

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
March 11, 2021
6:00 p.m.**

- | | | |
|------------------|------------------------|--|
| 6:00 p.m. | | Mayor's Introductory Remarks |
| 6:05 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 6:10 p.m. | 2. | Tourism Update |
| 6:30 p.m. | 3 & A | Discussion of an Ordinance to Authorize a Public Right-of-Way Encroachment by the American Frontier Culture Foundation for Placement of a Sign into the Public Right-of-Way of the City of Staunton Located Along George M. Cochran Parkway |
| 6:40 p.m. | 4, B, C & D | Discussion of Proposed Development of Property Owned by Middlebrook Trace VA LLC and Located at 914 Middlebrook Avenue in the City of Staunton, Virginia and Related Actions Requested of Council |
| 6:55 p.m. | 5. | Discussion of Resolution Regarding Events at the U.S. Capitol on January 6, 2021 |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
March 11, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Claffey

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of February 25, 2021

REGULAR MEETING

- A. Public Hearing and Consideration of an Ordinance to Authorize a Public Right-of-Way Encroachment by the City of Staunton for Placement of a Sign by American Frontier Culture Foundation Located Along George M. Cochran Parkway**
- B. Public Hearing and Consideration of an Ordinance to Partially Exempt from Real Estate Taxation by Classification or Designation Property Located at 914 Middlebrook Avenue in the City of Staunton, Virginia and Proposed to be Developed by Middlebrook Trace VA LLC as Middlebrook Trace**
- C. Consideration of a Resolution to Designate Property Located at 914 Middlebrook Avenue as a Revitalization Area**
- D. Consideration of Authorization of City Manager to Execute and Deliver to Virginia Housing Development Authority a Letter in Support of Allocation of Tax Credits to Middlebrook Trace VA LLC**
- E. Update on Progress of COVID-19 Vaccine Distribution**

- F. Resolution Requesting the Staunton Circuit Court to Appoint an Alternate Member to the Staunton Board of Equalization**
- G. Discussion and Introduction of Ordinance to Appropriate an Additional 20% of the FY2021 Adopted Budget**

Matters from the City Manager

Matters from the Public*

Adjournment

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

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

In addition, through 5:00 p.m. on Friday, March 12, 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:	March 11, 2021	City Council
Item #	1	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Work Session and Regular Meeting Agendas	

Background: Consistent with Procedural Memorandum No. 3, attached are draft meeting agendas for City Council's consideration and for approval as Council prefers.

Suggested Motion: I move to approve the Work Session agenda and the Regular Meeting agenda [as presented] [with the following changes: as to the Work Session, the addition/deletion of _____; as to the Regular Meeting, the addition/deletion of _____].

City Manager: Steven L. Rosenberg

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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 11, 2021	Staff Member: Sheryl Wagner
Item #	2	
Ordinance #		
Department:	Tourism	
Council Vision:	Economic Development Culture	
Subject:	Tourism Update	

Background: Tourism staff will provide an update to City Council concerning the department's activities over the past year and the impact that the COVID-19 pandemic has had on the City's tourism economy.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 11, 2021	Staff Member: Jeff Johnston
Item #	3 & A	
Ordinance #		
Department:	Public Works	
Council Vision:	Responsive, Efficient Government	
Subject:	Ordinance to Authorize a Public Right-of-Way Encroachment by American Frontier Culture Foundation for Placement of a Sign into the Public Right-of-Way of the City of Staunton Located Along George M. Cochran Parkway	

Background: American Frontier Culture Foundation, a foundation affiliated with the Frontier Culture Museum of Virginia, a state agency, desires to place a monument sign in the traffic circle behind Chick-Fil-A, at the intersection of George M. Cochran Parkway and Frontier Center Trail. Because the traffic circle is part of the public right-of-way owned by the City, placement of the sign requires Council's adoption of an encroachment ordinance, in the form attached. The foundation will own the proposed sign, which is intended to increase visibility of and wayfinding to the museum amidst the adjacent commercial development. The foundation's formal request, which includes plans for the proposed sign, and a notice of public hearing published in *The News Leader* are also attached.

Attachments:

- Attachment 1—Letter from American Frontier Culture Foundation dated February 26, 2021, requesting encroachment
- Attachment 2—Proposed encroachment ordinance

Attachment 3— Notice of public hearing

City Manager's Recommendation: Conduct the public hearing. Recommend that City Council adopt the ordinance.

Suggested Motion (to be made after the public hearing is conducted): I move that City Council adopt an ordinance to authorize a public right-of-way encroachment by the American Frontier Culture Foundation of a sign into the public right-of-way of the City of Staunton along George M. Cochran Parkway, as presented.

City Manager: Steven L. Rosenberg



AMERICAN FRONTIER CULTURE FOUNDATION, INC.

P.O. Box 629 • Staunton, Virginia 24402-0629 • 540.332.7850 • Fax 540.332.9989

February 26, 2021

Mr. Jeff Johnston
Public Works Director
City of Staunton
119 Craigmont Road
Staunton, VA 24401

Dear Mr. Johnston,

Please let this letter serve as our request for permission to build a sign in the public right-of-way of George Cochran Parkway and Frontier Center Trail.

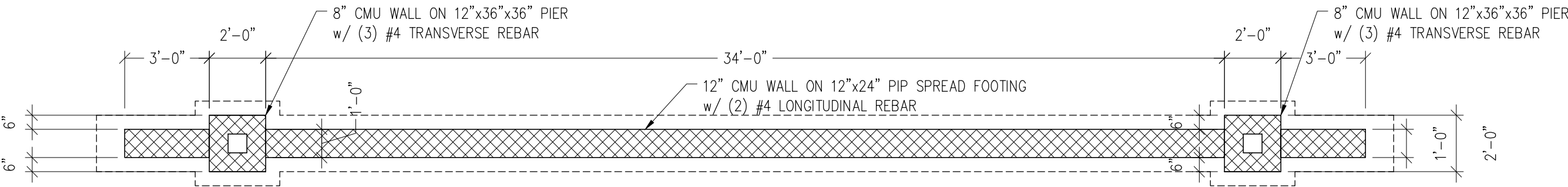
The American Frontier Culture Foundation, a 501(3)c, is the owner of the existing sign. The American Frontier Culture Foundation will be the owner of the sign for which we are requesting permission. As the Frontier Culture Museum draws visitors from the city, the region, the state and beyond, it is in the interest of the public good that a sign, identifying the Frontier Culture Museum, be placed in the traffic circle for driver visibility on Richmond Road and around the traffic circle.

Thank you for your consideration.

Sincerely,

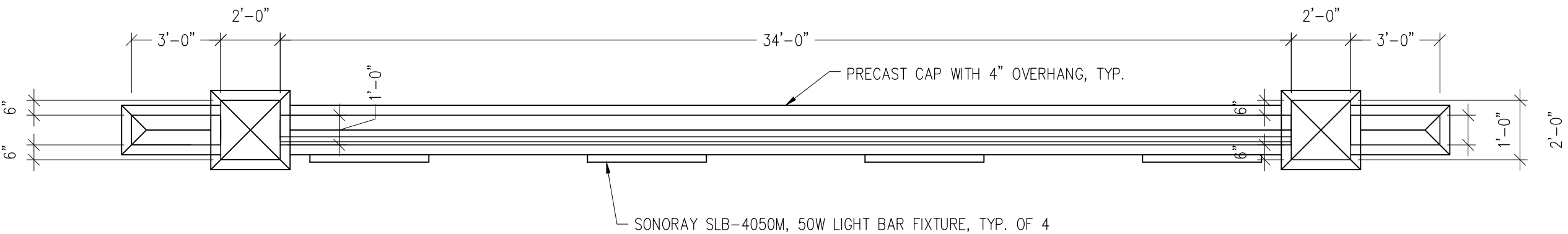
David Trainum, President
American Frontier Culture Foundation Board of Directors

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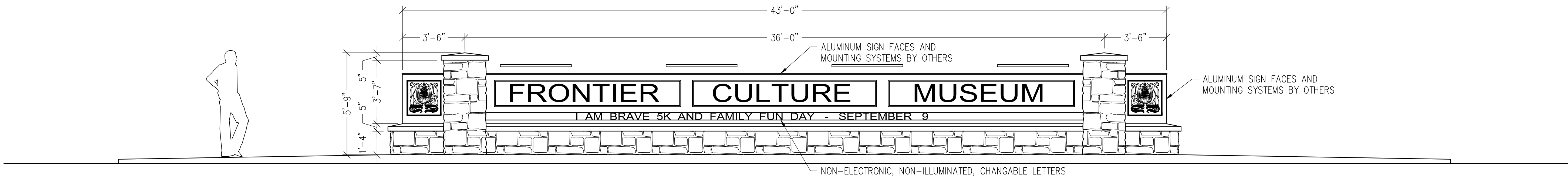
FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



FLOOR PLAN

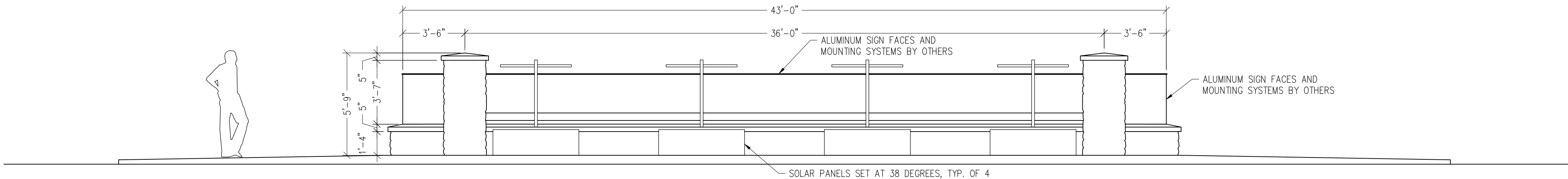
SCALE: 1/4" = 1'-0"



SIGN DIMENSIONS: 3' HIGH X 34' LONG
MAIN LETTER HEIGHT: 12"
CHANGEABLE LETTER HEIGHT: 5"

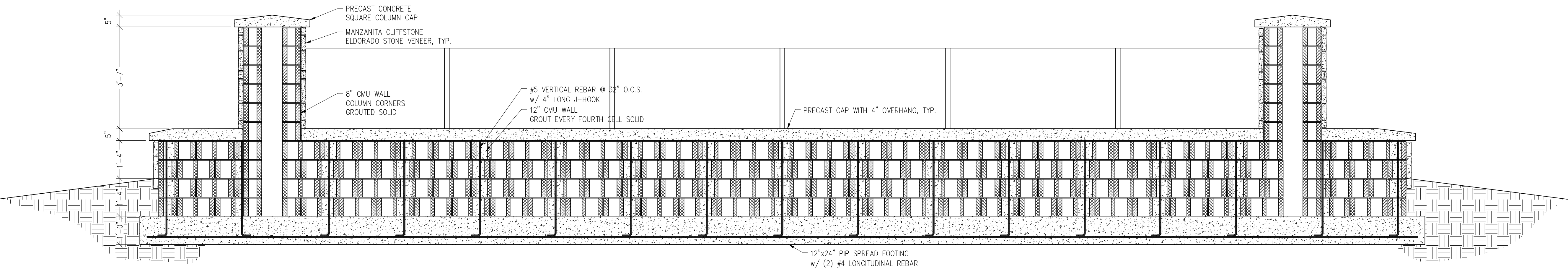
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



LONGITUDINAL SECTION

SCALE: 1/2" = 1'-0"

LINEAGE
ARCHITECTS
DRAWING UPON TRADITION

FIRM INFO:

Lineage Architects, P.C.
P.O. Box 991
98 Lee Highway
Verona, VA 24482

Phone: (540) 248-3771
Fax: (540) 248-1628
Email: info@lineagearch.com

ENGINEER NAME/SEAL:

ARCHITECT NAME/SEAL:

PROJECT TITLE:
FRONTIER CULTURE
TRAFFIC CIRCLE SIGN

CLIENT'S INFO:
FCM FOUNDATION
AFCF PROPERTIES, LLC
PO BOX 629
STAUNTON, VA 24402

NO.	REVISION/ISSUE	DATE
4	ADD CHANGEABLE LETTERING	2/25/2020
3	REVISED LIGHTING	1/30/2020
2	REVISED LIGHTING	12/18/2018
1	REVISED LIGHTING	11/12/018

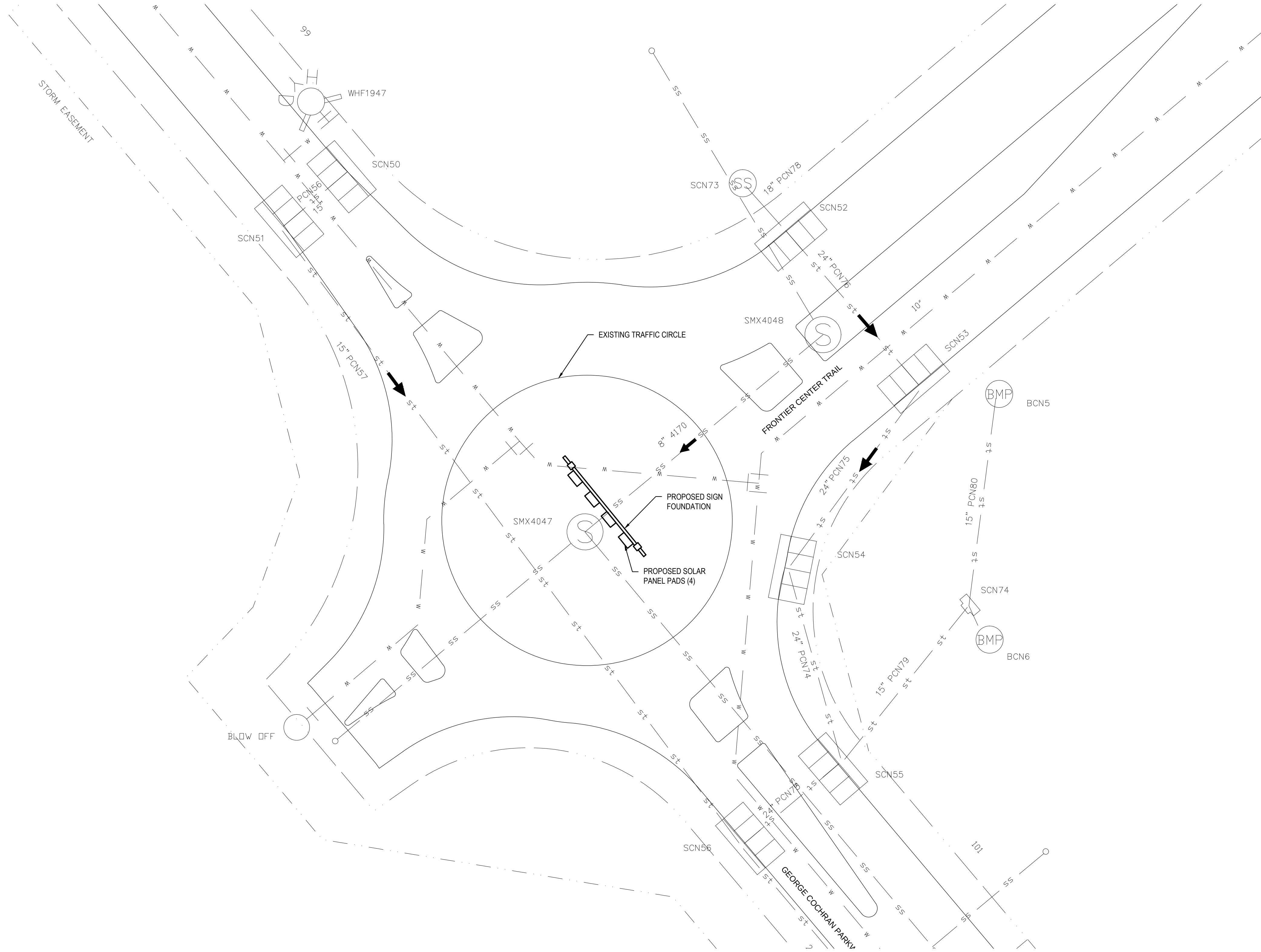
JOB NUMBER:	17051
DATE:	18 OCTOBER 2017
DRAWN BY:	AMJ
APPROVED BY:	PZG

DRAWING DESCRIPTION:
PLANS, ELEVATIONS,
AND SECTIONS

DRAWING NUMBER:

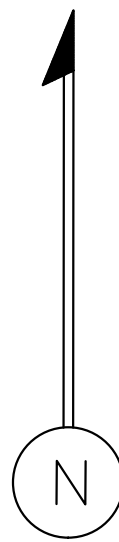
A1.1

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NOTES:

1. DEPTH OF SIGN FOOTER IS 28".
2. DEPTH OF SEWER LINE IS GREATER THAN 96".
3. MAINTAIN 120" HORIZONTAL SEPARATION FROM SIGN AND SOLAR PANELS TO SANITARY MANHOLE.
4. MANHOLE IS NOT DRAWN TO SCALE. ACTUAL SIZE IS 48".



