

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
October 28, 2021
5:30 p.m.**

- | | | |
|------------------|-------------------|--|
| 5:30 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:35 p.m. | 2. | Staunton Public Library Annual Report 2020-2021 |
| 5:50 p.m. | 3. | Update on the Staunton Crossing Economic Development Business Plan |
| 6:00 p.m. | 4. & A | Discussion of Resolution to Authorize Amendments to the City's Financing Agreements with Virginia Resources Authority to Refinance the 2008A and 2008B Taxable General Obligation Bonds |
| 6:15 p.m. | | Break |
| 6:35 p.m. | 5. | Roll Call |
| 6:45 p.m. | 6. | Closed Meeting for (i) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Regarding the Order to Show Cause Concerning the Staunton Juvenile and Domestic Relations District Court Facilities and (ii) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such Counsel Pertaining to Pending Litigation/Claims Involving Verizon Virginia LLC |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
October 28, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Claffey

Mayor's Report

Proclamation—National Nurse Practitioner Week

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of October 14, 2021

REGULAR MEETING

- A. Consideration of Resolution to Authorize Amendments to the City's Financing Agreements with Virginia Resources Authority to Refinance the 2008A and 2008B Taxable General Obligation Bonds**

- B. Consideration of a Lease Agreement between the City of Staunton and the Staunton School Board Authorizing the School Board to Use a City-Owned Vehicle**

- C. Review and Approval of FY2023 Budget Calendar**

- D. Discussion of American Rescue Plan Act Funds**

- E. Update on the Centralized Recycling Center Pilot Program**

Matters from the City Manager

Matters from the Public*

Adjournment

***Public Participation**

For instructions on how to participate in a Public Hearing and Matters from the Public portions of the City Council meeting visit www.staunton.va.us/council.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	October 28, 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, Virginia

Meeting Date:	October 28, 2021	Staff Member: Sarah Skrobis
Item #	2	
Department:	Library	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Inclusion & Equity, Excellence, and Engagement Strategic Area: Responsive, Efficient Government	
Subject:	Staunton Public Library Annual Report 2020-2021	

Background: Sarah Skrobis, Director of Library Services, has prepared the attached annual report of activities for the past fiscal year and will present a general update on the Staunton Public Library's activities.

Attachment: Staunton Public Library Fiscal Year 2020-2021 Report

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

ANNUAL REPORT

July 1, 2020 - June 30, 2021

COVID Timeline

JULY 2020

- Started the fiscal year offering curbside-only service
- 14 of 26 involuntarily terminated part-time positions restored

SEPTEMBER 2020

- Facility reopened for Grab & Go quick visits
- 23 of 26 involuntarily terminated part-time positions restored

DECEMBER 2020

- Local COVID cases surged
- Facility closed to the public with curbside service available

MARCH 2021

- Curbside service hours expanded
- All 26 of 26 involuntarily terminated positions restored

APRIL 2021

- Facility reopened for Grab & Go quick visits

MAY 2021

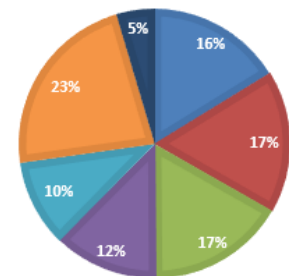
- Limited outdoor children's programs resumed

FISCAL YEAR 2021: AT A GLANCE

- 10,268 curbside pick-ups
- 34,851 in-person visitors
- 11,035 attendees at 197 virtual and in-person programs
- 793 new card applications; 20,530 total registered library card holders

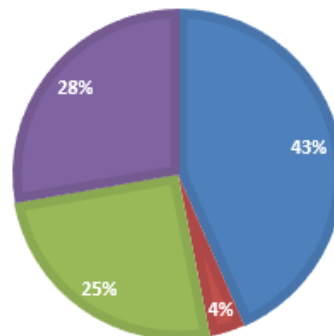
AGES OF LIBRARY CARD HOLDERS

■ 18 and Under ■ 19-29 ■ 30-39 ■ 40-49 ■ 50-59 ■ 60 and Older ■ No DOB Entered

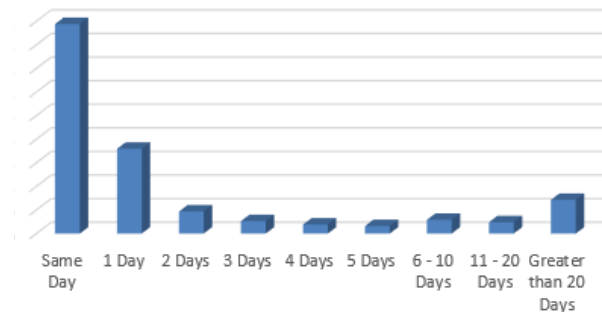


FY21 TOTAL CIRCULATION: 132,989

■ Adult ■ Young Adult (YA) ■ Juvenile ■ Digital



FY21 Total Holds: 85,643
Days Until Hold Fulfillment:



NO MORE LATE FINES!

Along with our partners at Augusta County Library and Waynesboro Public Library, we are officially and permanently fine-free since July 2020! All existing overdue fines have been waived, and late fines are no longer charged on most items.





REIMAGINED LIBRARY SERVICES

A note from Sarah Skrobis, Director of Library Services

When COVID broke out in early 2020, I think we all imagined it would be just a matter of weeks before we'd be back to normal. That obviously didn't happen! Throughout FY21, our staff reimagined what library services looked like in order to ensure both safety and public access to critical resources.

Despite our best preparations, the year still didn't go as we planned: we reopened and then closed a few months later due to a surge in local COVID cases. In place of in-person library visits, we took a multiprong approach to improve upon how we initially provided curbside pick-up earlier in the year. When we reverted to curbside-only service, we ramped it up by instituting creative ways to connect patrons with the resources they needed:

- No appointment pick-ups for greater flexibility
- Curbside printing, faxing, and laptop check-outs
- Reader's advisory services including book lists, BookPage, and reading recommendation request forms
- Pop-up library events with a small browsing selection

Even the Friends of the Library got creative and came up with a new way to accept donations of books and other materials so that they could continue to fundraise for the library.

Perhaps our proudest achievement all year is eliminating one thing completely: overdue fines are now permanently a thing of the past! Punitive fines only deterred people from utilizing their public library by creating financial burdens on those who could not afford to pay, and overdue fines disproportionately affected low-income residents. We are thrilled to embark on a new chapter of more equitable access to all residents of our community as a fine-free library.

After a long, difficult year, we're currently open again and I have just one more thing to tell everyone: *welcome back*.

“...sincere appreciation for the many telephone calls you answered and the many miles you walked to provide curbside pickup while we were under COVID-19 restrictions. You were a blessing...thank you!

Patron comment



**BOARD MEMBERS SERVING
IN FISCAL YEAR '21:**

Dr. Josh Howard, Chair
Cass Cannon, Vice-Chair
Randolph Bertin, Secretary

Dr. Mark Peterson
Virginia Trovato



DIGITAL SERVICES

Online services were one of the safest and most convenient ways to meet patron needs, and we reallocated some funds to provide more robust digital collections in lieu of physical books. Digital check-outs hit an all-time high: **36,956!**

A generous grant from CAPSAW also funded Chromebook laptops that patrons could check out for use on library grounds.

