESTIC VIOLENCE

- 173 Domestic Violence Referrals in 2020
- 77% Male and 23% Female
- 87% Caucasian, 12% African American and 1% Hispanic/Other
- 75 placements were from Augusta
- 52 placements were from Staunton
- 33 placements were from Waynesboro
- 11 placements were from Rockbridge/Lexington
- 84% successfully completed their court ordered obligations

THERAPEUTIC DOCKET PROGRAM

- Received 21 new placements
- 7 graduates in 2020
- 13 Males and 8 Females
- 19 Caucasians, 2 African Americans and 0 Hispanic/Other
- 9 placements were from Staunton Courts
- 9 placements were from Augusta County Courts
- 3 placements were from Waynesboro Courts
- 2 individuals in the 18 to 25 age group
- 8 individuals in the 26-35 age group
- 11 in the 36 and over age range

DRUG COURT

- This program targets individuals who have been involved in criminal activity arising from their addiction to alcohol or illegal substances.
- 19th year of operation
- Total of 217 participants and 95 graduates since inception in 2002
- 30 new drug court placements in 2020
- 4 Graduates in 2020
- 12 males and 13 females
- 3 individuals in the 18 to 25 age group
- 15 individuals in the 26 to 35 age group
- 7 individuals in the 36 and over age group

HOME ELECTRONIC MONITORING

BRCS received a total of 71 HEM placements for FY 2020

- 56 were male and 15 were female
- 58 were Caucasian, 12 African American and 1 Hispanic/Other
- Benefits both the offender and the localities . . . offenders can keep their jobs and support families . . . saving jail beds for higher risk individuals
- Daily cost of HEM is $15.00 compared to the average daily jail bed cost of $85.83

Home Electronic Monitoring Savings to Localities -2020

Locality	Participants	Bed Days Saved	Jail Costs Savings
Staunton	23	2,579	$221,356
Augusta	27	4,002	$343,492
Waynesboro	7	791	$67,892
Rockbridge/Lex	6	582	$49,953
Buena Vista	1	28	$2,403
Other	7	751	$64,458
Total	71	8,733	$749,554

***Based on the State Compensation Board's Virginia Statewide Average Daily Jail Cost of $85.83.

HOME ELECTRONIC MONITORING SAVINGS TO LOCALITIES-2020

Locality	Participants	Bed Days Saved	Jail Costs Savings
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Other	7	751	$64,458
Total	71	8,733	$749,554

***Based on the State Compensation Board's Virginia Statewide Average Daily Jail Cost of $85.83.

FY 2020 FINANCES

Financial Support for Blue Ridge Court Services is provided from the following sources:

- Virginia Department of Criminal Justice Services (DCJS) for local probation and pretrial services.
- Virginia Supreme Court for the Drug Court and Behavioral Health Docket
- Augusta Health for therapy groups and individual counseling services
- Community Action Partnership Staunton, Augusta and Waynesboro (CAPSAW) for the Re-entry Program
- Virginia Department of Behavioral Health and Development Services (DBHDS) for the Pretrial Initiative on Mental Illness
- Participant Fees which include supervision fees for probation clients and home electronic monitoring fees

Total Funding of $1, 065,325 . . .

- 60% from DCJS
- 10% from Supreme Court
- 2% from Augusta Health
- 2% from CAPSAW
- 7% DBHDS
- 17% from Participant Fees
- 2% from Rockbridge (Emergency Funding)

CITY COUNCIL AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 25, 2021**	**Staff Member:** **Megan Roane**
Item #	**D**	
Ordinance #		
Department:	**Blue Ridge Court Services**	
Council Vision:	**Responsive, Efficient Government** **Inclusiveness**	
Subject:	**Grant Application to Virginia Department of Criminal Justice Services for FY2022 Comprehensive Community Corrections Act for Local-Responsible Offenders and the Pretrial Services Act**	

Background: Blue Ridge Court Services (BRCS) is a public non-profit organization established under the Comprehensive Community Corrections Act. The City of Staunton serves as the fiscal agent for the organization, which provides services in the cities of Staunton, Waynesboro, Lexington and Buena Vista and the counties of Augusta, Rockbridge and Highland. The mission of BRCS is to provide research proven sentencing alternatives for the local criminal justice system in an effort to reduce jail overcrowding, enhance public safety and to offer rehabilitative opportunities to local offender and pretrial populations. The agency relies on grants to provide these services. BRCS proposes to apply for a grant from the Virginia Department of Criminal Justice Services to fund local probation and pretrial services. The deadline for this grant is March 19, 2021.

This grant, if awarded to BRCS, will fund local probation and pretrial services to all of the participating localities. BRCS presently assists approximately 2,300 clients each year.

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

	City Share	Total	Due Date	Local Match
Department of Criminal Justice Services (For local probation and pretrial services)	$0	$836,453	March 19, 2021	No match required

Fiscal Impact: None.

City Manager's Recommendation: Recommend that Council authorize staff to apply for a grant from the Virginia Department of Criminal Justice Services to fund local probation and pretrial services.

Suggested Motion: I move that City Council authorize staff to apply to the Virginia Department of Criminal Justice Services for a grant to fund local probation and pretrial services.

City Manager: Steven L. Rosenberg

CITY COUNCIL AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 25, 2021**	**Staff Member:** **Rodney S. Rhodes**
Item #	**E**	
Ordinance #		
Department:	**Community Development—Planning and Zoning**	
Council Vision:	**Culture**	
Subject:	**Virginia Commission for the Arts 2021-2022 Creative Communities Partnership Grant Application**	

Background: The Virginia Commission for the Arts (VCA) has operated the Creative Communities Partnership Grant (previously known as Local Government Challenge Grant) program for a number of years. In the past, the City has applied for and obtained grant funds to assist three local arts organizations: ShenanArts, the Stonewall Brigade Band and the Staunton Augusta Art Center. A partnership grant requires an equal match payable to each arts organization by the local government. Local match funds will be included in the proposed City budget for City Council's consideration. The Creative Communities Partnership Grants will be available for 2021-2022, with a total maximum grant of $4,500. Grant applications are due on April 1, 2021, and staff intends to submit an application that provides for funding for the three organizations: ShenanArts, Stonewall Brigade Band and Staunton Augusta Art Center. Based on the maximum possible grant amount, staff recommends the following breakdown:

	City Share	VCA Share	Total
ShenanArts	$1,500.00	$1,500.00	$3,000.00
Stonewall Brigade Band	$1,500.00	$1,500.00	$3,000.00
Staunton Augusta Art Center	$1,500.00	$1,500.00	$3,000.00
Total	$4,500.00	$4,500.00	$9,000.00

Should deliberations concerning the proposed FY 2021-2022 budget result in the removal of any matching funds, it is possible to rescind the request at a later date. By authorizing the City Manager to submit the grant application, the City is not irrevocably committed. It should also be noted that the City will be committed to match only those funds which are actually received from

the state. If a grant of any amount less than the $4,500 is received, then that amount will be matched by the City, if local funds are available, and divided among the three organizations in the same proportions as those outlined above.

Fiscal Impact: $4,500 in City funding.

City Manager's Recommendation: Recommend that Council authorize staff to apply for a grant from the Virginia Commission for the Arts for a 2021-2022 Creative Communities Partnership Grant.

Suggested Motion: I move City Council authorize staff to apply for the 2021-2022 Creative Communities Partnership Grant, with the understanding that acceptance will be determined by the availability of local funds to match the grant.

City Manager: Steven L. Rosenberg