OVERALL LAYOUT

SCALE: 1"=20'



**A LINEAGE
ARCHITECTS**
DRAWING UPON TRADITION

FIRM INFO:

Lineage Architects, P.C.
P.O. Box 991
610 Lee Highway, Suite 201
Verona, VA 24482

Phone: (540) 248-3771
Fax: (540) 248-1628
Email: info@lineagearch.com

ENGINEER NAME/SEAL:

ARCHITECT NAME/SEAL:

PROJECT TITLE:

CLIENTS INFO:
CLIENTS INFO
ADDRESS

<u>NO.</u>	<u>REVISION/ISSUE</u>	<u>DATE</u>
------------	-----------------------	-------------

JOB NUMBER: 17051

DATE: 1 OCTOBER 2020

DRAWN BY: AMJ

DRAWING DESCRIPTION:

OVERALL SITE LAYOUT

DRAWING NUMBER:

C-01

Ordinance No. 2021 - _____

**AN ORDINANCE AUTHORIZING A PUBLIC RIGHT-OF WAY ENCROACHMENT
BY AMERICAN FRONTIER CULTURE FOUNDATION,
ON A CITY OF STAUNTON PUBLIC RIGHT-OF-WAY LOCATED ALONG GEORGE
M. COCHRAN PARKWAY
IN THE CITY OF STAUNTON, VIRGINIA**

Recitals

A. American Frontier Culture Foundation (“Owner”) is the Owner of the property located at 1290 Richmond Avenue (Parcel ID 10509), in the City of Staunton, Virginia (“City” or “City of Staunton”);

B. The Owner desires to establish and maintain a private sign which will encroach into the public right-of-way of the City of Staunton along a portion George M. Cochran Parkway, as shown by the plans entitled Frontier Culture Traffic Circle Sign prepared by Lineage Architects, P.C. and last revised February 25, 2020, annexed as **Exhibit A** and incorporated by reference;

C. The public right-of-way will not be significantly impaired by this encroachment;

D. The encroachment has been the subject of a public hearing by the Council of the City of Staunton;

E. Owner is a foundation affiliated with the Frontier Culture Museum of Virginia, an agency of the Commonwealth of Virginia, which operates a museum in the City of Staunton (“Museum”);

F. The proposed sign will serve a valid public purpose of promoting tourism and assisting visitors and citizens to locate the Museum, located proximately to the sign on George M. Cochran Parkway;

G. It has been determined by the Council of the City of Staunton that this encroachment will serve the public interest at this time; and

H. These recitals are an integral part of this ordinance.

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

1. The Owner be, and the same hereby is, authorized to establish and maintain an encroachment into the public right-of-way along George M. Cochran Parkway, such encroachment consisting of a sign, as generally shown on the annexed drawings, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the City; provided, that this authorization to establish and maintain this encroachment, to the

39 extent that Owner may be held liable under the Virginia Tort Claims Act, shall not be
40 construed to relieve Owner of liability for any negligence on account of or in connection
41 with the encroachment and shall be subject to the provisions set forth below.

42 2. The authorization hereby granted to establish and maintain such encroachment
43 shall be subject to and conditioned upon Owner maintaining, at all times and at its own expense,
44 liability insurance, covering both bodily injury and property damage, with a company authorized
45 to transact business in the Commonwealth of Virginia and with minimum limits as follows:

47	Bodily Injury:	\$1,000,000 each occurrence
48		\$1,000,000 aggregate
49		
50	Property Damage:	\$1,000,000 each occurrence
51		\$1,000,000 aggregate
52		

53 This liability insurance policy shall identify the City of Staunton as named additional
54 insured and shall provide for the indemnification of the City of Staunton and Owner against any
55 and all loss occasioned by the establishment, construction, placement, existence, use or
56 maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed
57 with the city manager's office. Any other provision herein to the contrary notwithstanding, in the
58 event this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in
59 force and effect, the authorization herein granted to establish and maintain the encroachment
60 shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In
61 that event, Owner shall, upon notice from the city, remove the encroachment from the public
62 right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of
63 Owner. Nothing in this section shall relieve Owner of his obligations and undertakings required
64 under this ordinance.

65 3. The authorization to establish and maintain such encroachment is subject to and
66 conditioned upon the city's approval of the design, materials, and placement of the sign.

67 4. The authorization to establish and maintain such encroachment is subject to and
68 conditioned upon Owner contractually requiring its contractor(s) responsible for performing
69 work in conjunction with or establishing or maintaining the encroachment to obtain from the
70 City all permits required by the City for such work and complying with all insurance
71 requirements associated with such permits.

72
73 5. The authorization hereby granted to establish and maintain such encroachment
74 shall in addition be subject to and conditioned upon the following terms: Neither the City of
75 Staunton nor any public utility company shall be responsible for damage to Owner's property
76 encroaching into the public right-of-way during repair, maintenance or replacement of the public
77 right-of-way or any public facilities or utilities in the area of encroachment.

78 6. By accepting the authorization hereby granted to establish and maintain the
79 encroachment and by so establishing and/or maintaining the encroachment, Owner shall be
80 deemed to have promised and agreed to indemnify, defend, and hold harmless the City of
81 Staunton, its officials and employees, from any and all liability (including attorneys' fees and

litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

7. The authorization herein granted to establish and maintain the encroachment shall be subject to Owner maintaining the area of the encroachment in a condition as required by provisions of the Staunton City Code, including, without limitation, Chapter 18.140, Signs, Billboards, and Other Advertising Structures, to the extent applicable. Without limiting the foregoing, the Owner shall be further obligated, to the satisfaction of the City, to (a) maintain the sign erected in the encroachment in good repair and in a safe, neat, clean, and attractive condition, and (b) cut the grass in the entire traffic circle in which the encroachment is located.

8. Nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Staunton, the Owner, or any of their officers or employees.

9. The authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Staunton desires to use or modify the affected public right-of-way for any purpose whatsoever and, by written notification, demands from Owner the removal of the encroachment. Owner shall, upon such notice from the City, remove the encroachment from the public right-of-way by such time as designated by the City; or the City, at its option, may remove the encroachment at the expense and risk of Owner without liability to Owner for any loss or damage to the structure of the encroachment, the attached structure, if any, or personal property therein caused by the removal.

10. Pursuant to Virginia Code § 15.2-2011, as amended, the Owner be, and the same hereby is, further authorized to maintain an additional sign encroaching on the existing public right-of-way along Frontier Center Trail, as such sign exists in its present location on the date of adoption of this ordinance, until such sign is destroyed or removed; however, nothing contained in this ordinance shall be construed to relieve Owner of negligence on its part on account of such sign and such further authorization is subject to the other provisions of this ordinance applicable to the encroachment of a sign authorized in the right-of-way of George M. Cochran Parkway.

Introduced:

Adopted:

Effective:

ATTEST: _____

Morgan Smith
Interim Clerk of Council

Andrea W. Oakes
Mayor

127
128

**CITY OF STAUNTON
NOTICE OF INTENTION AND PUBLIC HEARING
TO AUTHORIZE
PUBLIC RIGHT-OF-WAY ENCROACHMENT
BY AMERICAN FRONTIER CULTURE FOUNDATION ON A CITY OF
STAUNTON PUBLIC RIGHT-OF-WAY LOCATED ALONG GEORGE M.
COCHRAN PARKWAY**

TO THE CITIZENS OF THE CITY OF STAUNTON, VIRGINIA: PLEASE

TAKE NOTICE that a public hearing will be held during the regular meeting of Staunton City Council at **7:30 p.m. on Thursday, March 11, 2021**, on adoption of an ordinance to allow an encroachment on public right-of-way located to benefit property with street address of 1290 Richmond Avenue (identified as PIN 10509). The encroachment would allow the placement of a sign by American Frontier Culture Foundation in the public right-of-way. The hearing will be held in Rita S. Wilson Council Chambers, first floor of City Hall, 116 West Beverley Street, Staunton, Virginia.

The proposed ordinance is authorized by, among other considerations, Section 11 of the Staunton City Charter and Virginia Code Section 15.2-2009.

A copy of the full text of the proposed ordinance is available by (i) emailing Morgan Smith at smithmc@ci.staunton.va.us, (ii) calling Morgan Smith at 540.332.3812, or (iii) viewing the meeting agenda packet available online at <https://www.ci.staunton.va.us/agendas-minutes>.

All persons wishing to be heard at the public hearings are invited to participate. Specific guidelines for participation, including in-person participation, can be found at <https://www.ci.staunton.va.us/government/city-council/access-city-council-meetings>.

Questions regarding participation may be directed to Morgan Smith at smithmc@ci.staunton.va.us or 540.332.3810.

Morgan Smith
Interim Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 11, 2021	Staff Member: Rodney Rhodes
Item #	4, B, C & D	
Ordinance #		
Department:	Community Development – Planning and Zoning	
Council Vision:	Built Environment Inclusiveness	
Subject:	Public Hearing and Consideration of an Ordinance to Partially Exempt from Real Estate Taxation by Classification or Designation Property Located at 914 Middlebrook Avenue in the City of Staunton, Virginia and Proposed to be Developed by Middlebrook Trace VA LLC as Middlebrook Trace Consideration of a Resolution to Designate Property Located at 914 Middlebrook Avenue as a Revitalization Area Consideration of Authorization of City Manager to Execute and Deliver to Virginia Housing Development Authority a Letter in Support of Allocation of Tax Credits to Middlebrook Trace VA LLC	

Background: Middlebrook Trace VA LLC, proposes to develop an 82-unit apartment complex at 914 Middlebrook Avenue (location shown on Attachment 1) that will serve low and moderate income families.

The development would be composed of two, 3-story buildings consisting of 40 units with two bedrooms and 42 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 a tax abatement ordinance and a revitalization area resolution and to authorize the City Manager to transmit a letter to Virginia Housing supporting to the project the allocation of federal housing tax credits.

Tax Abatement Ordinance

Attached as Attachment 3 is a draft tax abatement ordinance for Council's consideration. The developer notes in its supporting materials that the adoption of the ordinance "will increase the application score by five points, thereby making it tremendously more competitive in the upcoming Virginia Housing March 2021 application round." The requested abatement amount is \$2,000 a year for a period of three years. The improvements are expected to be valued at \$11,480,000. City Assessor Charles Haney, Jr. notes that based on the \$11,480,000 hard cost and the City's current tax rate of \$0.95/100, the project would be expected to generate additional tax revenue in the annual amount of \$109,000, commencing in 2024 after project completion. The developer notes that "Staunton City Council shall by adoption of an ordinance allow for a small reduction in the real estate taxes due for the property over a three year period, but significantly increase the City's tax base into perpetuity."

Revitalization Area Resolution

A draft revitalization area resolution is also attached as Attachment 4 for Council's consideration. The developer notes in its supporting materials that adoption of the resolution "will increase the application score by 15 points, thereby making it tremendously more competitive in the upcoming Virginia Housing March 2021 application round." According to Virginia Housing, in order for a project to qualify for revitalization area points, the development must be located in one of the following:

- a Qualified Census Tract, as defined by the U.S. Department of Housing and Community Development (HUD);
- a census tract in which 70% or more of the families have incomes which are less than 80% of the statewide median income;
- an already established redevelopment area, conservation area or rehabilitation district established by the city;
- a Housing Rehabilitation Zone established by an ordinance adopted by the city; or
- a defined revitalization area.

The developer has determined that the project area does not qualify for revitalization area points under the first four criteria identified above; however, through Council's adoption of resolution establishing defined revitalization area, the project may qualify for these application points.

In February 2020, the developer prepared a Need and Demand Analysis for a similar tax credit project in Augusta County (Mountain Laurel Manor III). As noted in the Executive Summary of that analysis, "the total need for tax credit units such as is proposed in the Staunton/Augusta County area by 2025 is calculated to be for 2,086 units. The net need is for 1,990 units."

The need for affordable housing is also noted in the *City of Staunton, Virginia Comprehensive Plan 2018-2040* and the City's Consolidated Plan related to the City's designation as an entitlement community for purposes of HUD's Community Development Block Grant Program.

Comprehensive Plan

One of the goals noted in the *City of Staunton, Virginia Comprehensive Plan 2018-2040*, is to "ensure that Staunton's housing stock is an adequate mix to support the citizenry and the City's tax base." One of the objectives under this goal is to "develop a city-wide housing plan to address housing issues such as affordable housing, blighted areas, historic rehabilitation, housing for seniors and the elderly, and housing too concentrated based on income levels." Furthermore, the Comprehensive Plan notes that "economic development depends on housing and creates the need for it. Affordable, quality housing is necessary for maintaining a labor force for employers to access."

Entitlement Community Designation

On February 26, 2019, HUD designated the City as a new entitlement community starting with the federal fiscal year 2019. Under this program designation, the City receives annual allocations from HUD.

On August 8, 2019, City Council approved the FY 2019-2023 Five-Year Consolidated Plan and FY2019 Annual Action Plan.

The purpose of the Consolidated Plan (CP) is to guide federal funding decisions in the next five years. The CP is guided by three overarching goals that are applied according to a community's needs. The goals are:

- To provide decent housing by preserving the affordable housing stock, increasing the availability of affordable housing, reducing discriminatory barriers, increasing the supply of supportive housing for those with special needs, and transitioning homeless persons and families into housing.
- To provide a suitable living environment through safer, more livable neighborhoods, greater integration of low- and moderate- income residents throughout the City, increased housing opportunities, and reinvestment in deteriorating neighborhoods.
- To expand economic opportunities through more jobs paying self-sufficient wages, homeownership opportunities, development activities that promote long-term community viability, and the empowerment of low- and moderate- income persons to achieve self-sufficiency.

A Housing Needs Assessment was undertaken as part of the Consolidated Plan. The Housing Needs Assessment indicates the following:

Lower-income households in the City have been greatly impacted by high housing costs, which reduce economic opportunities and access to prosperity. Real incomes in the area have declined while housing costs have risen, resulting in an increase in the need for affordable housing options. Between 2000 and 2015, median income for City residents *declined* by almost a third (29.7%) after

adjusting for inflation, while median rent *increased* by 28% and median home values *increased* by 7%.