New digital and database offerings in FY21 included:



PROGRAMS

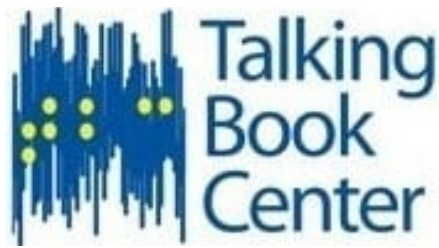
Staff continued online programs including over 140 virtual programs viewed roughly 9,800 times! During curbside-only service, Youth Services staff created and gave away over 1,000 art bags with crafts that families could do at home.

In May 2021, the Youth Services Department restarted outside in-person events including storytimes at the parks, outreach visits, and teen book clubs on the library lawn. In two months, **1,095 people attended 31 programs**, the first in-person events for children and teens in over 13 months.



FLOOD RECOVERY

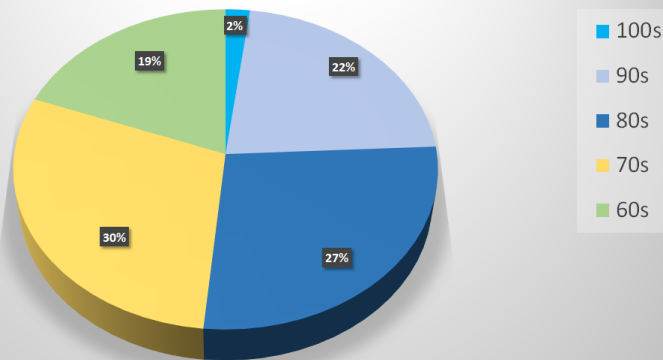
After the August 8, 2020 floods, the library partnered with the Staunton Downtown Development Association to be a drop-off location for donations of cleaning supplies. Staff set up a booth outside and cataloged incoming donations to help match those in need with what was available.



TBC is a free public library service for area citizens who are unable to read standard print material. It is a sub-regional library of the National Library Service for the Blind & Print Disabled.

“ Before [Talking Book Center], I had no access to reading material. My life completely changed because of this service. Due to my disability I never learned to read. My quality of life is forever better and I can't thank them enough. *Patron comment* ”

Age of Patrons in SAW Area



- 18,764 items checked out to 277 active patrons in Augusta, Bath, Highland, and Rockbridge Counties and the Cities of Buena Vista, Lexington, Staunton, and Waynesboro

- Recipient of
 - \$5,000 grant from the Community Foundation of the Central Blue Ridge
 - \$1,200 grant from the United Way of Rockbridge
- 100% of patrons surveyed would recommend the service and 97.7% say TBC improves their quality of life

READER'S SERVICES

- Hosted five Pop-Up Library events outside during the winter COVID-19 closure
- Curated over 80 book lists for all ages that were available during curbside pick-up, at services desks, and online to help facilitate "browsing" when access was limited
- Created countless reader's advisory posts, stories, and book talk videos for social media
- Fulfilled over 80 patrons requests for surprise and personalized reading suggestions
- Created Quick Pick bundles of materials to help patrons make fast selections when browsing in the building
- Added Wowbrary New Book Alert service which sends out weekly emails to subscribers



CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	October 28, 2021	Staff Members: Billy Vaughn Amanda DiMeo
Item #	3	
Department:	Economic Development	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Economic Development	
Subject:	Update on the Staunton Crossing Economic Development Business Plan	

Background: During Council's work session on October 28, 2021, an update will be provided on the more recent efforts to implement the recommendations in the Staunton Crossing Economic Development Business Plan. Staff will focus on site preparation and marketing efforts in furtherance of the plan.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	October 28, 2021	Staff Member: Phil Trayer
Item #	4 & A	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Resolution to Authorize Amendments to the City’s Financing Agreements with Virginia Resources Authority to Refinance the 2008A and 2008B Taxable General Obligation Bonds	

Background: In 2008, the city issued two Taxable General Obligation Public Improvement Bonds, Series 2008A and Series 2008B, for the construction of the Middle River Regional Wastewater Treatment Plant upgrade project on behalf of the City and the Augusta County Service Authority. The 20-year bonds, totaling \$11,597,841, were issued at a 3% interest rate through Virginia Resources Authority (VRA). Augusta County Service Authority reimburses the City 27.9% of the debt payment each year for its portion of the annual debt service payment.

The City refinanced these bonds in 2013 and 2014 to reduce the interest rate to 2.52%, saving \$442,166 over the remaining 15.5 years of outstanding debt for the bonds.

Staff continues to work with the city's financial advisor, Davenport & Company LLC (Davenport), to identify debt savings opportunities. Through this process, the City's outstanding 2008 VRA revolving fund loan series A and B have been identified for potential rate savings. VRA has agreed to allow the City to pursue a rate modification of these two loans through the Department of Environmental Quality (DEQ).

In order to secure the modified interest rate, the City coordinated with Davenport and Hunton Andrews Kurth LLP (Hunton), the City's bond counsel, to submit a non-binding request to DEQ for consideration of a rate reduction. As a result of this request, VRA has provided a modified interest rate of 1.721%, which is estimated to bring additional combined debt expense savings of \$122,870 (net of modification costs) to the City's Sewer Fund over the next nine years.

The following debt series have been identified for refinancing:

- The 2008A Loan for the Middle River Waste Water Treatment Plant through the Virginia Resource Authority which has a current rate of 2.52%, an outstanding balance of \$4,641,551 and a maturity date of March 1, 2030 (FY2030). Estimated savings of a revised financing rate of 1.721% equals \$139,422 (net of modification costs) over the next nine years. Given the reimbursement percentage of 27.9% from the Augusta County Service Authority for this debt expense, the City's net savings is estimated to be \$100,523 on the Series A bonds. The 2008A bonds were originally issued for the construction of the Middle River Regional Wastewater Treatment Plant upgrade project on behalf of the City and Augusta County Service Authority.
- The 2008B Loan for the Middle River Waste Water Treatment Plant through the Virginia Resource Authority which has a current rate of 2.52%, an outstanding balance of \$1,031,815 and a maturity date of March 1, 2030 (FY2030). Estimated savings of a revised financing rate of 1.721% equals \$30,994 (net of modification costs) over the next nine years. Given the reimbursement percentage of 27.9% from the Augusta County Service Authority for this debt expense, the City's net savings is estimated to be \$22,347 on the Series B bonds. The 2008 B bonds were originally issued for the construction of the Middle River Regional Wastewater Treatment Plant upgrade project on behalf of the City and Augusta County Service Authority.

Attached is a resolution Council will be asked to approve in order to finalize the interest rate modification. The resolution authorizes amendments to the bonds and the related financing agreements for these bonds to decrease the interest rate and reduce the annual debt service payments.

City staff and representatives of Davenport and Hunton will be available to answer any questions.

Attachments:

Attachment 1—Proposed Resolution

Attachment 2—Potential Interest Rate Modification Summary

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

Suggestion Motion: I move to adopt the proposed resolution authorizing the decrease in the interest rate on the City's Taxable General Obligation Public Improvement Bonds, Series 2008A and Series 2008B, the execution of the amendments to the financing agreements between the City and Virginia Resources Authority related to the bonds, and the execution of allonges to the bonds, all for the purpose of decreasing the cost of funds thereon.

City Manager: Steven L. Rosenberg

RESOLUTION AUTHORIZING A DECREASE IN THE INTEREST RATE (OR COST OF FUNDS) ON THE OUTSTANDING TAXABLE GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2008, AND TAXABLE GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2008B, ISSUED BY THE CITY OF STAUNTON, VIRGINIA, AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE AND DELIVER AMENDMENTS TO SUCH BONDS AND THE RELATED FINANCING AGREEMENTS WITH THE VIRGINIA RESOURCES AUTHORITY, AS ADMINISTRATOR OF THE VIRGINIA WATER FACILITIES REVOLVING FUND, TO EFFECTUATE SUCH DECREASE

WHEREAS, on January 31, 2008, the City of Staunton, Virginia (the “City”), issued its Taxable General Obligation Public Improvement Bond, Series 2008, in the maximum principal amount of \$9,528,519 (the “2008 Bond”), to U.S. Bank National Association, as successor trustee (the “Trustee”), for the benefit of the Virginia Resources Authority, as Administrator of the Virginia Water Facilities Revolving Fund (“VRA”), pursuant to the terms of a Financing Agreement dated as of January 1, 2008 (the “2008 Financing Agreement”), between the City and VRA;

WHEREAS, on September 18, 2008, the City issued its Taxable General Obligation Public Improvement Bond, Series 2008B, in the maximum principal amount of \$2,069,322 (the “2008B Bond” and, together with the 2008 Bond, the “Bonds”), to the Trustee for the benefit of VRA, pursuant to the terms of a Financing Agreement dated as of September 1, 2008 (the “2008B Financing Agreement” and, together with the 2008 Financing Agreement, the “Financing Agreements”), between the City and VRA;

WHEREAS, in 2013 and 2014, the City, with the consent of VRA and the Virginia Department of Environmental Quality (“DEQ”), has previously entered into amendments to the Bonds and the Financing Agreements reflecting decreases in the interest rate (or cost of funds) on each of the Bonds and the debt service payments thereunder; and

WHEREAS, the City has requested VRA and DEQ to consent to an additional decrease in the interest rate (or cost of funds) on each of the Bonds and to enter into related amendments to the Bonds and the Financing Agreements;

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

1. **Authorization of Decrease in Interest Rate (or Cost of Funds) on the Bonds.** The Council of the City (the “Council”) hereby finds that a reduction in the debt service payments due on each of the Bonds by reducing the interest rate thereon will promote the health, safety, welfare, morals and prosperity of the residents of the City and will promote the governmental and public purposes for which the City was formed. The Council hereby authorizes the City Manager to determine the new interest rate (or cost of funds) on each of the Bonds and the date on which such new rate shall become effective; provided, however, that the new rate on each of the Bonds shall not exceed 1.721% per year.
2. **Execution of Amendment Agreements.** The Mayor and City Manager, either of whom may act, are hereby authorized to execute amendments to each of the Financing Agreements (together, the “Amendment Agreements”) as shall be necessary or desired to reflect the new interest rate (or cost of funds) and the reduced debt service payments. The Amendment Agreements shall be in such forms as may be approved by the Mayor or City Manager, with the concurrence of the City Attorney, whose approval shall be evidenced conclusively by the execution thereof and delivery to VRA.
3. **Execution of Allonges.** The Mayor and Vice Mayor, either of whom may act, are hereby authorized and directed to execute and deliver amendments to each of the Bonds (together, the “Allonges”) as shall be necessary or desired to reflect the same amended terms as contained in the Amendment Agreements. The Allonges shall be in such forms as may be approved by the Mayor or Vice Mayor, with the concurrence of the City Attorney, whose approval shall be evidenced conclusively by the execution thereof and delivery to VRA. The Clerk of the Council and any Deputy City Clerk, any of whom may act, are hereby authorized to affix the seal of the City on the Allonges and attest thereto.
4. **Other Actions.** All other actions of officers of the City in conformity with the purposes and intent of this Resolution and in furtherance of the execution and delivery of the Amendment Agreements and Allonges are hereby ratified, approved and confirmed. The officers of the City are hereby authorized and directed to execute and deliver all certificates and other instruments, including, but not limited to, amendments to, or new tax certificates in replacement of, the prior tax certificates related to the either or both of the Bonds, that such officer may consider necessary or desirable in connection with the transactions authorized pursuant to this Resolution.
5. **Filing of Resolution.** The Clerk of the Council and any Deputy City Clerk, any of whom may act, are hereby authorized and directed to file a certified copy of this Resolution with the Clerk of the Circuit Court of the City of Staunton, Virginia.
6. **Effective Date.** This Resolution shall become effective immediately.

Resolution No. 2021-_____.

ADOPTED by the Council of the City of Staunton on the _____ day of October, 2021.

Witness my hand and the seal of the City of Staunton, Virginia.

Clerk of the Council

Potential Interest Rate Modification Summary

City of Staunton, Virginia



October 19, 2021

- Davenport has reviewed the City's debt portfolio for potential refinancing opportunities and identified two outstanding series of bonds as potential refunding candidates:

Series	Amount Outstanding	Interest Rate	Final Maturity	Call Date	Call Price	Original Lender	Purpose
VRA Revolving Fund Loan, Series 2008A	\$ 4,641,551	2.52%	3/1/2030	Any time with VRA consent	100%	VRA	Middle River WWTP Phase 3A
VRA Revolving Fund Loan, Series 2008B	\$ 1,031,815	2.52%	3/1/2030	Any time with VRA consent	100%	VRA	Middle River WWTP Phase 3B

- VRA has agreed to allow the City to pursue a rate modification of these two loans through the Department of Environmental Quality ("DEQ"). An interest rate reduction request was sent to DEQ on 10/13/2021 and is subject to acceptance by DEQ and City Council approval.
- Based on the interest rate as of the rate reduction request, the applicable interest rate modification rate of 1.721% will be applied to all outstanding maturities. The modified interest rate would be retroactively effective as of 9/1/2021, as long as the modification documents are executed by December 2021.

Savings Results | 2008A & 2008B Loan Modifications

Blended Rate Scenario

A		B		C		D	E		
Preliminary Results		2008A Loan		2008B Loan		Aggregate	Net Savings (Including Costs of Issuance)		
		MRWWTP Phase 3A		MRWWTP Phase 3B					
1	Maturities Refunded	3/1/22 - 3/1/30		3/1/22 - 3/1/30					
2	Par Amount	\$4,641,551		\$1,031,815					
3	Current Interest Rate	2.52%		2.52%					
4	New Interest Rate*	1.721%		1.721%					
5	Gross Savings	\$	176,238	\$	39,178	\$	215,416	\$	170,416
6	2022	10,367		2,305		12,672		(32,328)	
7	2023	20,734		4,609		25,343		25,343	
8	2024	20,734		4,609		25,343		25,343	
9	2025	20,734		4,609		25,343		25,343	
10	2026	20,734		4,609		25,343		25,343	
11	2027	20,734		4,609		25,343		25,343	
12	2028	20,734		4,609		25,343		25,343	
13	2029	20,734		4,609		25,343		25,343	
14	2030	20,734		4,609		25,343		25,343	
15	Total	\$	176,238	\$	39,178	\$	215,416	\$	170,416
16	Less: Costs of Issuance**	(36,816)		(8,184)		(45,000)			
17	Savings Net of Costs	\$	139,422	\$	30,994	\$	170,416		
18	NPV Savings (\$)	\$	126,486	\$	28,118	\$	154,605	\$	154,605
19	NPV Savings (%)	2.73%		2.73%		2.73%		2.73%	

*Note: The new interest rate was locked in after the City provided a letter to DEQ stating its intent to undergo the modifications described above on 10/13/2021.

**Note: Costs of Issuance figures are estimated and will need to be paid by the City outside of the modification transactions.