Median income decreasing while median home values and rents continue to rise contributes to a diminished ability for households to reside in the City. Given an inadequate supply of decent, affordable housing options, the area's lower-income households often face a choice between substandard housing and housing cost burden.

The most significant housing issue identified is cost burden, defined as spending over 30% of household income on housing costs, such as mortgage and rent payments. According to CHAS data, 31.3% of households in the City are cost burdened. Similarly, severe cost burden is defined as spending over 50% of household income on housing. In Staunton, over 15.89% of households are severely cost burdened.

Support Letter

Finally, a support letter, in the form attached as Attachment 5, is requested from the City to Virginia Housing. The purpose of the letter is to communicate the City's support for the allocation of federal housing tax credits requested by the developer for the proposed development.

Attachments:

Attachment 1—Vicinity Map – 914 Middlebrook Ave
Attachment 2—Supporting documents provided by the developer
Attachment 3—Proposed tax abatement ordinance
Attachment 4—Proposed revitalization area resolution
Attachment 5—Proposed support letter
Attachment 6—Letter dated February 24, 2021, from Equity Partners, LLC

Recommendation: The need for low and moderate income housing has been well established in various City plans. The proposed tax abatement is negligible in comparison to the expected investment and projected tax revenue. Although the proposed development is not located in an Opportunity Zone or a Qualified Census Tract, any quality affordable housing development on appropriately zoned property benefits the City. Therefore, staff recommends adoption of the proposed tax abatement ordinance and the proposed revitalization area resolution, and execution and delivery to Virginia Housing of the proposed support letter.

Suggested Motions:

Item B (to be made after public hearing is conducted): I move that City Council, pursuant to Virginia Code § 58.1-3219.4, adopt the proposed ordinance, partially exempting from real estate taxation property located at 914 Middlebrook Avenue in the City of Staunton, Virginia and proposed to be developed by Middlebrook Trace VA LLC as Middlebrook Trace, as presented.

Item C: I move that City Council, pursuant to Virginia Code § 36-55.30:2(A), adopt the proposed resolution designating property located at 914 Middlebrook Avenue as a revitalization area, as presented.

Item D: I move that the City Manager be authorized and directed to prepare and send to Virginia Housing a letter, substantially in the form attached as Attachment A, supporting the allocation of federal housing tax credits requested by the developer for the proposed development, as presented.

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.

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.

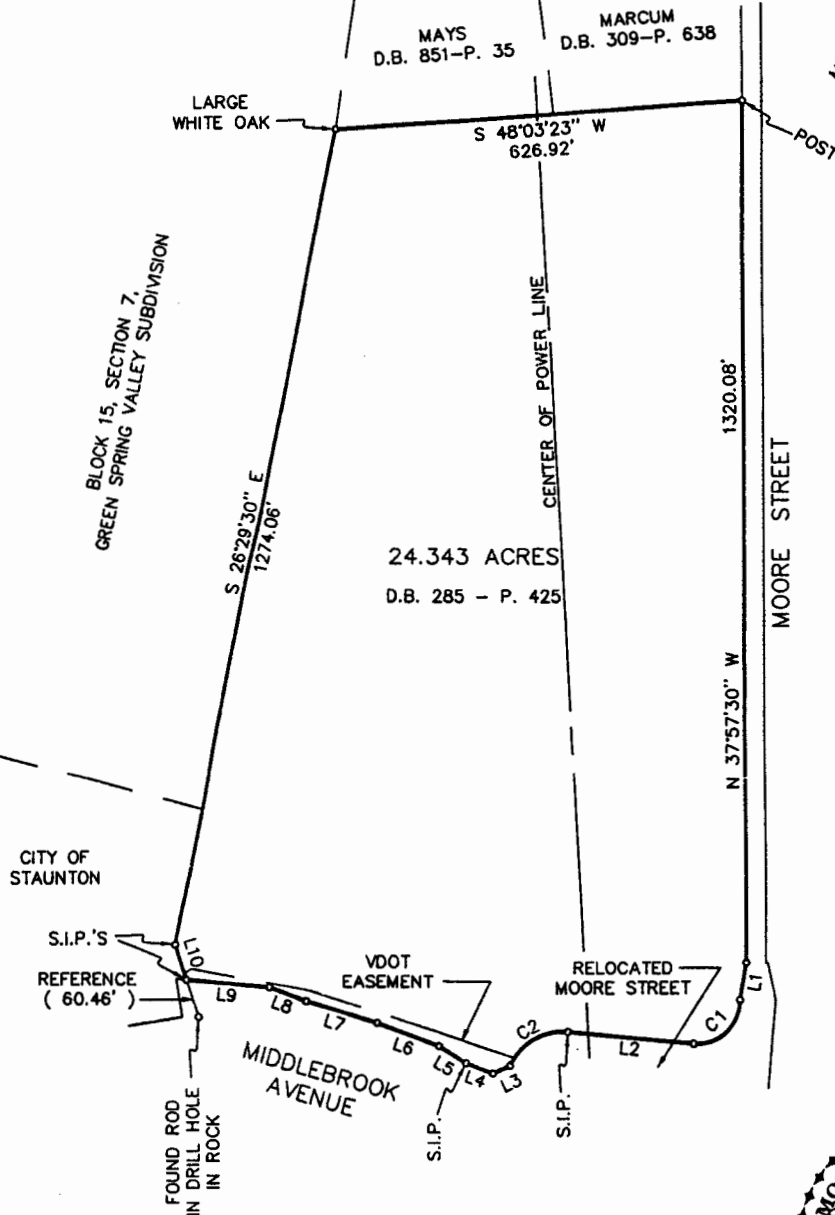
Summary of Information:

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

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'

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD DIRECTION	CHORD LENGTH
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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.



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.



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MOORE STREET APARTMENTS

LAYOUT PLAN

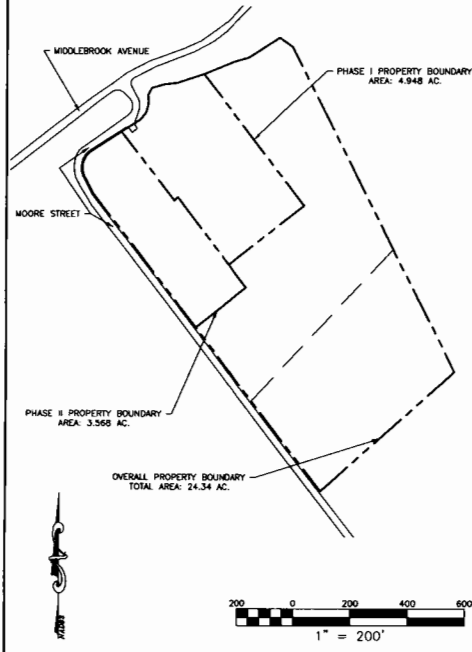
CITY OF STAUNTON, VIRGINIA

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

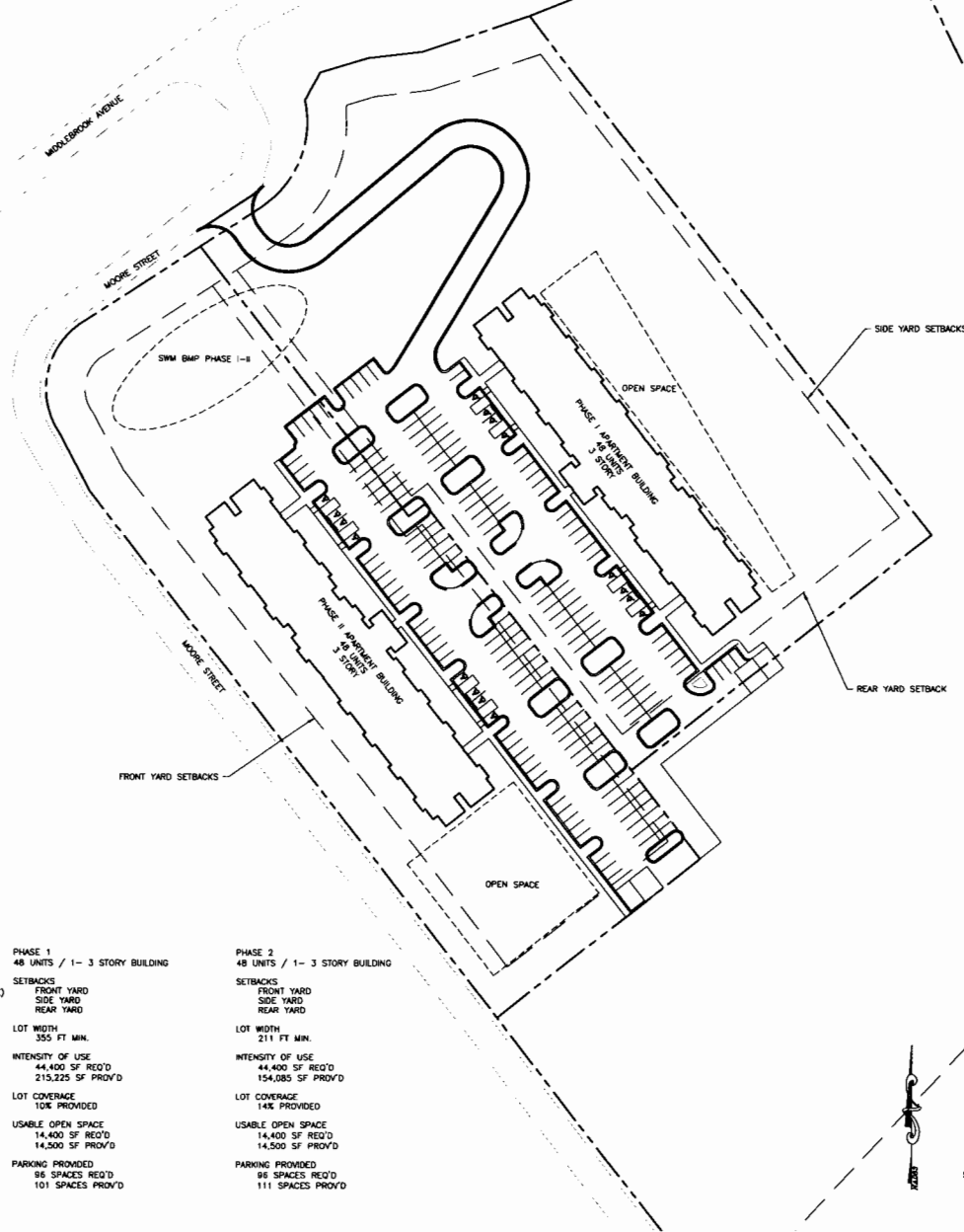
#1

PROJECT NO. 24030000.06

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

R4 ZONING
R2 ZONING

NEED AND DEMAND ANALYSIS
FOR
MOUNTAIN LAUREL MANOR III
IN
STAUNTON/AUGUSTA COUNTY, VIRGINIA

Prepared for
Mountain Laurel Manor III VA LLC
for submission to
the Virginia Housing Development Authority

VHDA Application: 2020 - C - 09

As of February 21, 2020

T Ronald Brown: Research & Analysis

P.O. Box 18534
Asheville, NC 28814
919.233.0670

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A. EXECUTIVE SUMMARY

The following provides a brief summary of each of the major sections in the market analysis.

Mountain Laurel Manor III is to be located to the east of Bobby's Way in the Maple Ridge Square development and to the west of Myer's Corner Drive, to the south of the Jefferson Highway in Augusta County. There are no apparent physical, environmental, or other constraints upon the construction and marketing of the proposed project at this location.

The proposed project will comprise the construction of 48 units - 28 two-bedroom units and 20 three-bedroom units. There will be five units targeted at 30 percent of the median income, 19 units targeted to households with incomes up to 50 percent of the median, seven units targeted at 60 percent of the median, and 17 units targeted at 80 percent of the median.

Employment in Augusta County fell from 35,966 in 2009 to 34,481 in 2010. Since then, employment has grown - to 35,929 in 2018.

For Augusta County, the current unemployment rate is 2.7 percent, down from 3.4 percent the previous year. The rate was 7.1 percent in 2010.

The market area for the proposed development is central and eastern Augusta County, the City of Staunton, and the City of Waynesboro.

The population of the market area is projected to increase from 98,153 in 2020, to 100,440 in 2025. The number of households is projected to increase, from 42,182 in 2020 to 43,953 in 2025. The number of renter households in the market area is projected to increase from 13,699 to 14,739 over the 2020 to 2025 projection period.

There are several apartment complexes located in the Augusta County area. These include conventional, market rate properties, properties financed with low income housing tax credits, and subsidized housing for low and very low income households.

Based on our survey, there is a market-wide occupancy rate of 98.0 percent. Occupancy at tax credit properties is found to be around 94.7 percent.

The total need for tax credit units such as is proposed in the Staunton/Augusta County area by 2025 is calculated to be for 2,086 units. The net need is for 1,990 units. Given the calculated net need, the proposed 48-unit development amounts to 2.4 percent of the need.

Consideration of the capture rate (2.4 percent), the (0.6 percent) affordability analysis capture and (5.7 percent) penetration rate, suggest that the proposed development is marketable, as proposed.

Based on the above, the project could expect to lease-up (reach stabilized occupancy) over an estimated three- to-four- month period, or so. This is likely to be abbreviated assuming that the waiting list for the initial phases can be drawn-on.

The proposed development will not have an impact on existing housing in the area.

The proposed development is considered marketable and can be developed as proposed.

Project Wide Capture Rate, LIHTC units: 2.4 percent

Project Wide Capture Rate, market units: n/a

Project Wide Capture Rate, all units: 2.4 percent

Project Wide Absorption Period (Months):three-to-four month





DRAFT 3.4.21

Ordinance No. 2021-____

**AN ORDINANCE TO PARTIALLY EXEMPT FROM REAL ESTATE TAXATION
BY CLASSIFICATION OR DESIGNATION
PROPERTY LOCATED AT 914 MIDDLEBROOK AVENUE (PID 2896)
IN THE CITY OF STAUNTON, VIRGINIA
AND PROPOSED TO BE DEVELOPED BY MIDDLEBROOK TRACE VA LLC
AS MIDDLEBROOK TRACE**

Recitals

A. Middlebrook Trace VA LLC (Middlebrook Trace) has applied to the 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 914 Middlebrook Avenue (PID 2896) (Property);

B. Council desires to support and encourage the development of the Property by enacting an ordinance to provide Middlebrook Trace with a partial tax exemption from real property taxes;

C. On March 11, 2021, Council held a public hearing in accordance with notice duly and lawfully published in *The News Leader*;

D. Virginia Code § 58.1-3219.4 authorizes Council to enact such exemptions within the limitations therein prescribed and as may be prescribed by this Council; and

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, pursuant to § 58.1-3219.4 of the Code of Virginia that:

1. The real property located of 914 Middlebrook Avenue (PID 2896) is to be partially exempted, as provided in this ordinance.

2. At a public hearing duly and lawfully held on March 11, 2021, pursuant to public notice, the Council examined and considered Middlebrook Trace's proposal for partial tax exemption.

3. Council hereby finds that:

A. The Property, along with improvements currently located thereon, is assessed at a total of Two Hundred Forty-Three Thousand Nine Hundred Thirty and No/100 Dollars (\$243,930.00) for tax year 2020, and the cost of the proposed improvements, as represented by Middlebrook Trace, is expected to be Eleven Million Four Hundred Eighty Thousand and No/100 Dollars (\$11,480,000.00).