Next Steps



Date	Task
Completed 10/13/2021	Submit Modification Letter Request
October 28, 2021	City Council Adopts Resolution Approving Modifications
November Timeframe	Draft Documents Prepared (Amendments to Financing Agreements, Allonges to Bonds, City Certificates and Bond Counsel Opinions)
December Timeframe	Execute Documents Note: Modification will be effective 9/1/2021 if executed by December 2021

Municipal Advisor Disclosure



The enclosed information relates to an existing or potential municipal advisor engagement.

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CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	October 28, 2021	John C. Blair, II City Attorney
Item #	6	
Department:	City Attorney	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Closed Meeting for (i) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Regarding the Order to Show Cause Concerning the Staunton Juvenile and Domestic Relations District Court Facilities and (ii) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such Counsel Pertaining to Pending Litigation/Claims Involving Verizon Virginia LLC	

Suggested Motion: I move to enter a closed meeting for: (i) consultation with legal counsel for necessary legal-related advice and discussion regarding the Order to Show Cause that was served on each Council member concerning the Staunton Juvenile & Domestic Relations District Court Facilities located in the District Courts Building at 6 East Johnson St., Staunton, pursuant to Virginia Code Sections 2.2-3711(A)(8) and 2.2-3711(A)(7); and (ii) consultation and discussion with legal counsel requiring the provision of legal advice by such counsel pertaining to pending litigation/claims involving Verizon Virginia LLC, pursuant to Virginia Code Sections 2.2-3711(A)(8) and 2.2-3711(A)(7).

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

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



CITY OF STAUNTON, VIRGINIA

Proclamation

2021 National Nurse Practitioner Week

- WHEREAS,** nurse practitioners serve as trusted health care providers for patients in Virginia; and
- WHEREAS,** nurse practitioners at the forefront of efforts to combat COVID-19, educating patients about prevention and ensuring the equitable distribution of vaccinations; and
- WHEREAS,** nurse practitioners work to expand access to care in underserved communities, end health disparities and combat systemic racism in health care; and
- WHEREAS,** patients depend on the more than 325,000 licensed nurse practitioners across the United States to diagnose, manage and treat their chronic and acute health care conditions; and
- WHEREAS,** nurse practitioners provide high-quality primary, acute and specialty health care services while emphasizing health promotion, disease prevention, health education and counseling, guiding patients to make smarter health and lifestyle choices every day; and
- WHEREAS,** the confidence that patients have in nurse practitioner-delivered health care is evidenced by the more than 1 billion visits made annually to nurse practitioners across the country; and
- WHEREAS,** more than five decades of research confirms the high quality of care provided by nurse practitioners; and
- WHEREAS,** better utilization of nurse practitioners through modernized state laws and improved policies creates better health through a more accessible, efficient, cost-effective and higher-quality health care system; and
- WHEREAS,** the City of Staunton is proud to recognize and honor the service of nurse practitioners in our community.

NOW, THEREFORE, BE IT PROCLAIMED, by Staunton City Council that November 7-13, 2021, is hereby designated as

National Nurse Practitioner Week

in recognition of the countless contributions nurse practitioners have made over the past half century and will continue to make on behalf of the health and well-being of citizens in our community.

Adopted this 28th day of October, 2021.

ANDREA W. OAKES
MAYOR

ATTEST: _____
MORGAN C. SMITH
INTERIM CLERK OF COUNCIL

City Council
WORK SESSION
October 14, 2021
5:00 p.m.

Council Members Present: Mayor Oakes, Vice Mayor Robertson, Council Members Darby, Mead and Holmes, with Vice Mayor Robertson and Council Member Dull participating remotely. Council Member Claffey was absent.

Mayor Oakes called the meeting to order: Mayor Oakes called the meeting of Staunton City Council to order.

Mayor Oakes stated, “On October 10, 2021, I received a request from Vice Mayor Robertson to participate remotely in the October 14, 2021 Staunton City Council Meeting due to a personal matter that prevents his physical attendance at the meeting. Pursuant to the Freedom of Information Act, I will now ask Vice Mayor Robertson to state the personal matter which makes it unable for him to attend tonight’s Council meeting.”

Vice Mayor Robertson stated that he had traveled out of area and, although he is not symptomatic, he determined that it would be wise for him to participate remotely to lessen possibility of spreading COVID-19.

Ms. Darby said, “Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Vice Mayor Robertson to remotely participate in the October 14, 2021 Staunton City Council meeting due to a personal matter.”

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

Mayor Oakes	aye	Mr. Claffey	absent
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye		

Mayor Oakes asked Vice Mayor Robertson to state the location from which he was participating. Vice Mayor Robertson responded that he was at 239 Thornrose Avenue, Staunton, Virginia. Mayor Oakes asked Council and the audience if they could hear Vice Mayor Robertson. The response was affirmative.

Mayor Oakes stated, “On October 12, 2021, I received a request from Councilor Dull to participate remotely in the October 14, 2021 Staunton City Council meeting due to a medical condition that prevents her physical attendance at the meeting. I will now entertain a motion to allow Councilor Dull’s remote participation in this meeting pursuant to Staunton City Council Procedural Memorandum Number Three.”

Mr. Holmes said, “Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Dull to remotely participate in the October 14, 2021 Staunton City Council meeting due to a temporary medical condition.”

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

50	Mayor Oakes	aye	Mr. Claffey	absent
51	Vice Mayor Robertson	aye	Ms. Mead	aye
52	Ms. Darby	aye	Mr. Holmes	aye

53

54 Mayor Oakes asked Ms. Dull to state the location from which she was participating. Ms. Dull
 55 responded that she was at 1003 East Beverley Street, Staunton, Virginia. Mayor Oakes asked
 56 Council and the audience if they could hear Councilor Dull. The response was affirmative.

57

58 **1. Consideration of Work Session and Regular Meeting Agendas**

59

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

62

63 Ms. Mead moved to approve the Work Session agenda and Regular Meeting agenda with the
 64 following changes as to the work session the deletion of Item 4, as to the regular meeting the
 65 deletion of Item F.

66

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

68

69	Mayor Oakes	aye	Ms. Dull	aye
70	Ms. Mead	aye	Mr. Claffey	absent
71	Ms. Darby	aye	Mr. Holmes	aye
72	Vice Mayor Robertson	aye		

73

74 **2. Discussion of Resolution of the Council of the City of Staunton, Virginia to Educate**
 75 **Staunton's Residents and Medical Community About Reports of the People's**
 76 **Republic of China's State-Sponsored Organ Harvesting from Prisoners of Conscience**

77

78 Tiny Tang, an immigrant from China living in Fairfax County, spoke about Falun Gong and the
 79 practitioners in China who are being imprisoned by the Chinese Communist Party and are used for
 80 organ harvesting. She and her fellow practitioners are trying to raise awareness of this issue that is
 81 currently underreported in the United States mainstream media.

82

83 Mayor Oakes asked Council members if they had any questions.

84

85 Council members did not have any questions.

86

87 Ms. Dull moved to add Item 2 from the Work Session as Item F on the regular meeting agenda.

88

89 The motion was seconded by Vice Mayor Robertson.

90

91 Mayor Oakes asked Ms. Tang if the Falun Gong practitioners had gotten support from other
 92 localities in the surrounding areas such as the City of Waynesboro and County of Augusta. Ms.
 93 Tang replied that they have worked with 21 localities in Virginia.