B. The real property taxes that were paid by the Property's owner for tax year 2020, were Two Thousand Three Hundred Seventeen and 34/100 Dollars (\$2,317.34). The increase in value attributable to the proposed improvements could result in an increase of the amount of total tax on the Property in the amount of One Hundred Nine Thousand and No/100 Dollars (\$109,000.00).

C. Middlebrook Trace 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 the Property will serve the City of Staunton, and its residents, as an affordable housing option. Accordingly, Middlebrook Trace is eligible for a partial exemption from the assessment of real property taxes as a result of such development under Virginia Code § 58.1-3219.4.

4. Council hereby exempts Middlebrook Trace from real property taxes assessed against the Property in the amount Two Thousand and No/100 Dollars (\$2,000.00) annually for a period of three (3) tax years from the date of final completion of such development, but in no event shall the exemption continue for more than five (5) tax years from the effective date of this ordinance.

5. The cost of the proposed improvements shall be presumed as shown on the building permit application submitted by Middlebrook Trace.

6. The exemption granted by this ordinance is contingent upon the following:

A. Middlebrook Trace's acquisition of record title to the Property; and

B. Middlebrook Trace providing housing predominately for persons with low to moderate income as defined by Virginia Housing.

Introduced:

Adopted:

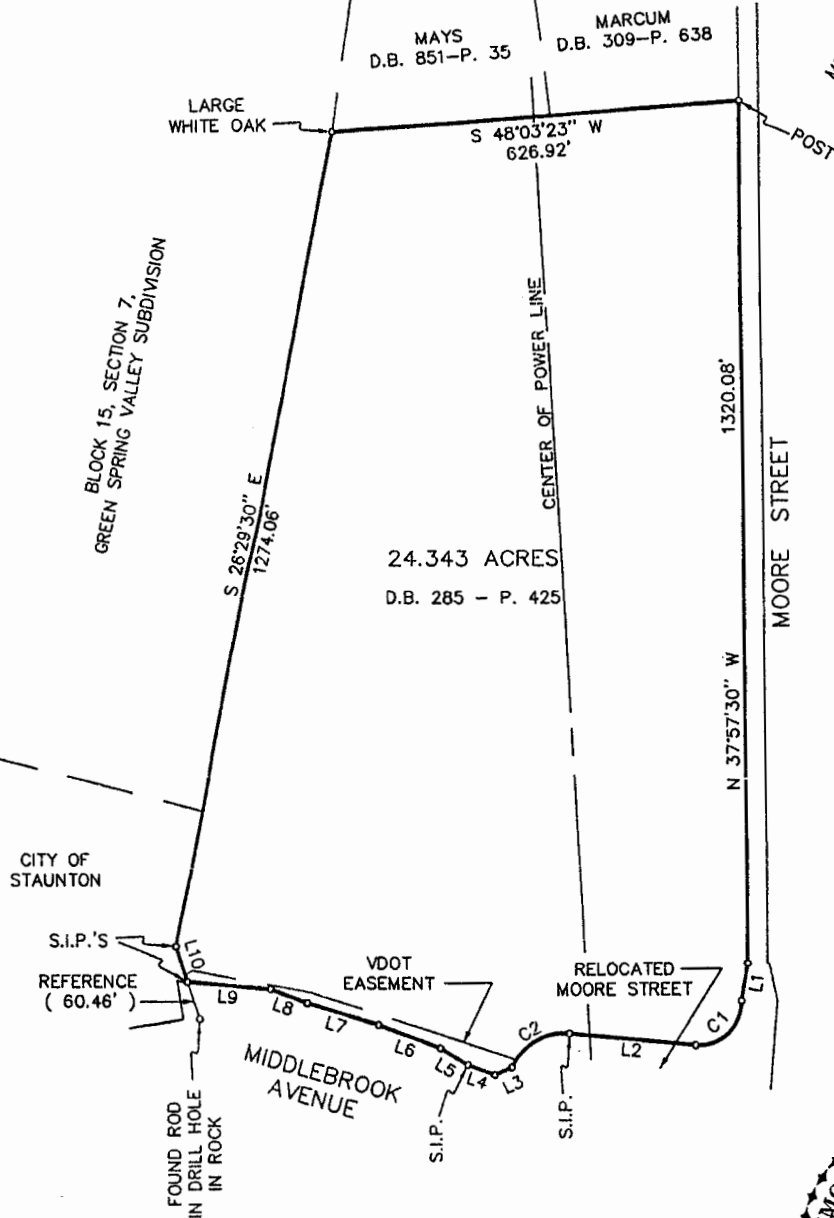
Effective Date:

Andrea W. Oakes, Mayor

ATTEST:

Morgan C. Smith
Interim Clerk of Council

Exhibit A



MERIDIAN FROM SUBDIVISION PLAT C
GREEN SPRING VALLEY, SECTION 7,

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'
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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

DRAFT 3.4.21

**RESOLUTION OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA,
DESIGNATING 914 MIDDLEBROOK AVENUE (PID 2896)
AS A REVITALIZATION AREA**

RECITALS

A. Pursuant to § 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 914 Middlebrook Avenue (PID 2896) as shown on Exhibit A attached hereto as a revitalization area;

B. 914 Middlebrook Avenue (PID 2896) is located in an area where the industrial, commercial, or other economic development of such area will benefit the City of Staunton 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.

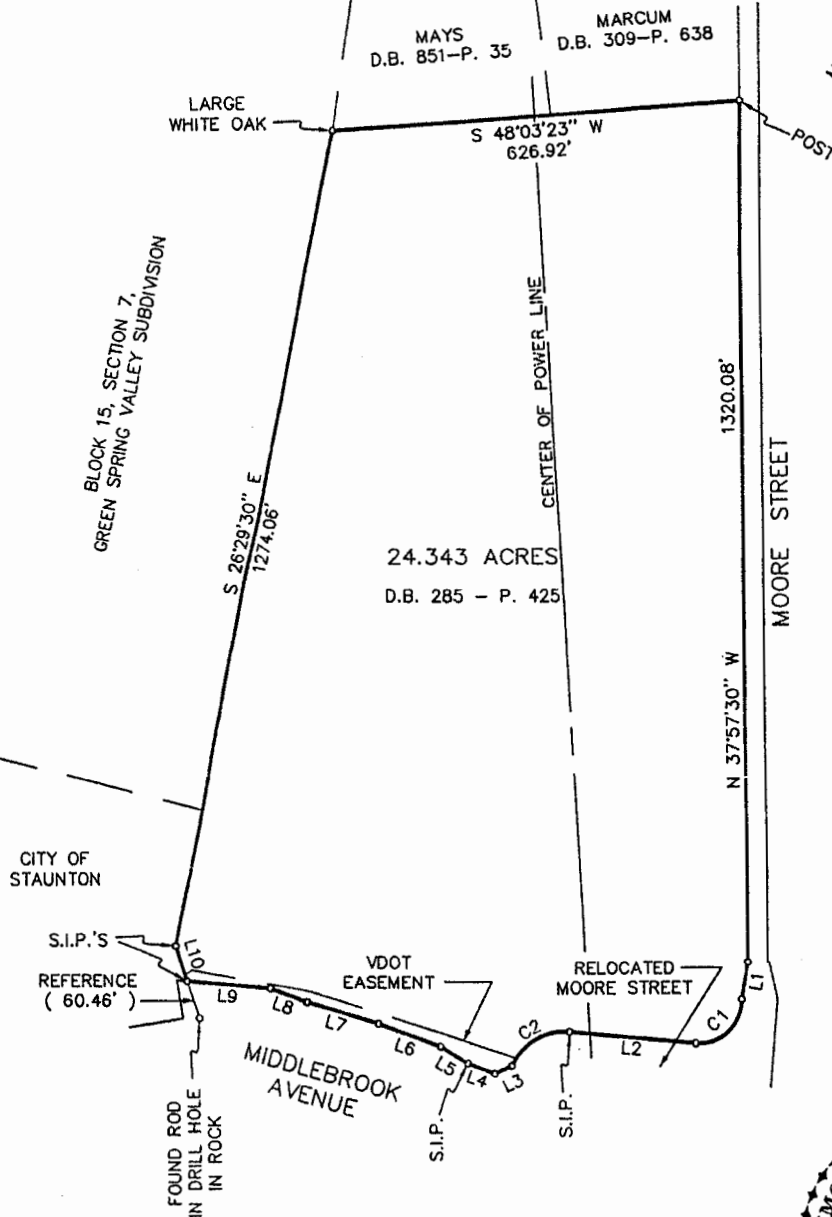
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Staunton, Virginia, that pursuant to § 36-55.30:2(A) of the Code of Virginia of 1950, as amended, 914 Middlebrook Avenue (PID 2896) is hereby designated as a revitalization area.

Adopted this ____ of _____, 2021.

Andrea W. Oakes, Mayor

Attest: _____
Morgan C. Smith
Interim Clerk of Council

Exhibit A



MERIDIAN FROM SUBDIVISION PLAT C
GREEN SPRING VALLEY, SECTION 7.

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Locality CEO Letter

1. General Instructions

- The letter below must be submitted under locality's letterhead.
- **NOTE TO LOCALITY:** Any change in this form letter may result in a reduction of points under the scoring system.
- **NOTE TO OWNER/DEVELOPER:** You are strongly encouraged to submit this certification to the appropriate local official at least three weeks in advance of the application deadline to ensure adequate time for review and approval.

Locality CEO Letter

March 3, 2021

Date

JD Bondurant
Virginia Housing Development Authority
601 South Belvidere Street
Richmond, Virginia 23220

VHDA Tracking Number:	<u>2021-C-38</u>
Development Name:	<u>Middlebrook Trace</u>
Name of Owner/Applicant:	<u>Middlebrook Trace VA LLC</u>

Dear Mr. Bondurant:

The construction or rehabilitation of the above-named development and the allocation of federal housing tax credits available under IRC Section 42 for said development will help to meet the housing needs and priorities of the City of Staunton. Accordingly, the City of Staunton supports the allocation of federal housing tax credits requested by Middlebrook Trace VA LLC for this development.

Yours truly,

Signature

[CEO Name]

[Title]

EQUITY PARTNERS, LLC
1449 Laurel Hill Rd.
Verona, VA 24482

February 24, 2021

Mr. Timothy Hartless
City Planner
Planning & Zoning, 3 rd Floor
116 W. Beverley Street
Staunton, Virginia 24401

Dear Mr. Hartless:

I am working with William Park of Pinnacle Construction & Development Corporation in Charlottesville to provide 136 units of affordable housing on 20 acres in the City at Middlebrook Park located at 1119, 1127, 1129, 1159, 1177 Montgomery Avenue. The two and three-bedroom units are spacious and include all major appliances including washer and dryers. The buildings will be certified in accordance with the National Green Building Standards. The Project will provide much needed affordable housing for those persons between 30%-80% of the area median income. A community center with a fitness facility and onsite leasing/management will be provided.

As you are aware, the site is zoned for multi-family while located within an Opportunity Zone ("OZ") and Qualified Census Tract ("QCT") which are established areas targeted for investment and development by the City. All infrastructure is in place including water, sewer and roads. Additionally, the project will be across from Montgomery Hall Park providing a wonderful amenity for tenants.

The Development is contingent on receiving a reservation of low-income housing tax credits from Virginia Housing. This is a very competitive process that is based on an objective point scoring system. It has come to my attention that a smaller, 82-unit project targeting the same income levels is proposed at 914 Middlebrook Avenue—across the street from our proposed project. I am concerned by the fact that the applicant is requesting real estate tax abatement along with certifying the area as a Revitalization Area. I would think that if tax abatement is warranted in any location, it would be in an OZ and/or QCT. Additionally, why create a Revitalization Area when an OZ is directly across the street?

The Revitalization Area definition is as follows:

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.

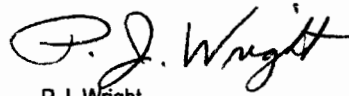
I trust that Council will fully evaluate the area to determine if it meets the criteria and should be designated a Revitalization Area or not. Likewise, I do not believe that tax abatement is viable when a similar project is proposed across the street which does not require abatement.

I chose to work with Mr. Park on the Middlebrook Park development because of his reputation in developing, constructing, and maintaining quality multifamily apartments such as Big Sky. In addition, Virginia Housing has approved him as an experienced developer in their Low-Income Housing Tax Credit program.

Thank you in advance for thoughtfully considering my concerns.

With kind regards,

Sincerely,

A handwritten signature in black ink, appearing to read "P.J. Wright". The signature is fluid and cursive, with a large initial "P" and "J".

P.J. Wright
Managing Partner

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 11, 2021	Councilmember Brenda Mead
Item #	5	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Resolution Regarding Events at the U.S. Capitol on January 6, 2021	

Background: At the request Councilmember Brenda Mead, this item has been added to Council's work session agenda for March 11, 2021, for discussion.

Attachment:

Citizen request for City Council resolution and supporting petition

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

Erik Curren
Request for City Council Resolution

Rec.
2/11/21


Abraham Lincoln said, "We the people are the rightful masters of both Congress and the Courts, not to overthrow the Constitution, but to overthrow the men who would pervert the Constitution."

1. **Affirm that the November election was free, fair, and secure and that Joe Biden was rightfully elected as the ~~next~~ president of the United States.**

State election officials from Georgia to Michigan and courts across the country affirmed that Biden's win was free and fair. Trump's own election commissioners said that "the November 3rd election was the most secure in American history."

2. **Denounce the attack on the U.S. Capitol of January 6 and call for Donald J. Trump to be held accountable for inciting violent insurrection.**

In a democracy, violence is always unacceptable. But this was different in scale and in kind from anything that might've happened this summer. Incited by Trump, directed at Congress in session, on purpose to nullify a valid election.

3. **Commit to protect Staunton citizens in the future from unlawful activity of violent domestic terrorist groups in our area.**

More than 30 identified hate groups are operating in the state of Virginia including some of the same ones that law enforcement has identified as taking part in the Capitol Insurrection. Waiting for an incident to occur is courting tragedy.

Petition Text posted at Change.org

<https://www.change.org/p/staunton-va-city-council-affirm-biden-s-election-and-denounce-trump-insurrection>

Staunton VA City Council: Affirm Biden's Election and Denounce Trump Insurrection

"Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide." So said founding father John Adams.

Can we prove him wrong?

Many Americans take our democratic republic for granted. But history shows that democracy is fragile. The default condition of humankind is not democracy but is actually autocracy, traced across thousands of years of rule by kings, emperors, popes, caliphs, shoguns, maharajas, and generalissimos.

Each member of Staunton City Council has taken an oath to the Constitution of the United States, which carries a grave responsibility to protect our democracy.

Democracies depend on valid elections. But Donald Trump has cast baseless doubt on the valid presidential election of fall 2020 and Republican leaders have supported Trump's campaign of disinformation.

For months in advance, Donald Trump said that if he lost, the election would be invalid. When he did lose to Joe Biden in November, Trump started a cynical propaganda campaign with the Trumpian name "Stop the Steal" to overturn the election results and keep himself in office for four more years.

Many leaders of his party, including our own member of Congress, supported Trump's baseless accusations of election fraud. This dangerous game led to the violent takeover of the U.S. Capitol by a mob of Trump supporters, including known members of domestic terrorist groups, attempting a coup on January 6.