94

95 The motion carried as follows:

96

97	Mayor Oakes	aye	Mr. Claffey	absent
98	Vice Mayor Robertson	aye	Ms. Dull	aye

99 Ms. Mead aye Ms. Darby aye
100 Mr. Holmes aye
101

102 **3. Ordinance Amending Chapter 3.35, Transient Occupancy Tax, to Conform with the**
103 **Code of Virginia**
104

105 Commissioner of Revenue Maggie Ragon stated that the item is an ordinance update for the
106 Transient Occupancy Tax. In the most recent General Assembly session, there was a Senate bill to
107 extend the Transient Occupancy Tax to all charges paid by a customer when staying at a bed and
108 breakfast, AirBnB, or rental by owner. The ordinance being presented amends Staunton City Code
109 to reflect the Senate bill.

110
111 Mayor Oakes asked Council members if they had any questions.
112

113 Mr. Holmes asked if this applied to all AirBnB owners. Ms. Ragon clarified that the Transient
114 Occupancy Tax applies to hosts the can provide lodging to four or more people.
115

116 Council members did not have any further questions.
117

118 **4. Item Removed**
119

120 **5. Resolution of the Council of the City of Staunton Reratifying and Reaffirming the**
121 **Compensation Paid to Board of Equalization Members**
122

123 City Attorney John Blair stated that it has been custom and practice for the City of Staunton to pay
124 each Board of Equalization (BOE) member \$35 per meeting that they attend. City Assessor Charlie
125 Haney had asked how that number was officially determined. After researching, the City Attorney
126 was unable to find an official Council action establishing the payment of the Board of Equalization
127 members. Virginia State Code Section 58.1-3375 states that the City Council establishes the
128 payment to the BOE members. For comparison, Mr. Blair shared that the City of Charlottesville
129 pays their BOE \$35 per meeting and the City of Waynesboro pays theirs \$50. Mr. Blair reiterated
130 that this practice has been occurring in Staunton and is not out of the ordinary, but he believed it
131 would be a good idea to have something official from the Council pursuant to state law that
132 established this right.
133

134 Mayor Oakes asked Council members if they had any questions.
135

136 Council members did not have any questions.
137

138 **6. Discussion of Virginia Municipal League Conference**
139

140 Council member Mead asked those Council Members and staff who had attended the recent
141 Virginia Municipal League Conference what their most useful takeaways from the conference
142 where. City Manager Steve Rosenberg shared that the two most significant takeaways for him was
143 his participation in the sessions devoted to ARPA and the allocation of those funds. He noted that
144 VML has engaged McGuire Woods as consultants to help localities with any questions regarding
145 permissibility of certain uses of ARPA funds. Mr. Rosenberg also shared that he attended a session
146 regarding new functionality of Facebook as a local alert mechanism and has passed that
147 information on to Communications Manager Michelle Bixler.

Mayor Oakes shared that she brought back the proposed VML 2022 Legislative program and the 2022 preliminary policy statements and that she would like copies made for the entirety of Council.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any further questions.

7. Discussion of 2022 Legislative Program

Assistant City Manager Leslie Beauregard stated that the process will begin for the adoption of the 2022 Legislative Program and asked that Council take a look at the legislative packet from 2021 and start providing feedback to her regarding what they would like to see in the next packet. She also reminded them that Senator Hanger and Delegate Avoli attended a work session last year to discuss the packet with Council and she asked if they would like to do so again. All Council Members agreed that they would again like to issue an invitation.

Ms. Beauregard said that she was working with VML to update the packet to make sure that anything that was addressed during last year's session is removed or reworded.

Mayor Oakes asked Council members if they had any questions.

Ms. Mead asked for an update on whether or not the General Assembly did increase stormwater funding for local water quality costs. Ms. Beauregard confirmed that she was working with VML on that topic and will have an update for Council in November.

Ms. Dull asked for details regarding the new fund for flooding that is to come from proceeds of the carbon revenues and if it was going to help with the City's flooding issues.

Ms. Mead stated that she would like to see Staunton, at some point, permit the retail sales of medical and recreational marijuana so that the City could begin collecting that tax revenue.

Mayor Oakes stated that she would like to review the Middle River Regional Jail staffing and constructions funds.

Council members did not have any further questions.

8. Roll Call

Mr. Holmes commented that he was distressed in regards to the lack of employees for all businesses in the City. Mayor Oakes asked that perhaps Mr. Rosenberg and staff could discuss ways to draw workers into the area. Mr. Rosenberg stated that it was an ongoing discussion amongst Ms. Beauregard, Chief Human Resources Officer Jon Venn and himself. The City is also encountering similar staffing difficulties.

Mayor Oakes asked for a update on the restrooms at Gypsy Hill Park and where that project stands on the CIP. Director of Public Works Jeff Johnston replied that staff are working to update the estimates and making sure that it's a viable project when it is included in the new CIP.

Mayor Oakes then asked for an update regarding the trapping of cats. Mr. Rosenberg replied that he had met with the animal control officers and confirmed that there has been no change in process. Cats are only trapped in very limited circumstances. Homeowners can ask for traps, but it is the responsibility of the homeowner to trap the animal and transport them to the shelter. The officers may help out an elderly or disabled citizen who may be dealing with animals on their property.

Vice Mayor Robertson asked for an update regarding the condition of the Golf Pavilion at Gypsy Hill Park. Mr. Rosenberg stated that he was able to discuss with Parks and Recreation staff regarding their procedure when a citizen rents a space. Park and Recreation will now be changing their procedure to make sure that each location is inspected on the day of the event. Vandalism is occurring at that specific pavilion and that will continue to be addressed.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any further questions.

9. Closed Meeting for Discussion of Prospective Candidates for the Position of Clerk of Council

Mr. Holmes moved that Council enter a closed meeting for the discussion of prospective candidates for appointment to the position of clerk of council, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

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

Council members entered into a closed meeting.

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

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

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

Council members entered into an open meeting.

The work session adjourned at 7:32 p.m.

246
247
248
249

Morgan C. Smith
Interim Clerk of Council

DRAFT

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, October 14, 2021
7:30 p.m.
Rita S. Wilson Council Chambers

PRESENT: Mayor Andrea Oakes
Mark Robertson, Vice Mayor (remote participant)
Amy G. Darby
Carolyn W. Dull (remote participant)
Brenda O. Mead
R. Terry Holmes

ABSENT: Stephen W. Claffey

ALSO PRESENT: Steven Rosenberg, City Manager
Leslie Beauregard, Assistant City Manager
John Blair, City Attorney
Morgan C. Smith, Interim Clerk of Council

Mayor Oakes called the meeting to order: Mayor Oakes called this meeting of Staunton City Council to order. Mayor Oakes stated that all individuals are to wear a mask and keep it on at all times.

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 several members of City Council attended the Virginia Municipal League Conference and were able to learn from other localities about different techniques when it comes to the business of their city. She stated that she has also attended several different meetings involving ARPA funding. The greatest needs appear to be childcare, affordable housing, mental health, as well as food insecurities. There are several different needs in the Staunton community and many groups are working hard to lift their neighbor up. She said that is heartwarming to see neighbor helping neighbor.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

There were no items from members of Council.

APPROVAL OF MINUTES

Ms. Mead moved to approve the Work Session and Regular Meeting Minutes of September 23, 2021, with an amendment to lines 68 to 70 to read "Ms. Mead read a portion of Paragraph 2 of the Augusta County Board of Supervisors public statement dated September 14, 2021 concerning the Augusta County Courthouse and the stance of multiple City Council members on the subject of Augusta County Courthouse."

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

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

REGULAR MEETING

A. Public Hearing and Consideration of a Request by Barbara Whipple and Paul Kazarov to Vacate and Abandon Undeveloped Montgomery Street Located Between 301 Fayette Street, 522 Stuart Street, and 309 Fayette Street

Senior Planner Rodney Rhodes stated that the applicants recently purchased 309 Fayette Street and old plats of this area dating back to the 1870s indicate that there is a street running through the property, actually running through the house. Current maps and plats of the area do not show a street; however, research has found that this property was never formally vacated.

The Planning Commission conducted a public hearing on September 18, 2021 and no one spoke in opposition to this vacation. The Commission voted four to zero to recommend approval.

Mayor Oakes stated the following:

“In a moment, I will open up the Public Hearing. It is a time that Council sets aside to hear from citizens and others about a specific topic.

We ask that you please give your name, your address, and then keep your remarks at 5 minutes or less. When you reach the 5-minute time limit, I will let you know that your time limit has expired.

For our Zoom participants, please raise your hand now if you wish to speak on this particular Public Hearing. If you raise your hand during this Public Hearing, you also be able to raise your hand during this Council meeting for other Public Hearings and Matters of the Public. Please keep your comments to 5 minutes as well.

Once everyone who wishes to speak has had an opportunity, I will then close the Public Hearing.

I will now open the Public Hearing so if you wish to speak, please approach the podium. And will alternate between individuals physically present and those that have their hands raised via the Zoom platform.”

The public hearing was opened.

Albino Fossa, 401 Bowling Street, spoke in opposition and said that alleys and streets are there for a reason and vacation of an alley makes it difficult for emergency vehicles to reach properties.

Barbara Whipple, applicant, clarified that there is no road or alley in the location they wish to have vacated. She also thanked City staff for all the help they provided during this process.

97
98 With there being no one else wishing to speak, the public hearing was closed.

99
100 Mayor Oakes asked if Council had any questions or comments.

101
102 Council members did not have any questions.

103
104 Ms. Dull moved that Council adopt the ordinance and approve the street vacation, as recommended
105 by the Planning Commission.

106
107 The motion was seconded by Ms. Mead and carried as follows:

108				
109	Ms. Darby	aye	Ms. Dull	aye
110	Ms. Mead	aye	Vice Mayor Robertson	aye
111	Mr. Claffey	absent	Mayor Oakes	aye
112	Mr. Holmes	aye		
113				
114				

115 **B. Public Hearing and Consideration of a Request by the City of Staunton to Amend**
116 **Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, Subsection**
117 **18.120.010(4)(f) of Title 18, Zoning, of the Staunton City Code**
118

119 Mr. Rhodes stated that this was a zoning text amendment that was first considered by Council on
120 July 22, 2021. On August 12, 2021, City Council referred the matter back to the Planning
121 Commission with one proposed change that would limit one lot per easement as well as one single
122 family house on any landlocked lot. The Planning Commission held a public hearing on September
123 18, 2021 and four people spoke in favor of the amendment. One person spoke about the need for
124 a detailed study to determine the implications of this amendment. The Commission voted four to
125 zero to recommend the approval of the amendment.

126
127 The public hearing was opened.

128
129 Albino Fossa, 401 Bowling Street, voted in opposition of the amendment and stated that vacation
130 of alleyways lead to a fire hazard.

131
132 Cindy Springer, 603 Hoover Street, spoke for the amendment and said that considering the lack of
133 affordable housing the amendment allows underutilized land to be developed.

134
135 Charles Bishop, 38 Woodlee Road, stated that the amendment was a common sense improvement.

136
137 Richard Landes, 107 Sycamore Street, also spoke in agreement of the amendment and that how it
138 would help open up opportunities for affordable housing.

139
140 With there being no one else wishing to speak, the public hearing was closed.

141
142 Mayor Oakes asked if Council had any questions or comments.

143
144 Council members did not have any questions.
145

Ms. Mead moved that Council adopt the ordinance and approve the amendment, as recommended by the Planning Commission.

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

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

C. Public Hearing and Consideration of an Ordinance Amending Chapter 3.35, Transient Occupancy Tax, to Conform with the Code of Virginia

Commissioner of Revenue Maggie Ragon stated that there is a proposed amendment to City Code Section 3.35 regarding Transient Occupancy Tax and the impetus for the change was a piece of legislation adopted in 2021 by the General Assembly that changed revenue codes 58.1-3819 and 3826 to extend the application of Transient Occupancy Tax to the full price of a room paid by an end consumer, including all fees rather than just the amount that was paid to the accommodation's provider.

The public hearing was opened.

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

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any questions.

Vice Mayor Robertson moved that City Council adopt the proposed ordinance amending Staunton City Code Chapter 3.35, Transient Occupancy Tax, to conform with the recently enacted state code provisions.

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

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

D. Consideration of a Request by Aaron and Bithiah Reed for a Variance to Title 17, Subdivisions, Section 17.15.180, Size and Shape of Residential Lots Generally

Mr. Rhodes stated that architect Mike Brown, on behalf of Aaron and Bithiah Reed, requested a variance to Section 17.15.180 of the subdivision ordinance. This section of the ordinance prohibits the creation of lots with elongated portions to achieve the required street frontage—commonly referred as pipestem lots. There are some significant topography issues with the lots they hope to combine, which will restrict the amount of development and will therefore not be conducive for a subdivision. The property is zoned R2-Low Density Residential which allows only one dwelling per lot. There are no requirements in the state code for a variance, so it up to the Planning

Commission that a departure may be made without destroying the intent of the established zoning, then a variance may be granted. If the variance is approved, these two lots combined, there will still only be two houses built on these parcels, it would just move the location of the house to a more advantageous place for the applicants. Mr. Rhodes noted that the proposed subdivision meets and exceeds all other City code requirements. The Planning Commission on a four to zero vote recommended that the variance be granted.

Mayor Oakes asked if Council had any questions or comments.

Vice Mayor Robertson asked that Mr. Rhodes confirm that part of the lot near Hancock Street was not conducive to building. Mr. Rhodes stated that it was cost prohibitive to build a section of City street and have it approve by the City standards and then incorporate it into the City street system.

Council members did not have any questions.

Ms. Darby moved that Council adopt the resolution and approve the variance from Title 17, Section 17.15.180, as recommended by the Planning Commission.

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

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

E. An Ordinance to Amend Section 5.20.220, Issuance of License, of Chapter 5.20, Precious Metals and Gems and Pawnbrokers, of Title 5, Business Licenses and Regulations, of the Staunton City Code to Conform with the Code of Virginia

City Attorney John Blair stated that state code has changed and pawnbrokers now must present a bond with surety in the amount of \$50,000. The City code section has the old total of \$2,500.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any questions.

Ms. Dull moved that City Council adopt the proposed ordinance that would amend Section 5.20.220, Issuance of License, of Chapter 5.20, Precious Metals and Gems and Pawnbrokers, of Title 5, Business Licenses and Regulations, of the Staunton City Code as indicated in the proposed ordinance to conform with the language with the Code of Virginia.

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

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

F. Consideration of Resolution of the Council of the City of Staunton, Virginia to Educate Staunton's Residents and Medical Community About Reports of the People's Republic of China's State-Sponsored Organ Harvesting from Prisoners of Conscience

Ms. Dull thanked the two Falun Gong practitioners who brought this matter to the attention of City Council. She appreciated the opportunity to share this information with Staunton citizens.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any questions.