"Stop the Steal" was always a lie. There was no steal to stop. State election officials and courts across the country affirmed that Biden's win was free and fair. Trump's own election commissioners said that "the November 3rd election was the most secure in American history."

At first, "Stop the Steal" seemed to many observers like harmless politicking, merely a way to rile up Trump's base and boost party fundraising.

But then came last Wednesday, January 6, 2021, a date that will live in infamy.

A Capitol police officer and others killed. A gallows erected by a mob demanding to hang Vice President Mike Pence. Just think about that -- They wanted to hang the vice president. Attackers with plastic handcuffs trying to kidnap or kill House Speaker Nancy Pelosi and other Democrats. The People's House defiled -- broken windows, furniture hauled off, Nazi regalia and a Confederate flag flaunted in the sacred temple of the American republic.

This despicable attack has struck fear into the hearts of Americans from coast to coast. In Staunton, the danger of more violence in Washington, DC, in capitals of all 50 states, and even locally, is the top issue on our citizens' minds right now, whether they voted Democratic, Republican, or independent.

We want reassurance from our local elected officials. We hope that none of you participated in Trump's rally in Washington on January 6. We also hope that none of you spoke at the "Stop the Steal" rally held at Staunton Mall last fall. The actions of elected officials set a powerful example for our citizens.

Fortunately, America is a country of second chances. However you stood versus "Stop the Steal," there's still time to get on the right side of history. We call on Staunton City Council to issue a statement to reassure our citizens that you stand against violent insurrection incited by a would-be modern-day dictator and that you stand for America's 244-year-old democracy:

1. Affirm that the November election was free, fair, and secure and that Joe Biden was rightfully elected as the next president of the United States.
2. Denounce the attack on the U.S. Capitol of January 6 and call for Donald J. Trump to be held accountable for inciting violent insurrection.
3. Commit to protect Staunton citizens in the future from unlawful activity of violent domestic terrorist groups in our area.

As Abraham Lincoln said, "We the people are the rightful masters of both Congress and the Courts, not to overthrow the Constitution, but to overthrow the men who would pervert the Constitution."

Recipient: Staunton VA City Council

Letter: Greetings,

Staunton VA City Council: Affirm Biden's Election and Denounce Trump
Insurrection

Signature Totals
317 on Change.org
2 direct

319 Total

Signatures

Name	Location	Date
Erik Curren	Staunton, VA	2021-01-18
Kate Zdanski	Staunton, VA	2021-01-18
Carolyn Ruedy	Staunton, VA	2021-01-18
Stephanie Ward	Staunton, US	2021-01-18
Darlene Schneck	Staunton, VA	2021-01-18
Heather Ely	Staunton, VA	2021-01-18
Dorothea Myers	Staunton, VA	2021-01-18
Sally Burger	staunton, VA	2021-01-18
sarah enloe	staunton, VA	2021-01-18
Suzie Dull	Staunton, VA	2021-01-18
Nitch Narduzzi	Staunton, VA	2021-01-18
Julie Scofield	Staunton, VA	2021-01-18
Chris Davis	Staunton, VA	2021-01-18
Laura Stahl	Staunton, VA	2021-01-18
Lindsay Curren	Staunton, VA	2021-01-18
Jennifer Trippeer	Buffalo, NY	2021-01-18
Pat Elliott	Staunton, VA	2021-01-18
Susan Morris	Staunton, VA	2021-01-18
jenny taylor-jones	Staunton, VA	2021-01-18
SHEILA CURREN	CHICAGO, IL	2021-01-18

Name	Location	Date
Shannon Harrington	Staunton, VA	2021-01-18
Anne Roe	Staunton, VA	2021-01-18
marc borzelleca	staunton, VA	2021-01-18
robert holmes	staunton, VA	2021-01-18
taylor rose	Staunton, VA	2021-01-18
Sarah Sale	Staunton, VA	2021-01-18
Martha DeVault	Kill Devil Hills, NC	2021-01-18
Lallon Pond	Staunton, VA	2021-01-18
Lou Boden	Staunton, VA	2021-01-18
kathy schneiderman	Staunton, VA	2021-01-18
Elizabeth Lambert	Chicago, IL	2021-01-18
Mark Jeter	Staunton, VA	2021-01-18
Danielle Craig	Alexandria, VA	2021-01-18
Paul Menzer	Staunton, VA	2021-01-19
Anita Clemmer	Staunton, VA	2021-01-19
Deven Haigis	Staunton, VA	2021-01-19
Rebecca Coombs	Staunton, VA	2021-01-19
Judith Fitzgerald	Mount Jackson, VA	2021-01-19
Jen Stamer	Staunton, VA	2021-01-19
Richard Bolstein	Staunton, VA	2021-01-19
Daniel McCauley	Staunton, VA	2021-01-19
Terri Fad	Henrico, VA	2021-01-19

Name	Location	Date
Susan Weeks	Staunton, VA	2021-01-19
Kevin Nolley	Staunton, VA	2021-01-19
Marc Armstrong	Staunton, VA	2021-01-20
Anne Hunter	Staunton, VA	2021-01-20
Sophie Lambert	Staunton, VA	2021-01-20
Heather Hopkins	Staunton, VA	2021-01-20
Terry Vosbein	Staunton, VA	2021-01-20
Cheryl Fauerbach	Staunton, VA	2021-01-20
Jacqueline Patteson	Staunton, VA	2021-01-21
Barbara Firehock	Staunton, VA	2021-01-21
Anne G. Morgan	Staunton, VA	2021-01-21
Bryan Hollar	Staunton, VA	2021-01-21
Victoria Vacher	Staunton, VA	2021-01-22
Sarah Wolf	Staunton, VA	2021-01-25
Dennis Nielson	Staunton, VA	2021-01-25
George Sproul	Staunton, VA	2021-01-25
Michele Edwards	Staunton, US	2021-01-25
Carter Hopkins	Staunton, VA	2021-01-25
Sheila Ahmadi	Staunton, VA	2021-01-25
Martha Walker	Staunton, VA	2021-01-25
Linda Shallash	Staunton, VA	2021-01-25
Carla Simmons-Wulin	Staunton, VA	2021-01-25

Name	Location	Date
Ellen Boden	Staunton, VA	2021-01-25
Cindy Connors	Staunton, VA	2021-01-25
Deona Houff	Staunton, VA	2021-01-25
Dreama Anderson	Staunton, VA	2021-01-25
Emily Sproul	Staunton, VA	2021-01-25
Megan Diveley	Harrisonburg, VA	2021-01-25
Lisa May	Staunton, VA	2021-01-26
Tonya Cook	Staunton, VA	2021-01-26
Ginger Sharrer	Staunton, VA	2021-01-26
Suzanne Fisher	Staunton, VA	2021-01-26
Ophie Kier	Staunton, VA	2021-01-26
علی رضایی	US	2021-01-26
Dara Wilson	Verona, VA	2021-01-26
Mari Selby	Staunton, VA	2021-01-26
Delaney Kate Delaney	Staunton, VA	2021-01-26
Stephan Pietrowski	Staunton, VA	2021-01-26
T. L. Jackson	Staunton, VA	2021-01-26
Sheila Smith	Staunton, VA	2021-01-26
Cindy Roberts	Chicago, IL	2021-01-26
Caitlin Overbey	Staunton, VA	2021-01-26
Shae Rosa	Staunton, VA	2021-01-26
Janita McNemar	Staunton, VA	2021-01-26

Name	Location	Date
Craig Sheaves	Staunton, VA	2021-01-26
Allison Shumaker	Augusta, GA	2021-01-26
Pamela Shilling	Staunton, VA	2021-01-26
Diana Black	Harrisonburg, VA	2021-01-26
Sabrina Burress	Staunton, VA	2021-01-26
Peggy Ruth Geren	Staunton, VA	2021-01-26

Name	Location	Date
Maria Lopez Schweyer	Staunton, VA	2021-01-26
Yvonne Rivera	Staunton, VA	2021-01-26
Carol Morency	Staunton, VA	2021-01-26
Jen Robb	Staunton, VA	2021-01-26
Darlene Coleman	Staunton, VA	2021-01-26
Alice Woods	Staunton, VA	2021-01-26
Barbara Lee	Staunton, VA	2021-01-26
Cynthia Grant	Staunton, VA	2021-01-26
David Copper	Staunton, VA	2021-01-26
Boston Shilling	Staunton, VA	2021-01-26
Lisa McDowell	Staunton, VA	2021-01-26
David Kane	Staunton, VA	2021-01-26
Larry Ragland	Staunton, VA	2021-01-26
Carissa norris	Staunton, VA	2021-01-26
Kriston Snyder	Staunton, VA	2021-01-26
Sue Cook	Staunton, VA	2021-01-26
Patricia Snyder	Staunton, VA	2021-01-26
Zachairias Lewis	Staunton, VA	2021-01-26
JoAnn Tigert	Staunton, VA	2021-01-26
Alexander Efird	Staunton, VA	2021-01-26
Vicki Bellamy	Staunton, VA	2021-01-26
Thomas Cardarella	Staunton, VA	2021-01-26

Name	Location	Date
Craig Sheaves	Staunton, VA	2021-01-26
Allison Shumaker	Augusta, GA	2021-01-26
Pamela Shilling	Staunton, VA	2021-01-26
Diana Black	Harrisonburg, VA	2021-01-26
Sabrina Burress	Staunton, VA	2021-01-26
Peggy ruth Geren	Staunton, VA	2021-01-26
Cassandra Elliston	Staunton, VA	2021-01-26
Betsy Greenleaf	Staunton, VA	2021-01-26
won un	Staunton, VA	2021-01-26
John Hutchinson	US	2021-01-26
Wanda Weaver	Fishersville, VA	2021-01-26
Isaac Podyma	Staunton, VA	2021-01-26
Sharon Bosiack	Staunton, VA	2021-01-26
Rachael Roth	Williamsburg, VA	2021-01-26
Mason Kilbourn	Staunton, VA	2021-01-26
joan jackson	Midlothian, VA	2021-01-26
Dennis Ward	Staunton, VA	2021-01-26
peggy moye	staunton, VA	2021-01-26
Bobby Perkins, jr	Staunton, VA	2021-01-26
LARRY FISHER	Staunton, VA	2021-01-26
kimberly rayford	Staunton, VA	2021-01-27
Edward Scott	Staunton, VA	2021-01-27

Name	Location	Date
Sharon Wells	Staunton, VA	2021-01-27
Rebecca Johnson	Staunton, VA	2021-01-27
Mary Lott	Staunton, VA	2021-01-27
Nicole Oechslin	Staunton, U.S. Virgin Islands	2021-01-27
Kristin Reichert	Staunton, VA	2021-01-27
Bonnie Brown	Staunton, VA	2021-01-27
Joyce Hall	Staunton, VA	2021-01-27
jennifer mcnee	Staunton, VA	2021-01-27
Richard Bolstein	Staunton, VA	2021-01-27
Kendra Wright	Staunton, VA	2021-01-27
Beth Daisey	Staunton, VA	2021-01-27
Catherine McCann	Staunton, VA	2021-01-27
Molly Pallavicini	Staunton, VA	2021-01-27
William Engle	Staunton, VA	2021-01-27
David Gieber	Staunton, VA	2021-01-27
Richard Rutherford	Staunton, VA	2021-01-27
Gayle Fisher	Staunton, VA	2021-01-28
thomas huffer	Bronx, NY	2021-01-28
Debra Casado	Staunton, US	2021-01-29
Albert Arnold	US	2021-01-29
Jennifer Parda-Aldrich	Seattle, WA	2021-01-29
Patricia Alexander	Staunton, VA	2021-02-09

Name	Location	Date
Sharon Wells	Staunton, VA	2021-01-27
Rebecca Johnson	Staunton, VA	2021-01-27
Mary Lott	Staunton, VA	2021-01-27
Nicole Oechslin	Staunton, U.S. Virgin Islands	2021-01-27
Kristin Reichert	Staunton, VA	2021-01-27
Bonnie Brown	Staunton, VA	2021-01-27
Joyce Hall	Staunton, VA	2021-01-27
jennifer mcnee	Staunton, VA	2021-01-27
Richard Bolstein	Staunton, VA	2021-01-27
Kendra Wright	Staunton, VA	2021-01-27
Beth Daisey	Staunton, VA	2021-01-27
Catherine McCann	Staunton, VA	2021-01-27
Molly Pallavicini	Staunton, VA	2021-01-27
William Engle	Staunton, VA	2021-01-27
David Gieber	Staunton, VA	2021-01-27
Richard Rutherford	Staunton, VA	2021-01-27
Gayle Fisher	Staunton, VA	2021-01-28
thomas huffer	Bronx, NY	2021-01-28
Debra Casado	Staunton, US	2021-01-29
Albert Arnold	US	2021-01-29
Jennifer Parda-Aldrich	Seattle, WA	2021-01-29
Patricia Alexander	Staunton, VA	2021-02-09

Name	Location	Date
Rebekah Cempe	Staunton, VA	2021-02-09
Caroline Lewis	Staunton, VA	2021-02-09
Lamar Sale	Afton, VA	2021-02-09
Beverly Moran	Staunton, VA	2021-02-09
Dianne Byrer	Staunton, VA	2021-02-09
Kristin Siegel	Staunton, VA	2021-02-09
Teresa Noonan	Staunton, VA	2021-02-09
Jim Tomlinson	Staunton, VA	2021-02-09
Frederick Blanton	Staunton, VA	2021-02-09
Terry Graham	Staunton, VA	2021-02-09
Judy Sorrell	Staunton, VA	2021-02-09
Thomas Crow	Staunton, VA	2021-02-10
Brenda Mead	Staunton, VA	2021-02-10
Ed Scerbo	Verona, VA	2021-02-10
Roberta Patterson	Staunton, VA	2021-02-10
John Whitfield	Staunton, VA	2021-02-10
James Mills	Staunton, VA	2021-02-10
Alice Contreras	Staunton, VA	2021-02-10
Pamela Martin	Staunton, VA	2021-02-10
Brenda McCarthy	Staunton, VA	2021-02-10
Beth White	Staunton, VA	2021-02-10
Yvonne Surette	Roanoke, VA	2021-02-10

Name	Location	Date
Janet Zilch	Vero Beach, FL	2021-02-10
Anne Armentrout	Staunton, VA	2021-02-10
Christina Harrison	Staunton, VA	2021-02-10
Nate Lawrence	Staunton, VA	2021-02-10
Emma Seise	Staunton, VA	2021-02-10
Mark Riggelman	Staunton, VA	2021-02-10
Megan Williams	Staunton, VA	2021-02-10
Jay Austin	Staunton, VA	2021-02-10
Nicholas Walge	Dallas, TX	2021-02-10
Jason Fitchko	Staunton, VA	2021-02-10
Ali McCue	Staunton, VA	2021-02-10
Cindy Coulson	Edmond, OK	2021-02-10
LYNNE TURNER	Staunton, VA	2021-02-10
Jennifer Delare	Staunton, VA	2021-02-10
Justin Ciafardoni	Staunton, VA	2021-02-10
Jessica Quinlan	Staunton, VA	2021-02-10
Alix Brewer	Staunton, VA	2021-02-10
Karen Baer	Charlottesville, VA	2021-02-10
Bruce Sutton	Staunton, VA	2021-02-10
rachel wine	Staunton, VA	2021-02-10
Beverly Rayman	Staunton, VA	2021-02-10
Kathleen Monroe	Lakewood, NJ	2021-02-10

Name	Location	Date
Audrey Wyatt	Charlotte, NC	2021-02-10
Cleveland Morris	Staunton, VA	2021-02-10
Megan Kosowitz	Staunton, VA	2021-02-10
Lily Huffman	Staunton, VA	2021-02-10
Benjamin Jones	Staunton, VA	2021-02-10
Whitney Cooper	Staunton, VA	2021-02-10
Don Hawks	Mount Sidney, VA	2021-02-10
Julie Rhodes	staunton, VA	2021-02-10
Reuben Siskin	Staunton, VA	2021-02-10
Nicholas Patler	Waynesboro, VA	2021-02-10
Lauren Hurston	Staunton, VA	2021-02-10
Frances Wray	Staunton, VA	2021-02-10
michael emerson	staunton, VA	2021-02-10
Alice Killion	Pittsburgh, PA	2021-02-10
Barb Shue	Staunton, VA	2021-02-10
Tim Cox	Staunton, VA	2021-02-10
Wendy Turley	Staunton, VA	2021-02-10
Steven Butler	Staunton, VA	2021-02-10
Benjamin Diemer	Staunton, VA	2021-02-10
Sanda Howland	Staunton, VA	2021-02-10
chuck troutman	Staunton, VA	2021-02-10
Beth Bowers	Staunton, VA	2021-02-10

Name	Location	Date
Abby Shirkey	Staunton, VA	2021-02-11
Denise Cotter	Staunton, VA	2021-02-11
Linda Foster	Staunton, VA	2021-02-11
Tanya Faidley	Staunton, VA	2021-02-11
Kayla Payne	Staunton, VA	2021-02-11
Bonny Strassler	Staunton, VA	2021-02-11
William Case	Staunton, VA	2021-02-11
Ronald L Shelton	Staunton, VA	2021-02-11
Carrie Boyd	Staunton, VA	2021-02-11
KATHLEEN Peterson	Staunton, VA	2021-02-11
Rachael Harris	Staunton, VA	2021-02-11
Diane Stewart	Staunton, VA	2021-02-11
Lola Nisharna	your mom, US	2021-02-11
Howard Sanborn	Staunton, VA	2021-02-11
Patricia Stroud	Christiansburg, VA	2021-02-11
stefan zdanski	Staunton, VA	2021-02-11
Paul McCarty	Staunton, VA	2021-02-11
James Printy	Staunton, VA	2021-02-11
Scott Maxham	Staunton, VA	2021-02-11
Christine Dee	Staunton, US	2021-02-11
Danielle Gallagher	Staunton, VA	2021-02-11
tanya keigley	staunton, VA	2021-02-11

Name	Location	Date
Bonita Bailey	Staunton, VA	2021-02-11
Pat Jarrett	Staunton, VA	2021-02-11
Cynthia Seibels	New York, NY	2021-02-11
David Hutchison	Washington, DC	2021-02-11
Hugh (Bill) Harouff	Staunton, VA	2021-02-11
Amy Tillerson-Brown	Waynesboro, VA	2021-02-11
Maria Hobson	Staunton, VA	2021-02-11
Ashleigh Hinson	Staunton, VA	2021-02-11
Maya Reyes	Staunton, VA	2021-02-11
John Kolp	Staunton, VA	2021-02-11
Aaron Childs	Staunton, VA	2021-02-11
Cecelia Bernard	Staunton, VA	2021-02-11
Shani Willett	Staunton, VA	2021-02-11
David Vess	Staunton, VA	2021-02-11

Name	Location	Date
Shane Szczepankowski	Staunton, VA	2021-02-11
Ryan Garber	Staunton, VA	2021-02-11
Charley Quinn	Staunton, VA	2021-02-11
Jack Chirieleison	Staunton, VA	2021-02-11
Ellen Butchart	Staunton, VA	2021-02-11
Heather Bernard	Staunton, VA	2021-02-11
Samuel Bernard	Staunton, VA	2021-02-11
Romanda Sutherland	Staunton, VA	2021-02-11
Gonzalo Accame	Staunton, VA	2021-02-11
Paul Kazarov	Staunton, VA	2021-02-11
Peter Bernard	Staunton, VA	2021-02-11
Linda Hoffman	.Eufaula, AL	2021-02-11
Sarah Roberson	Staunton, VA	2021-02-11
Constant Jakoboski	Staunton, VA	2021-02-11
Lindsey Kilbourn	Staunton, VA	2021-02-11
JAMES LOTT	Roanoke, VA	2021-02-11
Sandrea Shields	Duncanville, TX	2021-02-11
Elizabeth Hartman	Staunton, VA	2021-02-11
Michael Brimmer	Staunton, VA	2021-02-11
Allison Profeta	Staunton, VA	2021-02-11
Peter Hauschner	Staunton, VA	2021-02-11
Julie H Farrell	Staunton, VA	2021-02-11

Signatures directly sent to Erik

Mary M Gibbs	Staunton, VA	2021-02-11
Jennifer Beam	Staunton, VA	2021-02-11

City Council
WORK SESSION
February 25, 2021
6:15 p.m.

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

Mayor Oakes called the meeting to order: Mayor Oakes called the meeting of Staunton City Council to order. Mayor Oakes noted that the meeting was being broadcast over the City's cable channel and streamed live on the City's website so that members of the public may hear the 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	absent	Ms. Darby	aye
Ms. Dull	absent		

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 and Dull were participating on the Zoom platform and that Jen Surber and CJ Tyree with Middlebrook Trace VA, LLC were also participating virtually. All of City representatives, including Interim Attorney Andrew McRoberts were participating in the Rita S. Wilson Council Chambers.

Background Statement:

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

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

Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04, as extended by City Council Ordinance No. 2021-06.”

Mayor Oakes requested citizens to wear a mask while in City Hall and Council Chambers. She also commended the City’s Information Technology Department for the quality of the sound.

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

City Manager Steve Rosenberg stated that 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. Ms. Simmons did not attend tonight’s Council Meeting since she would be unable to prepare and sign the minutes. Therefore, it is necessary that an acting and interim clerk be appointed to fulfill the duties of Clerk of Council. The Council is asked to appoint Morgan C. Smith as acting Clerk of Council for two days, February 25 and February 26, 2021 and then as interim Clerk of Council beginning February 27, 2021 until a permanent Clerk of Council can be hired. The resolution also authorizes City Manager Steve Rosenberg to designate a person other than Morgan C. Smith to serve as clerk to bodies other than City Council, including the Historic Preservation Commission, Planning Commission, the Board of Zoning Appeals, and other boards and commissions.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any questions.

Mr. Claffey moved 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.

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		

Mayor Oakes asked that the Clerk note that Mr. Holmes and Ms. Dull were now present.

**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 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, 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 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.

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

Attest: /s/ Morgan C. Smith

Morgan C. Smith
Acting Clerk of Council

2. 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 with the following change: as to the Regular Meeting, the addition of Item F, Discussion and Consideration of a Letter to the Governor of Virginia Concerning Deferred Implementation of Senate Bill 1157 Relation to Municipal Elections.

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		

3. Presentation by Middlebrook Trace VA, LLC Concerning Proposed Development of 914 Middlebrook Avenue for Multi-Family Use

Rodney Rhodes, Senior Planner, stated that Jen Surber and CJ Tyree of Middlebrook Trace VA, LLC would 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 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 a revitalization area resolution and a tax abatement ordinance.

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.

Ms. Surber described that there would be two, three-story buildings with an exterior façade of at least 85% brick. All units would be serviced by elevators and universally designed to be ADA accessible, with at least nine being fully Type A.

Mr. Rosenberg stated that although Council will be provided with more information at the March meeting, he wanted to note that the tax abatement that the company is asking for is relatively minor when compared to the tax revenue that the City can expect from this project. He asked that Ms. Surber discuss. Ms. Surber agreed and said that the abatement would be limited to no more than \$2,000 annually for only three years on the increase of the property value.

197
198 Mayor Oakes asked if Council had any questions or comments.
199

200 Vice Mayor Robertson asked if any of the apartments were going to be ADA accessible, as far as
201 door width and everything else to which accessibility pertains. Ms. Surber reiterated that both
202 buildings will be serviced with an elevator and that all 82 units will be universally designed. For
203 example, she described that there will be a removeable cabinet base underneath the kitchen sink.
204 A wheelchair resident may not have the cabinet, but a non-wheelchair resident would. Doorways
205 in all units are wide enough to be visited by someone in a wheelchair. In addition to the universal
206 design features, at least nine of the 82 units would be fully Type A ADA accessible.
207

208 Mayor Oakes stated that if the deadline for the application is March 18, this matter would be on
209 the agenda for the March 11 meeting. Mr. Rosenberg agreed and said that as Mr. Rhodes stated,
210 the development itself does not need approval by City Council, but because the developers are
211 requesting the tax abatement and the revitalization area resolution to enhance the scoring of their
212 application to Virginia Housing, a public hearing must be held for the abatement.
213

214 Ms. Mead asked for more background on the revitalization area requirement. Ms. Surber stated
215 that the revitalization area designation is basically a way for Council to say that they believe the
216 development is beneficial to the City by providing decent, safe and sanitary housing for individuals
217 or families between the 30% and 80% AMI income brackets. Ms. Mead followed up asking if
218 whether or not this designation will have any impact on the surrounding properties. Ms. Surber
219 said that it will only impact this property and it obligates the City for nothing financial or otherwise.
220

221 Ms. Dull asked the rental price for low-income residents and how many units are designated versus
222 the price for the moderate income and how many units designated for them. Ms. Surber replied
223 that in their current model, they have rent and income targeting 10 units at 30% area media income;
224 30 units at 50%; 12 at 60%; and 30 at 80%. For the two-bedroom 50% units, those will be rented
225 for \$640. The two-bedroom 60% units are \$810 and the two-bedroom 80% units will be \$1,050.
226 The three-bedroom 50% unit are \$715, the 60% are \$900 and the 80% units are \$1,150. There will
227 be rents ranging from \$640 per month to \$1,150 depending on the income of the individual or
228 family.
229

230 Mr. Holmes asked roughly how many people would be living in the apartments. Ms. Surber said
231 that they are proposing 42 two-bedroom units and 40 three-bedroom units. Mr. Tyree stated that
232 assuming there were one and a half to two people per bedroom, that would be roughly 200 to 225
233 people living in the apartment complexes.
234

235 Ms. Mead asked if the site would be served by public transportation. Ms. Surber stated that part of
236 the Virginia Housing requirements is that the complex be within a quarter mile from a public
237 transportation stop. Mr. Holmes asked where that nearest stop was. Mr. Rosenberg identified that
238 the closest stop was on Bridge Street. Ms. Mead asked if there was a sidewalk from the stop to the
239 complex. Mr. Rosenberg responded that there was not, but there is a wide shoulder on both side
240 of the road. Ms. Surber pointed out that as required by Virginia Housing, the development is
241 required to have a sidewalk to the public access point and that the sidewalk would be less than 5%
242 slope and accessible to all residents.
243

244 Council members did not have any further questions.
245

4. Discussion of Recruitment of Clerk of Council

Assistant City Manager Leslie Beauregard stated that the purpose of this item on the agenda was to start the discussion regarding the Clerk of Council position and to obtain guidance from City Council on how to proceed. Ms. Beauregard gave the recent history of the Clerk of Council position. Prior to 2012 there was a full-time clerk, and when she retired that position was made part-time Clerk of Council and part-time legal assistant. When that person retired in 2017 the position was kept at part-time, but worked only for Council. When Ms. Simmons was hired, she was working under the expectation that she would work 20 to 25 hours per week. In her evaluation with Ms. Beauregard and Mayor Oakes, Ms. Simmons made it quite clear that the job had more demands than the 25 hours allowed time for. Ms. Beauregard ask that Council consider making the Clerk of Council position full-time. Ms. Beauregard stated that in other jurisdictions the Clerk has a more significant role in preparing and developing agendas and a full-time person would be able to focus on their professional development. There are professional organizations that are dedicated to the Clerk of Council profession. Ms. Beauregard does believe that this position could be hired inhouse and Chief Human Resources Officer Jon Venn was there to answer questions.

Mayor Oakes asked if Council had any questions or comments.

Mr. Holmes stated that he thinks it would be in the City's best interest to get a full-time clerk.

Vice Mayor Robertson agreed and asked if there was a full-time clerk, would that person also be clerking for other committees as Ms. Simmons did. Ms. Beauregard stated that clerking for other committees does currently fall under the job description for Clerk of Council, but that is something that could change if Council chose to do so. Mr. Rosenberg said that in recent memory the Staunton Clerk of Council has clerked for the Historic Preservation Commission and the Planning Commission, but he believes that there has been a time when those groups were clerked by planning staff.

Mr. Claffey agreed that a full-time clerk was important so that minutes would come out in a timely manner. He opined that there was a time when he was running for Council that the minutes were several meetings behind on approval. Mr. Holmes stated that he did not remember there being such a time. Ms. Beauregard reiterated that a full-time Clerk of Council would be able to be more a part of the agenda management process and with the possibility of new software, the minutes would become more efficient.

Mr. Venn stated that about two months ago, a representative from Colonial Heights reached out with an impromptu survey asking about current salaries for Clerk of Council. The City of Staunton was the only jurisdiction that responded to their survey with a part-time clerk.

Ms. Darby thanked Mr. Venn for that information as that was going to be her question and stated that she was in support of a full-time clerk.

Mayor Oakes asked Mr. Venn if there were any other comments that he would like to make. Mr. Venn replied that along with the decision going from part-time to full-time, he also would like guidance on when to start the hiring process. If the position were posted and hired quickly, there's the possibility of someone starting May 1 and that would be a cost of two-month's salary for the remaining fiscal year.

Mayor Oakes asked Mr. Venn to explain the process. He stated that the City would advertise with the Virginia Municipal League, VACO, ICMA and the Virginia Municipal Clerk's Association and on the City's website. He believed that with those postings, and that it would be a full-time position, the City would get a number of strong applications. He also stated that he would like Council's opinion on the job description because that would then drive what would be needed in terms of advertising.

Mr. Rosenberg stated that there did not need to be a formal decision at this time, but that Council needed to have a sense amongst themselves as to whether or not they would like to move forward in this current fiscal year or if they would prefer to align the starting of the process with the beginning of the next fiscal year. Mr. Holmes, Mr. Claffey and Mayor Oakes all stated that the process should start now.

Ms. Dull asked how much additional expense would it be to move from a part-time position to a full time. Mr. Venn stated that he did not have those figures but he could provide salaries from other localities. He shared that the salaries range from \$45,200 to almost \$73,000. He also stated that he would get the dollar amount for the full-time position, including benefits, and share with Council. Mr. Rosenberg stated that he had already informed Phil Trayer, Chief Financial Officer, that there was a possibility of the Clerk of Council position becoming full-time so that Mr. Trayer could begin planning on how that will fit in the budget.

Ms. Beauregard asked that when Mr. Venn shared the information about additional costs as Ms. Dull requested, that he also share the survey information with Council.

Ms. Darby asked both Mr. Rosenberg and Ms. Beauregard if they recommended a full-time or a part-time clerk. Both responded full-time.

Council members did not have any further questions.

The work session adjourned at 7:07 p.m.

Morgan C. Smith
Acting Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL**Thursday, February 25, 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
 Morgan C. Smith, Acting Clerk of Council

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

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

Clerk of Council Call the Roll of Council Members Present:

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 and Dull, individuals sharing annual reports, Anita Harris and Lisa Shiflett from Shenandoah Social Services, and Carmen Sheets, Brigitte Cowan, Michael Connor, Donald Dollins. He stated that the external individuals that were participating via Zoom were joining City Council in relation to certain items that were on the agenda.

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 public hearings, toward the beginning of the meeting, and Matters from the Public on Council's agenda, toward the end of the meeting, public comments will be taken, in person and by telephone. Members of the public who wish to participate in such matters by telephone, at the appropriate time, may call (844) 854-2222 and, when prompted, enter the access code 619358#. Callers will be recognized in order. The public is reminded that public hearings and 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. 2021-06."

Mayor Oakes then asked that everyone wear a mask while in City Hall and Council Chambers. She reminded the public that there were hand sanitizing stations in the hall and sanitizing wipes at the podium.

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Vice Mayor Robertson.

MAYOR'S REPORT

Mayor Oakes stated that she and Council Member Mead attended the COVID-19 local response team via Zoom. The group is led by Dan Layman and the organization manages funds that support a tutoring network, food and security, housing and homeless prevention, elderly care, mental health, technology and internet access, unemployment and workforce development, the United Way FEMA emergency food and shelter funds, among many more. She stated that this group not only works to keep our area stable, but to help uplift it. She also attended at CAPSAW meeting and right now the board is working on their needs assessment, trying to determine what is wanted by the citizens in the region. Earlier in the day several council members took a tour of the Middle River Regional Jail. She opined that there were many more inmates being housed since the last time she had taken a tour. Along with herself, Vice Mayor Robertson, Mr. Holmes, Ms. Darby and Mr. Claffey participated in the tour. Mayor Oakes also noted that she had the honor of participating in a SAW Stay Well video that can be found on various websites, including the City of Staunton website. She also went on to state that the Happy Birthday America executive board recently had a meeting regarding the Fourth of July celebrations. At this time first and foremost is safety. Finally, she wanted to thank Ms. Faith Simmons for her service to the City and that Council wished her well.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Brenda Mead stated that she attended a meeting of an all-volunteer group known as Busk Staunton. The group's intent is to put musicians in outdoor locations throughout the city. They started last summer and had musicians on street corners in downtown Staunton. They are looking to expand the network of musicians to the West End and potentially where the new Fretwell is located on Greenville Avenue. She also said that with Billy Vaughn's help, they have chosen a property in the West End, also an opportunity zone area, that might be suitable for the Food Hub project. The identified property will go into the mix for the consultants to review and hopefully there might be a new business in the West End. Finally, as this is Black History Month, she wanted to share a story that she came across about a gentleman named Willis Glasgow Carter. He was born a slave on September 3, 1852 in Albemarle County. He taught himself to read and write, but hid that knowledge until after the Civil War. His father was killed in 1863 while being forced to work at the fortifications in Richmond. And once the family was free, they moved to Waynesboro. Seeking more opportunities, Mr. Carter worked various labor jobs to save money and attend school. He chose to teach after attending seminary in 1878. And he returned to Augusta County. He began his career by securing a position at the Smoky Row Pro School in Staunton from 1881 to 1883. He was then appointed the principal of West End School in Staunton, where he supervised for 15 years. He was a natural leader and became involved in politics. He served as president of the Augusta County Teachers Association from 1886 to 1888. Both he and his wife were active in promoting civil rights for blacks—demanding equal education and encouraging blacks to join the Republican Party. From 1892 to 1896 he was the editor of the Staunton Tribune, a black newspaper that called for the end of lynching and asked blacks to vote. Mr. Carter went to St. Louis in June of 1896 as an alternate delegate to the Republican National Convention, where he was disheartened to see how black delegates were shoved aside during the nomination process. Despite his best efforts, he wanted Virginians rewrite their constitution to disenfranchise blacks and turn back the clock on the new freedom blacks had won. His call for equal education and the right to vote went unheeded as Jim Crow laws were put into place. He died in 1902 from tuberculosis and was buried in Staunton's Fairview Cemetery. Ms. Mead said "I think it's important for us to acknowledge the history of local African Americans in this month, Black History Month."

APPROVAL OF MINUTES

Mr. Holmes moved to approve the Special Meeting minutes of February 4, 2021.

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		

Mr. Holmes moved to approve the work session and regular meeting minutes of February 11, 2021.

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

144	Vice Mayor Robertson	aye	Mayor Oakes	aye
145	Mr. Holmes	aye	Ms. Mead	aye
146	Ms. Darby	aye	Mr. Claffey	aye
147	Ms. Dull	aye		

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

Rodney Rhodes, Senior Planner, stated that Ms. Carmen Sheets is requesting a Special Use Permit to locate and operate a child daycare at 11 Green Hills Drive. The property is zoned B-2 General Business District and all daycares require special use permits. The daycare will occupy approximately half of the existing building. The remainder could be used for future tenants.

The staff has reviewed the proposal and Mr. Rhodes wanted to point out that there was a mistake in the briefing stating that all of the issues had been addressed. The correct statement is that all of the issues are in process of being addressed but have not all been completed at this time. As this is a change in use under the building code a building permit is required. The applicant has made application for a building permit that has been reviewed and the only thing awaiting its approval is the special use permit that Council is to approve tonight. Also, there is some additional information that is needed from the alarm company. The Fire Marshal has noted that a fire lane will be to be marked and maintained. Parking was another issue that was reviewed by staff. Because the applicant is required to provide a fenced in play area, the applicant is proposing to do that and part of the parking lot. That will require the elimination of 15 parking spaces. That's for the play area itself and also to allow emergency vehicles to get around that area if necessary. City Planner Tim Hartless did a parking analysis of the area and determined that the daycare would require 23 spaces, which would leave 22 spaces for future development and use of the building. Therefore, staff has no issues with parking based on the proposed use.

Mr. Rhodes reminded Council that before a public hearing could be conducted it was advertised for two consecutive weeks in the local paper and notices were sent out to all adjoining property owners. Just prior to the Planning Commission's public hearing on this matter, an email was received from an adjoining property owner. Seth Liskey, owner of 15 Green Hills Drive, wrote in support of this request state that the requested use is appropriate and needed for the community. The Planning Commission conducted a public hearing on this matter on February 18 and no one spoke in opposition to the request at that time. The Commission voted five to zero to recommend approval of the special use permit with the conditions recommended by staff.

Mayor Oakes asked Council members if they had any questions.

Mayor Oakes asked if Ms. Sheets had any comments for Council. She responded that she did not unless Council had questions for her.

Vice Mayor Robertson asked what kind of timeline the project had from the beginning to getting children into the daycare. Ms. Sheets replied that she had actually hoped to be in the building starting Phase 1 on March 1, but had had several roadblocks. Currently she is dealing with the fire

alarm system, but with be meeting with a new fire alarm company tomorrow so should have that straightened out.

Mayor Oakes asked Mr. Rhodes to describe where the location was. Mr. Rhodes stated that it was on the Northern end of Staunton, near Verona and he believed there was a Moose Lodge behind it. Mr. Rosenberg told Council that if they remembered Nisa's Café, it was that building. Ms. Sheets also mentioned that the space used to be the High Tech salon.

Council members did not have any further questions.

The public hearing was opened.

There being no one wishing to speak, the public hearing was closed.

Ms. Darby moved that Council approve the Special Use Permit for 11 Green Hills Drive, with the conditions as recommended by the Planning Commission.

The motion was seconded by Mr. Claffey 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. Annual Report of Shenandoah Valley Social Services

Anita Harris, Director of Shenandoah Valley Social Services, and Lisa Shiflett, Assistant Director, discussed the highlights of the department's Annual Report for FY 2019-2020.

Ms. Harris stated that the first part of the fiscal year went as normal, it was the last six months that was basically COVID related. They had to deal with the pandemic as far as trying to do business differently. Staff were able to telework or rotating telework. Clients were asked to do business differently as the organization was conducting business virtually—by phone, by fax, by email and event text. There were drop boxes for applications, temperature checks were happening and clients were navigated through the building to keep staff and clients safe. SVSS staff were able to maintain their caseload, especially benefit cases as those increased 2%. There were an additional 13,000 applications for SNAP, Medicaid and TANF and there were over 28,000 visitors between the two offices in Verona and Waynesboro. There was a 90% drop in visitation during the later half of the fiscal year.

Over \$150 million in Medicaid services went out to the community. With over 15,000 cases, Medicaid is their biggest program. SVSS has over 4,500 SNAP cases with about \$15 million in services given out in the community. TANF is over 800 cases with \$1.5 million in services given out in the community. Interviews for both of those services have been waived, so the numbers have increased. The staff at SVSS has been awarded a commendation for no errors on some of the programs offered. Ms. Harris stated that there has been timely processing and everyone just working to get the benefits out to the community.

Ms. Shiflett spoke about the services that the SVSS offers. She first discussed Adult and Protective Services and how that program continued to thrive in the community helping those in need. In the early days of the pandemic many services, like Meals on Wheels, stopped running so staff worked hard to keep those in need getting food and attending to their daily needs. With school not in person, the numbers for CPS radically dropped. While the caseloads have not risen, they numbers are relatively stable and the cases are being handled quickly. The number of children entering the foster system also dropped, but the number of approved foster families in the community has increased.

Mayor Oakes asked Council members if they had any questions.

Mr. Holmes asked what percentage of increases had SVSS had this past year. Ms. Harris replied that the benefits programs increased about 2% from July 1, 2019 to June 30, 2020. She said that the Medicaid cases have definitely increased just because they have not been able to close any cases and they have continued to grow over this past year. Mr. Holmes asked was that because staff were unable to visit clients. Ms. Harris said that with Medicaid cases, since the state is in a public health emergency cases cannot be closed unless the person requests closure, they move from the locality or death.

Ms. Mead said that when she looks at the benefits and programs that the Shenandoah Valley Social Services administer, she sees that they save lives every day. She then thanked them.

Mayor Oakes asked that Ms. Harris explain TANF funds for the benefit from those listening in. Ms. Harris stated that TANF stands for Temporary Assistance to Needy Families. It used to be what was called the welfare check years ago. Currently it is a monthly financial benefit that comes on a debit card that a family can use to pay bills, buy household products, groceries or whatever the family needs. The program is based on no income in a household that also has minor children.

Council members did not have any further questions.

C. Annual Report of Blue Ridge Court Services

Megan Roane, Director of Blue Ridge Court Services, discussed the highlights of the Blue Ridge Court Services FY 2020 Annual Report. She started by saying that thanks to City Council, the City of Staunton leadership team and the City's IT department BRCS did not skip a beat. Thanks to staggered schedules, and continued staggered schedules, even if half the staff had to be quarantined, the other half would be available to help clients.

Ms. Roane began her presentation by reciting the mission.

The mission of Blue Ridge Court Services is to provide 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.

One of the highlights of 2020 was that BRCS served over 2,300 new clients July 1, 2019 through June 30, 2020.

- Local Probation Services 831
 - 678 (82%) misdemeanor cases and 153 (18%) felony cases
 - 77% program success rate
 - Average daily cost of probation supervision in 2020 is \$1.40 compared to average daily jail cost of \$85.83
- Re-Entry Program 208
 - Supported by \$20,500 CAPSAW grant
 - 83 clients provided assistance in obtaining employment
 - 79 clients received transportation assistance
 - 26 self-care kits were distributed
 - 24 clients were assisted in obtaining safe temporary shelter
 - 17 clients received reduced cost mental health care
- Pretrial Services 1,016
 - Performed 842 pretrial investigations
 - 87% program success rate, 96% appearance rate, 93% public safety (arrest free) rate
 - Average daily cost of pretrial supervision is \$1.93 compared to the average daily jail cost of \$85.83
- Pretrial Initiative on Mental Illness 213
 - 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.
- Domestic Violence 173
 - 52 of those placements were from Staunton
 - 84% of total number successfully completed their court ordered obligations
- Therapeutic Docket Program 21
 - 7 graduates in 2020
 - 9 placements from Staunton courts
- Drug Court 30
 - 19th year of operation
 - 4 graduates in 2020
 - This program targets individuals who have been involved in criminal activity arising from their addiction to alcohol or illegal substances.

• Home Electronic Monitoring 71

- 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 compared to average daily jail bed cost of \$85.83
- Staunton had 23 participants, which means 2,579 bed days saved with a jail cost savings of \$221,356

Financial support for Blue Ridge Court Services is provided by the Virginia Department of Criminal Justice Services, Virginia Supreme Court, Augusta Health, Community Action Partnership Staunton, Augusta and Waynesboro (CAPSAW), Virginia Department of Behavioral Health and Development Services and participant fees.

Mayor Oakes asked Council members if they had any questions.

Ms. Darby thanked Ms. Roane for providing information to Council and she stated how important it is for the community to know the good work that BRCS does.

Mr. Holmes asked if clients have computers that they are able to converse with BRCS via Zoom or some other way. Ms. Roane replied that they actually received a grant to purchase devices for those clients that do not have them. Those are currently on backorder, but they were able to create a makeshift stand in the lobby with a laptop so that clients could still come in and social distance but still be able to interact with the judge or for individual counseling and groups.

Mayor Oakes stated that the more we can help Blue Ridge Court Services, the more the numbers at Middle River Regional Jail can drop.

Council members did not have any further questions.

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

Ms. Roane stated that Council had just heard about what this would fund and that this is actually a continuation grant. This is something the BRCS applies for on an annual basis. What is different this year is that they have received extra funding for pretrial expansion in Rockbridge, Lexington and Buena Vista. That means BRCS is applying for additional funding for FY 2022.

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 staff to apply to the Virginia Department of Criminal Justice Services for a grant to fund local probation and pretrial services.

The motion was seconded by Mr. Claffey 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

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

Rodney Rhodes stated that 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 are already 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.

Mayor Oakes asked Council members if they had any questions.

Mayor Oakes asked the participating organizations if they had any desire to speak. Michael Connor with ShenanArts stated that if there were more funds available, the participating groups would be more than happy to partake in that availability.

Brigitte Cowan thanked the City for supporting the Staunton Augusta Arts Center in the past. She stated that they are very dependent on these kinds of grants for their survival, especially in a pandemic year. She hopes that the Council will be generous again in the upcoming year.

Council members did not have any questions.

Mr. Holmes moved that 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.

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

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

F. Discussion and Consideration of a Letter to the Governor of Virginia Concerning Deferred Implementation of Senate Bill 1157 Relating to Municipal Elections

Mr. Rosenberg stated that the General Assembly has enacted legislation that would require localities in Virginia with May elections to shift those elections to November. The legislation is on the Governor's desk awaiting his review and signature. Both the Virginia Municipal League and Virginia First Cities have sought to convince the Governor to propose an amendment to the enacted legislation that would allow localities until November 30 of 2024 to comply with the requirement of the legislation to shift from May to November. The question before Council is whether it would like to have the City send a letter to the Governor supporting the deferred implementation date.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Vice Mayor Robertson moved that the city manager be authorized and directed to prepare and send to Governor Northam a letter supporting an amendment to Senate Bill 1157, mandating a change in local elections from May to November, to allow localities until November 30, 2024, to comply with the legislation.

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

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

Mr. Rosenberg stated that he only had one item for Council. The City has been recognized for the 25th year in a row as a Tree City USA, a program of the Arbor Day Foundation. In order to qualify

for this award, a locality has to satisfy four basic requirements. The locality has to have a tree board or department, which in Staunton's case is the Parks and Recreation department with the Landscape Advisory Committee. Second is to have a tree care ordinance. Thirdly, a community forestry program with an annual budget of at least \$2 per capita. And then, finally an Arbor Day proclamation and observance, which is held in Staunton annually. City horticulturalist Matt Sensabaugh shared this information with Mr. Rosenberg and asked that he share it with Council. Mr. Rosenberg also wanted to publicly express his appreciation to Mr. Sensabaugh and other members of the Parks and Recreation staff for the good work that they do year after year.

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 A2.

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:

Rusty Ashby, 917 Powhatan Street, recommended that City Council change the time limit of Matters from the Public from five minutes to three minutes. He also talked about recently passed former council member Bruce Elder and what a kind and good man he was. He asked Council what would history say of them when they passed. He also asked that Council stop fighting and work together to do the job they were voted in office to do.

Deborah Kushner, 1311 N. Augusta Street, spoke against the expansion of the Middle River Regional Jail and asked that Council instead focus on mental health issues and listening to the citizens of Staunton. She encouraged compassion.

Travis Smiley, Staunton, spoke in favor of the Middle River Regional Jail expansion as it was supported by his boss and had made it into the budget of the Commonwealth of Virginia. He thanked Council for supporting the purchase of the new golf carts and that he could not wait to get out onto the course again.

There was no one else to speak in person.

Callers on the line included:

Tim [no last name or address given], stated that he was tired about reading in the Sunday paper letters from citizens of Staunton trashing the City Council. He also said that the voting age should be changed from 18 to 21 so illegal immigrants could not vote.

Sheila Ahmadi, College Park, spoke against the Middle River Regional Jail expansion. She also spoke about mental health issues and that what can make a difference is support for those individuals in need and opportunities to keep them out of jail. They can benefit from expanded employment opportunities, training programs, apprenticeship programs and expanded mental health programs.

Nitch Narduzzi, South Jefferson Street, also spoke against the Middle River Regional Jail expansion. She stated that the overcrowding has been happening for years and is not a direct result of the COVID crisis. She asked council why the Blue Ridge Criminal Justice Board had not been asked to make their recommendations in regards to the jail expansion. She also stated that the lack of community-based services and the bad criminal justice policy is what leads to overcrowding.

Julie Scofield, Lake Avenue, strongly supports the moving of elections from May to November but does not support the amendment to wait until 2024 to make this change happen. She also asked the status of the petition and statement that Eric Curren presented to Council. Finally, she spoke against the Middle River Regional Jail expansion.

There were no other callers on the line.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:19 p.m.

Morgan C. Smith
Acting Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 11, 2021	Councilmember Amy Darby
Item #	E	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Update on Progress of COVID-19 Vaccine Distribution	

Background: At the request Councilmember Amy Darby, this item has been added to Council's regular meeting agenda for March 11, 2021. Dr. Laura Kornegay, health director of the Central Shenandoah Health District, will attend Council's regular meeting to brief Council on the progress of the COVID-19 vaccine distribution.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 11, 2021	Staff Member: Charley Haney
Item #	F	
Ordinance #		
Department:	City Assessor	
Council Vision:	Responsive, Efficient Government	
Subject:	Resolution Requesting the Staunton Circuit Court to Appoint an Alternate Member to the Staunton Board of Equalization	

Background: Given the small size of the population of the City of Staunton, it would be beneficial to the City and its citizens and to its Board of Equalization to have an alternate member of the board to more equitably and efficiently consider assessment appeals. There are occasions when board members feel, for either personal or professional reasons, they should abstain from hearing assessment appeals or are absent. This alternate position would allow the board of equalization to function with a full complement of members in the event of such an abstention or absence.

Attachment:

Proposed resolution

City Manager's Recommendation: Recommend that City Council adopt the resolution.

Suggested Motion: I move that City Council adopt a resolution requesting the Staunton Circuit Court to appoint an alternate member to the Staunton Board of Equalization, as presented.

City Manager: Steven L. Rosenberg

Introduced:

47 Adopted:
48 Effective:

49
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Andrea W. Oakes
Mayor

ATTEST: _____
Morgan Smith
Interim Clerk of Council

DRAFT

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 11, 2021	Phil Trayer Chief Finance Officer Steven L. Rosenberg City Manager
Item #	G	
Ordinance #		
Department:	Finance City Manager’s Office	
Council Vision:	Responsive, Efficient Government	
Subject:	Ordinance to Appropriate an Additional 20% of the FY2021 Adopted Budget	

Background: The FY2021 budget was adopted on May 14, 2020 in the amount of \$114,290,621. Recognizing the challenging realities created by the consequences of the global COVID-19 pandemic emergency-disaster and its potential impact on FY2021's revenues, it was decided to appropriate sixty percent (60%) of the approved budget at that time. In December 2020, Council appropriated an additional 20% of the approved FY2021 budget, bringing the total appropriation for FY2021 to 80% of the approved budget. Per Section 2 of City Ordinance No. 2020-08 (attached), Council has an option to appropriate additional funds at its discretion. Because this ordinance does not affect the amount of the previously approved FY2021 budget but only authorizes staff to allow expenditures up to 100% of the approved FY2021 budget, no public hearing is required.

After eight months, much of the uncertainty of the economic impact has decreased. The local economic impact as of this date, while it remains significant, continues to be less severe than projected earlier this year. Accordingly, staff recommends that Council appropriate the final twenty percent (20%), or \$22,858,124, of the FY2021 adopted budget at this time. This will bring the total appropriation up to eighty percent (100%) or, \$114,290,621, of the adopted budget.

The proposed FY2021 Budget Appropriation Ordinance totals \$22,858,124 (additional City appropriation of \$15,417,704 and additional Schools appropriation of \$7,440,420), as detailed below. The introduction of this ordinance is scheduled for this meeting, and consideration of the ordinance is scheduled for March 25, 2021.

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

Attachment:

Attachment 1—Proposed Ordinance - FY2021 Adopted Budget Additional Appropriation
Attachment 2—Ordinance No. 2020-08

City Manager: Recommend the ordinance be introduced as presented.

Suggested Motion: I move to introduce an ordinance amending the fiscal year 2021 budget by adding an additional twenty percent (20%) of the FY2021 adopted budget in an amount equal to \$22,858,124.

City Manager: Steven L. Rosenberg

**CITY OF STAUNTON, VIRGINIA
FY 2021 ADOPTED BUDGET ADDITIONAL APPROPRIATION**

GENERAL FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

DEBT SERVICE SINKING FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

CAPITAL IMPROVEMENTS PROJECT FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

BLUE RIDGE COURT SERVICES FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

WATER FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

SEWER FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

PARKING FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

STORMWATER FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

ENVIRONMENTAL FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

EDUCATION FUND**ANTICIPATED REVENUE**

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

APPROPRIATIONS

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

CAFETERIA FUND

ANTICIPATED REVENUE

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

APPROPRIATIONS

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

SCHOOL TEXTBOOK FUND

ANTICIPATED REVENUE

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

APPROPRIATIONS

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

SCHOOL CAPITAL IMPROVEMENTS PROJECT FUND

ANTICIPATED REVENUE

General Revenues		\$0
Total Revenue		\$0

APPROPRIATIONS

Capital Improvements		\$0
Total Appropriations		\$0

STATE OPERATED PROGRAMS

ANTICIPATED REVENUE

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

APPROPRIATIONS

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

Grand Total Revenues

\$ 22,858,124

Grand Total Expenditures

\$ 22,858,124

INTRODUCED: March 11, 2021

Approved this _____ day of _____ 2021

Effective Date: _____

ATTEST: _____

Morgan C. Smith
Interim Clerk of Council

CERTIFIED: _____

Andrea Oakes
Mayor of Council

Ordinance No. 2020-08

**AN ORDINANCE ESTABLISHING AND APPROVING A BUDGET FOR THE
SCHOOL BOARD OF THE CITY OF STAUNTON, AND FOR THE
CITY OF STAUNTON, VIRGINIA, BOTH SEPARATELY AND
COLLECTIVELY FOR THE FISCAL YEAR
BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021,
APPROPRIATING FUNDS AT SIXTY PERCENT (60%) OF SUCH APPROVED
BUDGETED AMOUNTS FOR PUBLIC PURPOSES FOR SUCH FISCAL YEAR,
SUBJECT TO FUTURE APPROPRIATION AMENDMENT(S);
ESTABLISHING A TAX RATE ON TAXABLE PERSONAL PROPERTY,
REAL ESTATE AND PROPERTY OF PUBLIC SERVICE CORPORATIONS;
ESTABLISHING AND IMPOSING A SERVICE CHARGE ON
CERTAIN REAL PROPERTY EXEMPT FROM TAXATION;
AND CONTINUING IN EFFECT ALL ORDINANCES OF THE
CITY OF STAUNTON, VIRGINIA, RELATING TO TAXES, LICENSES,
FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND
ALL ORDINANCES RELATING TO THE TIME OF
PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN
SPECIFICALLY MODIFIED**

Recitals

A. Beginning as early as the fall of the previous year, future budget year fiscal planning involves an extensive process that includes departmental and other reviews and funding requests and individual meetings with representatives of the departments and of other public bodies and public officials funded by or through the City of Staunton.

B. As the budget planning process for fiscal year 2021 was well under way, to such an extent that the City Manager had already formulated a recommended fiscal year 2021 budget, the emergency and disaster circumstances of the global COVID-19 pandemic hit. That pandemic has led to shelter-at-home and business closure orders of the Governor of Virginia, having an unprecedented impact on individuals, businesses, and non-profit organizations, and on state and local government financial and operational aspects.

C. When the City Manager initially presented the recommended fiscal year 2021 budget to Council on March 26, 2020, the City Manager emphasized that the recommended budget would require significant review and changes, given the predicted significant impact that the global COVID-19 pandemic emergency and disaster would have

on City revenues, with businesses having to close and individuals sheltering at home, consistent with federal guidelines and actions of the Governor of Virginia.

D. Circumstances were such that Council took various emergency-disaster actions related to the COVID-19 pandemic circumstances, including those reflected in ordinances 2020-04 and 2020-05.

E. In the meantime, the City Manager implemented prudential measures that included hiring and spending freezes and capital project expenditures review, and other measures such as termination of certain part-time employees, to protect the City's fiscal condition in light of evolving circumstances.

F. On April 23, 2020, City Council conducted a public hearing on the budget ordinance based on the City Manager's initial recommended budget and first introduced on March 26, 2020, which public hearing was advertised in *The News Leader*. City Council also encouraged other input on the proposed budget and its members have remained receptive to citizen input even as the process of review and discussion has continued.

G. The City Manager, with the leadership of the chief finance officer of the City, developed further data, and Council has conducted several budget work sessions as part of a careful, systemic review of City finances to position the City to responsibly manage the fiscal and budgetary challenges currently and in the year ahead.

H. The City Manager now has briefed Council several additional times, and Council members have discussed at length the budget implications.

I. In light of all of the considerations and discussions, the City Manager has proposed a fundamentally altered budget recommendation for fiscal year 2021, reflecting reductions from his originally formulated budget of as much as \$7,862,905 that, among other things, includes a plan for mandated employee furlough.

J. Council, recognizing the challenging realities created by the consequences of the global COVID-19 pandemic emergency and disaster, concurs with the City Manager and even has committed to reflect in its own future net salary the pay adjustments that align with the furlough that employees will experience.

K. Even with all of these actions, the City Manager and Council believe that unlike in any other years, it is prudent to approve annual budgets for the School Board and for the City yet authorize in this ordinance an appropriation that is a percentage of the annual budgets approved, appreciating that only the act of appropriation authorizes the expenditure of funds and that the City Manager will continue to review further developments and bring to the City Council one or more appropriation ordinances that would amend the appropriation authorized by this ordinance.

L. This matter has been properly advertised, heard, and considered.

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

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

SECTION 1. The following budget of the School Board of the City of Staunton and of the City of Staunton, separately and collectively, as annexed and reflected and incorporated by reference, totaling **\$114,290,621** for the City of Staunton, Virginia for the fiscal year beginning July 1, 2020 and ending June 30, 2021 is hereby proposed, approved and adopted:

(SEE ATTACHED BUDGET(S), incorporated by reference)

SECTION 2. Public revenues of the City of Staunton, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2020, and ending June 30, 2021, at **sixty percent (60%)** thereof as set forth in the appropriate Section of such budget, with the recognition and stipulation that budget approval is not an appropriation of funds and only those funds as appropriated at such percentage and no more are set aside and may be spent, subject to future appropriation amendment(s) by ordinance as may be adopted by City Council.

SECTION 3.

3.1. The tax rate for all real estate, including real estate owned by public service corporations, subject to tax for the calendar year beginning January 1, 2020, shall be and is fixed at \$0.95 per \$100.00 of assessed value of such property per year, with assessed values being established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January of every odd numbered year.

3.2. All real property and improvements located in the Downtown Service District is subject to an additional tax for the calendar year beginning January 1, 2020, which shall be and is fixed at a rate of \$0.15 (fifteen cents) per \$100.00 of assessed value of such property for calendar year 2020. Assessed values for the Downtown Service District shall be established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January 1 of every odd numbered year.

3.3. These rates shall continue until modified by action of the Council of the City of Staunton, Virginia.

SECTION 4.

4.1. The tax rate for all personal property, including vehicles owned by public service corporations (but excluding machinery and tools, referenced and defined in Section 58.1-3507 of the Code of Virginia, as amended), subject to tax for the calendar year beginning January 1, 2020, shall be fixed at \$2.90 per \$100.00 of assessed value per year.

4.2. The tax rate for machinery and tools as defined in Section 58.1-3507 of the Code of Virginia, as amended, subject to tax for the calendar year beginning January 1, 2020, shall be and is fixed at \$1.24 per \$100.00 of assessed value per year.

SECTION 5. For the period of July 1, 2020, through June 30, 2021, certain categories of property exempted from taxation under Section 58.1-3600 et seq. of the Code of Virginia, as amended, shall be assessed and have imposed a fee or service charge based on the assessed value of the real estate and the amount which the City of Staunton expended in the year preceding for police and fire protection and, in the case of faculty and staff housing of an educational institution, the cost of public school education. The categories of property eligible for such assessment, and the method for calculating the assessment, are prescribed in Section 58.1-3400 et seq. of the Code of Virginia, as amended.

SECTION 6. The rate of service charge or fee imposed for property subject to such charge or fee under Section 5 of this ordinance shall be and is fixed and imposed at \$0.19 per annum per \$100.00 of assessed value and \$0.48 per annum per \$100.00 of assessed value for faculty and staff housing of an educational institution for the 2020 calendar year. The service charge shall be and is payable in one installment on December 15, 2020. Any service charge not paid when due shall bear interest computed at the rate of 10% per annum from the due date until paid.

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

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

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

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

The following respective annual amounts, however, shall be voluntarily returned pro rata bimonthly as to each such salary by an amount equal to 3.85% of the salary, as already requested by each individual member of Council, to a contra account which then periodically shall be credited to the general fund of the City, with the stipulation that this action does not alter the salaries above as established in this ordinance: Mayor \$424; Vice-Mayor \$385; and Council Members, \$385.

SECTION 10.

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

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

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

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

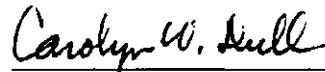
INTRODUCED: March 26, 2020

PUBLIC HEARING ADVERTISE DATE: April 16, 2020

PUBLIC HEARING DATE: April 23, 2020

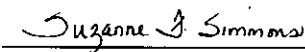
ADOPTED: May 14, 2020

EFFECTIVE DATE: July 1, 2020



Carolyn W. Dull, Mayor

ATTEST:


Suzanne F. Simmons
Clerk of Council