Ms. Dull moved that Council adopt the proposed resolution to educate Staunton's residents and medical community about reports of the People's Republic of China state sponsored organ harvesting from prisoners of conscience.

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

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

G. Resolution of the Council of the City of Staunton Reratifying and Reaffirming the Compensation Paid to Board of Equalization Members

Mr. Blair stated the City has a Board of Equalization (BOE) and that state code requires the Council to set the compensation of the members. The resolution sets compensation at \$35 per meeting. This has been custom and practice for years and there are local examples. The City of Charlottesville pays its BOE \$35 per meeting and the City of Waynesboro pays theirs \$50.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any questions.

Mr. Holmes moved that Council adopt the proposed resolution reratifying and reaffirming that Board of Equalization members are to be compensated \$35 per each meeting attended for their time engaged in the duties of the BOE.

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

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

H. Staunton City Council Retreat Report

Assistant City Manager Leslie Beauregard stated that on August 10 and 11, 2021 City Council had a retreat where they arrived at some new priorities. Council reviewed and approved the minutes of the retreat on September 9, 2021. At the September 23, 2021 meeting, Council discussed at length to synthesize elements of the retreat. Staff is asking that Council adopt the new vision, value, strategic areas and actions contained in the report from the September 23, 2021 meeting so that City staff can start to put the items into action.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any questions.

Vice Mayor Robertson moved that City Council adopt the Staunton City Council Retreat Report, including its vision, values, strategic areas and actions

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

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

MATTERS FROM THE CITY MANAGER

Mr. Rosenberg stated he had nothing to report.

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 or begin your call, identify yourself, and complete your remarks within 5 minutes. I will let you know when you’ve reached your 5 minutes. We ask that you please give your name, your address, and then keep your remarks at 5 minutes or less. When you reach the 5-minute time limit, I will let you know that your time limit has expired. If you continue to speak, I will ask you to step away from the podium or to end your call. If you continue to speak after I inform you that you have exceeded your time limit, I will, again, ask you to please stop speaking and step away from the podium or end your call. If you still continue to speak, I will ask the Clerk of Council to end your call, and if you continue to speak from the podium you may be charged with disorderly conduct under Virginia Code § 18.2-415(A)(2).

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 unrelated to the performance of their official duties on behalf of the City of Staunton, 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 or to end your call. We certainly do not want to reach that point and even beyond, so we respectfully ask for your full cooperation in observing these guidelines.

If you wish, you may obtain a copy of the ground rules from our Interim Clerk of Council, Ms. Smith. And now, we welcome all speakers. The podium is now available for matters from the public as well as remote participants using the Zoom platform.”

Christi Crittendon, 208 North Market Street, asked that City staff take a look at the stretch of Market Street where it is crossed by Prospect and Academy. Neither cross street has a stop sign. There have been a number of small accidents and she is concerned for the safety of children, pets, and pedestrians.

Jisun Bae, an immigrant from South Korea and living in Fairfax County, shared her gratitude for City Council approving the resolution to inform Staunton citizens and the medical community about the practice of state sponsored organ harvesting from prisoners of conscience in the People’s Republic of China.

Albino Fossa, 401 Bowling Street, continued documenting his issues with the Assessor’s Office and the value of his residence.

There was no one else wishing to speak.

Closed Meeting for Discussion of Prospective Candidates for the Position of Clerk of Council

Mr. Holmes moved that Council enter a closed meeting for the discussion of prospective candidates for appointment to the position of clerk of council, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

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

Council members entered into a closed meeting.

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

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

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

Council members entered into an open meeting.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:22 p.m.

Morgan C. Smith
Interim Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	October 28, 2021	John C. Blair, II City Attorney Phil Trayer Chief Finance Officer Chris Tuttle Director of Parks and Recreation
Item #	B	
Department:	City Attorney Finance Parks and Recreation	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence	
Subject:	Consideration of a Lease Agreement between the City of Staunton and the Staunton School Board Authorizing the School Board to Use a City-Owned Vehicle	

Background: The Parks and Recreation Department owns a 2018 Ford Transit van that it uses periodically. The School Board has requested that the City consider entering into a lease agreement which would allow the School Board to use the van on an as-needed basis when the Parks and Recreation Department is not using the van. The lease agreement will allow the School Board to have its risk management program provide insurance coverage for the van and its use.

The School Board itself will formally consider the lease agreement at an upcoming meeting, making it appropriate for Council to do the same.

Attachment: Draft Lease Agreement

City Manager's Recommendation: Recommend that City Council authorize the lease agreement between the City and the School Board, and authorize and direct the City Manager to sign the lease agreement.

Suggested Motion: I move that City Council authorize the lease agreement between the City of Staunton and the Staunton School Board for the use of the 2018 Ford Transit van as noted in the lease agreement and further authorize and direct the City Manager to sign the lease agreement with such modifications and in final form as approved by the City Attorney.

City Manager: Steven L. Rosenberg

1 **AGREEMENT BETWEEN CITY OF STAUNTON, VIRGINIA**
2 **AND**
3 **SCHOOL BOARD OF THE CITY OF STAUNTON, VIRGINIA**
4 **TO LEASE A 2018 FORD TRANSIT VAN**
5

6 This agreement to lease (Agreement), dated this 20th day of October, 2021 for
7 identification, is made by and between the City of Staunton, Virginia (Lessor), a municipal
8 corporation of the Commonwealth of Virginia and the School Board of the City of Staunton,
9 Virginia (Lessee), a public body corporate of the Commonwealth of Virginia.
10

11 **1. Recitals.**

12 1.1. The Lessor owns a 2018 Ford Transit Van (“the Van”) (VIN
13 1FBAX2CM6JKA55119) (Van) as part of its commercial fleet.

14 1.2. The Lessor does not need the Van for full time use and agrees that the Lessee may
15 use the Van as needed when not otherwise in use.

16 1.3. Pursuant to Virginia Code § 15.2-951, localities may sell or otherwise dispose of
17 personal property.

18 1.4. Pursuant to Staunton City Charter Section 11, First, the Staunton City Council is
19 enabled to lease personal property.

20 1.5. Pursuant to Virginia Code § 22.1-129(B), school boards have the power to lease
21 personal property as the lessee.

22 1.6. There are no third-party beneficiaries to this Agreement, and nothing in this
23 Agreement shall be construed to create any liability on the part of either Lessee or the Lessor to
24 any third party.

25 1.7. The heading and titles of the provisions of this Agreement are inserted solely for
26 convenience and are not to be construed as a limitation to which they refer.

27 1.8. The signatories to this Agreement are the fully authorized representatives of the
28 parties.

29 1.9. These recitals are an integral part of this Agreement.
30

31 **2. Lease Commencement, Term and Renewal.**

32 2.1. The Lessor shall lease the Van to the Lessee and the Van will be used by the Lessee
33 on an as needed basis.

34 2.2. The term of this Agreement shall be from October 25, 2021 through June 17, 2022.

35 2.3. The Lessee may extend this Agreement for a second term of one year under the same
36 provisions by giving written notice to the Lessor of its intent to extend this Agreement at least
37 thirty days before the expiration of the Agreement and the Staunton City Manager, acting on
38 behalf of the Lessor, agrees in writing to the extension.

39
40 **3. Equipment Leased.** The Lessor agrees to lease to Lessee a 2018 Ford Transit van (VIN
41 1FBAX2CM6JKA55119).

42
43 **4. Lease Amount.** The lease amount for the term shall be \$1.00.

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45 **5. Indemnification and Hold Harmless.** To the fullest extent permitted by law, the Lessee shall
46 indemnify, exonerate, defend, and hold harmless Lessor for injury or damage (including death)
47 to persons or property (including the property of Lessor and/or the Lessee caused by the
48 negligence or deliberate misconduct of the Lessee, its employees, agents, or subcontractors as to
49 any claims made by reason of services performed or work product provided or delivered
50 hereunder or acts or omissions otherwise. Any expenses incurred by Lessee by reason of such
51 claims or negligence or deliberate misconduct, including but not limited to litigation costs,
52 witness fees, attorney or other professional fees or judgment or fine, shall be paid by the Lessee
53 to the complete exoneration of Lessor within 30 days of invoicing by Lessor.

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55 **6. Insurance.** The Lessee shall file with Virginia Risk Sharing Association and maintain during
56 the term of this Agreement motor vehicle insurance coverage that includes the Van.

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58 **7. Immunity.** Nothing in this Agreement shall be construed or interpreted to be a waiver of
59 any sovereign or other immunity of Lessee, its members, officials, employees, agents,
60 representatives or responsible parties.

8. Preventative Maintenance and Gasoline. The Lessor shall provide necessary preventive maintenance for the Van. Lessee shall be financially responsible for providing gasoline for the Van during the Lessee's use of the Van.

9. Severability. If any provision, clause or part of this Agreement or the application thereof under certain circumstances is held invalid or unenforceable for any reason, the remainder of this Agreement, or the application of such provision, clause or part under other circumstances, shall not be affected thereby.

10. Availability of Funds. It is understood and agreed between the parties herein that Lessee shall be bound hereunder only to the extent of the funds available for the purpose of this Agreement.

11. Governing Law and Forum Selection. This Agreement shall be governed by and construed under the laws of the Commonwealth of Virginia, without reference to its conflicts of laws principles. Lessor and Lessee agree that any proceeding connected with the subject matter of this Agreement or otherwise related to the rights of either party, contractual or extra-contractual, shall be instituted or filed and maintained by each and both of them, unless required otherwise by law, solely in the General District or Circuit Court of the City of Staunton, Virginia.

12. Waiver of Trial by Jury. Lessor and Lessee each hereby waive all right to trial by jury in any matter arising out of or in any way connected with this Agreement.

13. Notices. All notices, requests, claims, demands and other communications hereunder shall be in writing and shall be given by delivery in person, mailed by courier or sent by facsimile and confirmed by telephone, or by registered or certified mail (postage prepaid, return receipt requested) or as subsequently designated otherwise as follows:

To the Lessor:

City of Staunton, Virginia
Attn: Steven Rosenberg, City Manager
116 W. Beverley St.
Staunton, Virginia 24401
rosenbergsl@ci.staunton.va.us

To the Lessee:

School Board of the City of Staunton, Virginia
Attn: Garrett Smith, Superintendent
116 W. Beverley St.
Staunton, Virginia 24401
gsmith@staunton.k12.va.us

14. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

City of Staunton, Virginia

By _____

Title _____

School Board of the City of Staunton, Virginia

By _____

Title _____

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	October 28, 2021	Steven L. Rosenberg City Manager Phil Trayer Chief Finance Officer
Item #	C	
Department:	City Manager Finance Department	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Review and Approval of FY2023 Budget Calendar	

Background: The FY2023 draft budget calendar is attached for your review. Council is asked to review the calendar and suggest changes that may better accommodate the schedules of Council members. Please consult your personal calendars for possible schedule conflicts.

Attachment: FY2023 Budget Calendar

City Manager's Recommendation: Recommend City Council review the draft budget calendar and direct staff to finalize a calendar that accommodates the needs of the Council.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY OF STAUNTON, VIRGINIA
FY 2023 BUDGET SCHEDULE
(July 1, 2022 - June 30, 2023)

CITY OF STAUNTON		
	City Budget Schedule	
<i>Budget Call/ Notice</i>	October 8, 2021	
<i>City Manager / School Superintendent /Finance Review</i>	November 17, 2021	
<i>Budget Submission from Departments</i>	December 3, 2021	
<i>Budget Notice to Outside Agencies</i>	December 6, 2021	
<i>Governor's Budget Presentation</i>	December 15, 2021	
<i>City Manager / School Superintendent /Finance Review</i>	December 15, 2021	
<i>Budget Discussions with Departments</i>	December 2021- February 2022	
<i>Budget Submission Requests from Outside Agencies</i>	January 7, 2022	
<i>City Manager / School Superintendent /Finance Review</i>	January 12, 2022	
<i>Presentation of Draft Capital Improvement Plan</i>	January 13, 2022	
<i>City Council and School Board Joint Meeting</i>	January 27, 2022	5:00 PM
<i>City Council Budget Work Session</i>	February 3, 2022	5:00 PM
<i>City Manager Review</i>	February 7-14, 2022	
<i>Adoption of the Capital Improvement Plan</i>	February 10, 2022	
<i>City Manager / School Superintendent /Finance Review</i>	February 18, 2022	
<i>City Budget Complete</i>	March 1, 2022	
<i>Budget Presentation to City Council-Work Session</i>	March 24, 2022	5:00 PM
<i>Introduction of Total Budget Ordinance for City and Schools</i>	March 24, 2022	7:30 PM
<i>City Council Budget Work Session</i>	March 31, 2022	5:00 PM
<i>Advertisement for Proposed Budget Ordinance - Public Hearing</i>	April 6, 2022	
<i>City Council Budget Work Session</i>	April 7, 2022	5:00 PM
<i>Budget Work Session- School Board/ City Council- School Budget</i>	April 14, 2022	5:00 PM
<i>Budget Public Hearing (all budget ordinances)</i>	April 14, 2022	7:30 PM
<i>City Council Budget Work Session (If necessary)</i>	April 21, 2022	7:30 PM
<i>City Council Budget Work Session</i>	April 28, 2022	5:00 PM
<i>Adoption of City Budget</i>	April 28, 2022	7:30 PM

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	October 28, 2021	Staff Members: Phil Trayer Leslie Beauregard
Item #	D	
Department:	Finance City Manager’s Office	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	American Rescue Plan Act Funds	

Background: On May 25, 2021 the U.S. Department of the Treasury issued a notice to the City of Staunton that the first half of funding from American Rescue Plan Act (ARPA) funds had been issued in the amount of \$6,478,213. This represents one-half of the City's total allotment of ARPA funds. A budget amendment to appropriate the funds received was introduced and approved on [June 24, 2021](#) and [July 22, 2021](#), respectively.

The U.S. Department of the Treasury has issued "Interim Final Rules" to guide localities on eligible uses of these funds. While these rules have already evolved since introduction, they continue to remain in "interim final" status. The City does expect Treasury to finalize the guidance in the coming weeks.

At the October 28, 2021 work session, staff will ask for City Council's initial input to establish an expenditure framework on which to base allocation of the first half of ARPA funds. A PowerPoint presentation will be provided prior to the work session.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	October 28, 2021	Staff Member: Jeff Johnston
Item #	E	
Department:	Public Works	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Environmentally Conscious	
Subject:	Update on the Centralized Recycling Center Pilot Program	

Background: During Council's work session on October 28, 2021, Jeff Johnston, Director of Public Works, will provide an update on the centralized recycling center pilot program. A PowerPoint presentation will be provided prior to the work session.

Attachment: Not applicable.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg