



City of Petersburg Virginia

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Special Regular City Council Meeting

October 6, 2020
Union Train Station
103 River Street
12:00 PM

City Council

Samuel Parham, Mayor – Ward 3
John A. Hart, Sr., Vice-Mayor – Ward 7
Treska Wilson-Smith, Councilor – Ward 1
Darrin Hill, Councilor – Ward 2
Charlie Cuthbert, Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Annette Smith-Lee, Councilor – Ward 6

City Manager

Aretha R. Ferrell-Benavides

1. Roll Call

2. Prayer

3. Closed Session

- a. A motion to convene in closed session pursuant to §2.2-3711(A)(7) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the City Attorney and matters of actual or probable litigation specifically including but not limited to *a discussion regarding Petersburg Circuit Court Case No.: CL200000800-00; and Petersburg Circuit Court Case No.: CL150000785-00; and legal strategy and options associated with the Ramada Inn property.*

4. Moment of Silence

5. Pledge of Allegiance

6. Determination of the Presence of a Quorum

7. Proclamations/Recognitions

8. Reports/responses to previous public information period

9. Communication/Special Reports

- a. City Manager Report - Aretha Ferrell-Benavides, City Manager
City Manager's Report - October 6, 2020
- b. COVID-19 Update
- c. Library Auditorium Update

10. Consent Agenda (to include minutes of previous meetings):

- a. Schedule public hearing for an ordinance to amend Section 42-3 Of The City Code To increase the Courthouse Security fee from \$10 to \$20.
- b. First read and consideration of FY 2020 carryover (\$957,528.50) & FY 2021 Appropriation (\$1,499,291) for the Park and Ride Station Project.

- c. Virginia Department of Fire Programs - Aid to Locality in the amount of \$118,079 - First reading.
- d. First read and consideration of Center for Tech and Civic Life grant appropriation (\$81,889.50) for the Registrar's Office.
- e. First read and consideration of Library of Virginia COVID CARES Act subgrant appropriation (\$36,312) for the Petersburg Public Library.
- f. First read and Consideration of Virginia Tourism Corporation DMO WanderLOVE Grant appropriation (\$10,000) for Petersburg Tourism.
- g. City Council Minutes of September 1, 2020 (Closed Session), September 14, 2020 (Special City Council Meeting), September 15, 2020 (Closed Session), September 15, 2020 (Special City Council Meeting, and September 21, 2020 (Special City Council Meeting)

11. Official Public Hearings

- a. A public hearing regarding a Letter of Intent to Purchase city owned property at 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard, and 357 University Boulevard, and consideration of an Ordinance authorizing the City Manager to execute a Purchase Agreement toward the sell of City-owned property.
- b. A public hearing for an Ordinance to amend and readopt Section 38-97 and 38-98 of the city code, changing the effective date and area of the Technology Zone; of the 2000 Code of Petersburg as amended.
- c. A public hearing to vacate an undeveloped Alley Right-of-Way associated with the Petersburg Transit Station and future parking deck.
- d. A public hearing and consider authorization to vacate undeveloped street Right-of-Way adjacent to City-owned parcels previously approved for sale by the City Council and associated with the Harbor festival and event space development.
- e. A public hearing and consideration of the City of Petersburg Consolidated Plan, as required by the U.S. Department of Housing and Urban Development.
- f. A public hearing and City Council consideration of a petition to rezone the property at 1000 Diamond Street.
- g. A public hearing and City Council consideration of a petition for a Special Use Permit for the property at 1300 E Washington Street.

12. Public Information Period

A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:

- a. **First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,**
- b. **Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting removed from consent agenda**

13. Business or reports from the Mayor or other Members of City Council

- a. Consideration of a motion regarding monthly reports.

14. Items removed from Consent Agenda

15. Unfinished Business

- a. Consideration of appointment/s to the Planning Commission.

16. New Business

- a. Consideration to adopt the resolution for action to abate unsafe conditions and violations of the Building Code on the property located at 380 E. Washington Street.
- b. Consideration to adopt the Infectious Disease (COVID-19) Preparedness and Response Plan.

17. City Manager's Agenda

18. Business or reports from the Clerk

19. Business or reports from the City Attorney

20. Adjournment



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: City Manager Report - Aretha Ferrell-Benavides, City Manager

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS: None



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM: Aretha Ferrell-Benavides

RE: **City Manager's Report - October 6, 2020**

PURPOSE: N/A

REASON: N/A

RECOMMENDATION: N/A

BACKGROUND: N/A

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. City Managers report 10.6.2020
2. 92220_repair location_full
3. 92220_repair location_zoom
4. Wells Road Valve Repair



City of Petersburg

Office of the City Manager
135 North Union Street
Petersburg, Virginia 23803

(804) 733-2301

MEMORANDUM

Date: October 6, 2020
To: Honorable Mayor and Members of City Council
From: Aretha R. Ferrell-Benavides, City Manager
Subject: **City Manager's Report – October 6, 2020**

Public Safety

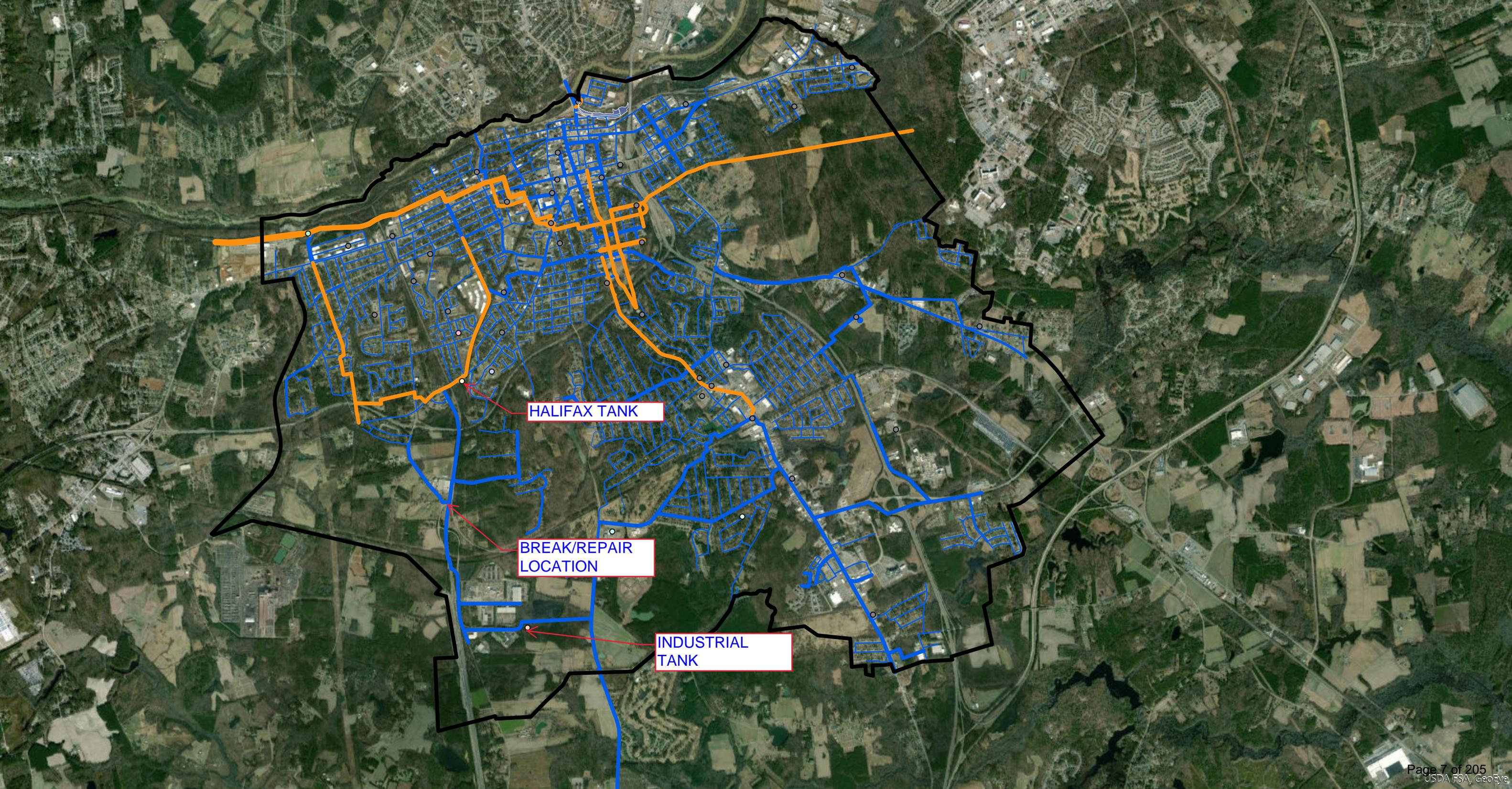
- *Operation No Guns, Safe Streets 2020*: 311 illegal guns removed to date.
- On September 29, 2020, Petersburg Bureau of Police received accreditation award from the Virginia Law Enforcement Professional Standards Commission for the first time in department history.
- Police Chief and Deputy City Manager for Public Safety, Kenneth Miller, has announced his plans to retire this November.

Budget and Procurement

- GovDeals has accounted for \$2,470 in City assets for the FY2020-21 through 9/3/2020.

Public Works and Utilities (Projects):

1. Southside Depot:
 - Encapsulation of Asbestos project has been completed.
 - Air monitoring tests have verified that Asbestos has been removed.
 - Walk-through completed with Enteros engineers on Friday, September 18, 2020.
2. Park and Ride Structure:
 - The Demolition of 38 & 42 S. Union street has begun.
3. LED Light Conversion
 - The LED conversion project has been initiated and a work order number has been created.
4. Incident Report: Halifax Rd/Wells Rd Water Main Repair included as attachments.



HALIFAX TANK

BREAK/REPAIR
LOCATION

INDUSTRIAL
TANK

2230

FH-1715B

INTERNATIONAL PAPER

FH-1709

FH-1715A

12" San Sewer

12" W/L

FH-1710

12" C-900

Ex. 12" VALVE
(GASKET FAILED)

FH-1715

2344

2233

2426

NEW 12" INSERT
VALVE

2445

2233

2233



**I AM
PETERSBURG
VIRGINIA**

Department of Public Works and Utilities
Utilities Division
424 St. Andrew Street
Petersburg, Virginia 23803

Phone: (804) 733-2356
Fax: (804) 732-8892

ANDREW J. BARNES, P.E.
GENERAL MANAGER

MEMORANDUM

TO: Tangela Innis, Director of Public Works and Utilities
FROM: Andrew Barnes, General Manager of Utilities
DATE: September 23, 2020
SUBJECT: Incident Report: Halifax Rd/Wells Rd Water Main Repair

Utilities staff responded to a SCADA tank level alarm for the Industrial Park Tank at approximately 1:30 AM, on Tuesday September 22, 2020. Without any reason for the low level, staff canvassed the area looking for signs of a main break. Around 3 AM staff located the break at International Paper (2333 Wells Road, Petersburg, VA 23805). After calling in an emergency 811 ticket, the crew began excavation around 7:30 AM. Prior to this, staff coordinated with ARWA to maintain supply to the City, mobilized utility equipment, monitored SCADA, and began road closures.

Staff spent most of the morning locating system isolation valves and pumping down the water level in the excavation. The excavation was eventually cleared and revealed that a 12" inline valve had blown the gasket between the body and the bonnet. Attempts at complete isolation were unsuccessful; coupled with the uncertainty as to whether the valve could be repaired under pressure, staff began the process of excavating a secondary pit for an insert-valve installation. The insert valve was successfully installed around 8:30 PM. Subsequently, staff concluded to remove the existing valve entirely and complete the repair with a new section of C-900 PVC (same as existing material). Full service was restored at around 11:30 PM.

Positive pressure was maintained outside of the repair location for the duration of the event (the final repair was disinfected, flushed, and sampled. Difficulty in locating nearby isolation valves resulted in staff utilizing valves further out to reduce flow and pressure at the break without the benefit of a full shutdown. The use of far-off isolation valves affected residual pressure to nearby residents and businesses; the Fire Marshall was onsite for most of the event.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: COVID-19 Update

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS: None



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Wayne Crocker

RE: **Library Auditorium Update**

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS: None



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM: ANTHONY C. WILLIAMS

RE: **Schedule public hearing for an ordinance to amend Section 42-3 Of The City Code To increase the Courthouse Security fee from \$10 to \$20.**

PURPOSE: TO INCREASE THE COURTHOUSE SECURITY FEE FROM \$10 TO \$20

REASON: Effective July 1, 2020, Section 53.1-120 of the Code of Virginia was amended to allow an increase in the maximum Courthouse Security fee from \$10 to \$20. These funds are held by the City for appropriation to the Sheriff's Office for funding of courthouse security personnel, equipment, and other personal property used in connection with courthouse security.

RECOMMENDATION: Adopt Ordinance

BACKGROUND: Effective July 1, 2020, Section 53.1-120 of the Code of Virginia was amended to allow an increase in the maximum Courthouse Security fee from \$10 to \$20. These funds are held by the City for appropriation to the Sheriff's Office for funding of courthouse security personnel, equipment, and other personal property used in connection with courthouse security.

COST TO CITY: 0

BUDGETED ITEM: N/A

REVENUE TO CITY: UNK

CITY COUNCIL HEARING DATE: 10/20/2020

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: Courts and Sheriff

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Amends existing Section 42-3 of the City Code

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. courthouse assessment

AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 42-3 OF THE PETERSBURG CITY CODE PERTAINING TO ASSESSMENTS FOR COURTHOUSE SECURITY

WHEREAS, for the purposes of maintaining and improving courthouse security, localities are authorized under §53.1-120 of the Code of Virginia to impose an assessment as part of the costs in each criminal and traffic case in District and Circuit Court where a defendant is convicted; and

WHEREAS, Petersburg City Council did authorize the collection of such assessments under Section 43-3 of the Petersburg City Code; and

WHEREAS, effective July 1, 2020, the Virginia General Assembly increased the maximum allowable amount of such assessment from \$10 to \$20; and

WHEREAS, it is the belief of the Petersburg City Council that increasing such assessment would be in the best interests of the City of Petersburg.

NOW therefore be it ORDAINED that Section 42-3 of the Petersburg City Code is hereby amended and re-adopted as follows:

Sec. 42-3. - Assessment for courthouse security.

(a) Imposed; amount. Pursuant to the provisions of Code of Virginia, § 53.1-120D, and subject to the conditions and limitations thereof, there is hereby imposed an assessment as part of the costs in each criminal or traffic case in the Petersburg District or Circuit Court in which the defendant is convicted of a violation of any statute or ordinance the sum of ~~\$10~~\$20.00. This assessment shall be in addition to any other fees prescribed by law.

(b) Collection; disbursement. The assessment shall be collected by the clerk of the court in which the case is heard, remitted to the collector of city taxes and held by the treasurer subject to appropriation by the city council to the sheriff's office for the funding of courthouse security personnel, and, if requested by the sheriff, equipment and other personal property used in connection with courthouse security.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Randall Williams

RE: **First read and consideration of FY 2020 carryover (\$957,528.50) & FY 2021 Appropriation (\$1,499,291) for the Park and Ride Station Project.**

PURPOSE: To carryover the remaining FY 2020 balance and appropriate FY 2021 funding for the Petersburg Station Park and Ride project.

REASON:

To ensure that the project remains on schedule to be completed in FY 2023. The project will enhance the current lot and expand the parking capacity to include 76,500 square ft., three and a half stories, & 215 spaces.

RECOMMENDATION:

Staff recommends the City Council approves the total amount of \$2,456,819.50 which consist of the FY 2020 carryover amount of \$957,528.50 and the FY 2021 appropriation of \$1,499,291. It should be noted that the \$8,000,00 project is a Smart Scale project and costs are 100% reimbursable up to the \$8,000,000 amount by the Department of Rail and Public Transportation (DRPT).

BACKGROUND:

In the March 5, 2019 City Council meeting, City Council adopted resolution 15-R-64, which supported the submittal by the City of Petersburg of an application for grant funding to construct a Park and Ride Parking Structure adjacent to the City's Transit Center located at 100 Washington Street. The total amount of the project was \$8,000,000 with funding amounts spread across the following fiscal years:

FY 2019 - \$1,270,296
 FY 2021 - \$1,499,291
 FY 2022 - \$2,503,851
 FY 2023 - \$2,726,562

COST TO CITY: \$2,456,819.50

BUDGETED ITEM: No

REVENUE TO CITY: \$2,456,819.50

CITY COUNCIL HEARING DATE: 10/6/2020

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Transit and Budget & Procurement

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. FY20 Park & Ride Carryover & FY21 Appropriation Funding



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 8, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha R. Ferrell-Benavides, City Manager

THROUGH: Lionel D. Lyons, Deputy City Manager, Development

THROUGH: Robert Floyd, Director of Budget & Procurement

FROM: Randall Williams, Assistant Director Capital Budgeting

RE: Request to carryover FY 2020 funding and appropriate additional FY 2021 funding for the Petersburg Station Park and Ride project.

PURPOSE: To carryover the remaining FY 2020 balance and appropriate FY 2021 funding for the Petersburg Station Park and Ride project.

REASON: To ensure that the project remains on schedule to be completed in FY 2023. The project will enhance the current lot and expand the parking capacity to include 76,500 square ft., three and a half stories, & 215 spaces.

RECOMMENDATION: Staff recommends the City Council approves the total amount of \$2,456,819.50 which consist of the FY 2020 carryover amount of \$957,528.50 and the FY 2021 appropriation of \$1,499,291. It should be noted that the \$8,000,00 project is a Smart Scale project and costs are 100% reimbursable up to the \$8,000,000 amount by the Department of Rail and Public Transportation (DRPT).

BACKGROUND: In the March 5, 2019 City Council meeting, City Council adopted resolution 15-R-64, which supported the submittal by the City of Petersburg of an application for grant funding to construct a Park and Ride Parking Structure adjacent to the City's Transit Center located at 100 Washington Street. The total amount of the project was \$8,000,000 with funding amounts spread across the following fiscal years:

Petersburg Station Park & Ride Facility	
Year	Funding
Fiscal Year 2019	\$1,270,296
Fiscal Year 2021	\$1,499,291
Fiscal Year 2022	\$2,503,851
Fiscal Year 2023	\$2,726,562

COST TO CITY: \$2,456,819.50

BUDGETED ITEM: No

REVENUE TO CITY: \$2,456,819.50

CITY COUNCIL HEARING DATE: October 6, 2020

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Transit and Budget & Procurement.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Yes

STAFF: Budget & Procurement

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021
FOR THE CAPITAL PROJECTS FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2019, in the Community Development Block Grant Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2020.

Previously adopted	\$0.00
ADD:	
FY 2020 Revenue Carry Over balance	\$957,528.50
FY 2021 Smart Scale Funding (3-380-024040-0616)	<u>\$1,499,291.00</u>
Total Revenues	<u>\$2,456,819.50</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021, the following sums for the purposes mentioned:

Previously adopted	\$0.00
ADD:	
FY 2020 Carry Over balance	\$957,528.50
FY 2021 Smart Scale Funding (4-380-040000-3190-0-102-813)	<u>\$1,499,291.00</u>
Total Expenses	<u>\$2,456,819.50</u>

Council Approval- March 2019



- The Petersburg Station Park and Ride project was presented and approved by City Council on March 5, 2019.
- *Per the March 5, 2019 minutes City Council voted and approved the following motion:*
 - City Council affirms the existing surface parking lot behind the Transit Center and the two adjacent parcels at 38 and 42 S Union Street as the location of the Park and Ride structured lot, which is the location included in the grant application and approved by VDOT and it is further recommended that the City Council considers and approves a **Scope, Budget Estimate and Draft Development Schedule of the Park and Ride Structured lot** and authorizes the City Manager to execute all documents required to access the VDOT Smart Scale funding and contract documents necessary to complete the project with **Option "E."**



Commonwealth Transportation Board (CTB) Funding FY19-23

Petersburg Station Park & Ride Facility

<i>Year</i>	<i>Funding</i>
Fiscal Year 2019	\$1,270,296
Fiscal Year 2021	\$1,499,291
Fiscal Year 2022	\$2,503,851
Fiscal Year 2023	\$2,726,562



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Public Safety Director

FROM: John Michalek

RE: **Virginia Department of Fire Programs - Aid to Locality in the amount of \$118,079 - First reading.**

PURPOSE: The Commonwealth of Virginia established a fund for fire departments under the Code of Virginia, Section §38.2-401.

REASON: To provide fire training and firefighting equipment for local jurisdictions.

RECOMMENDATION: Recommend that Council accept and appropriate the Virginia Department of Fire Programs – Aid to Localities (ATL) amount of \$118,079.00 for fiscal year 2020.

BACKGROUND: The City of Petersburg receives the Fire Programs Fund - Aid to Localities grant annually to assist with training and firefighting equipment. These funds are currently programmed for purchasing new personal protective gear, tools, and other related equipment.

COST TO CITY: No cost to City.

BUDGETED ITEM: N/A (Grant)

REVENUE TO CITY: \$118,079.00

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None

AFFECTED AGENCIES: Department of Fire, Rescue and Emergency Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS:

1. FY 2020 ATL Appropriation Sheet
2. State Code 38 2-401 Fire Programs

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021
FOR THE GRANTS FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2020, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2021.

Previously adopted	\$0.00
ADD: Fire Programs – Aid to Localities (ATL) (3-200-024040-0615-0-207)	<u>\$118,079.00</u>
Total Revenues	<u>\$118,079.00</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021, the following sums for the purposes mentioned:

Previously adopted	\$0.00
ADD: Fire Programs – Aid to Localities (ATL) (4-200-032101-3190-0-207)	<u>\$118,079.00</u>
Total Expenses	<u>\$118,079.00</u>

§ 38.2-401. Fire Programs Fund

A. 1. There is hereby established in the state treasury a special nonreverting fund to be known as the Fire Programs Fund, hereinafter referred to as "the Fund." The Fund shall be administered by the Department of Fire Programs under policies and definitions established by the Virginia Fire Services Board. All moneys collected pursuant to the assessment made by the Commission pursuant to subdivision 2 of this subsection shall be paid into the state treasury and credited to the Fund. The Fund shall also consist of any moneys appropriated thereto by the General Assembly and any grants or other moneys received by the Virginia Fire Services Board or Department of Fire Programs for the purposes set forth in this section. Any moneys deposited to or remaining in such Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Interest earned on all moneys in the Fund and interest earned on moneys held by the Commission pursuant to subdivision 2 of this subsection prior to the deposit of such moneys into the Fund, including interest earned on such moneys during any period when the Commission is reconciling payments from insurers, shall remain in or be deposited into the Fund, as the case may be, and be credited to it. Such interest shall be set aside for fire service purposes in accordance with policies developed by the Virginia Fire Services Board. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. The Commission shall be reimbursed from the Fund for all expenses necessary for the administration of this section. The balance of moneys in the Fund shall be allocated periodically as provided in this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Department of Fire Programs (Director) or his designee.

2. The Commission shall annually assess against all licensed insurance companies doing business in the Commonwealth by writing any type of insurance as defined in §§ 38.2-110, 38.2-111, 38.2-126, 38.2-130 and 38.2-131 and those combination policies as defined in § 38.2-1921 that contain insurance as defined in §§ 38.2-110, 38.2-111 and 38.2-126, an assessment in the amount of one percent of the total direct gross premium income for such insurance. Such assessment shall be apportioned, assessed and paid as prescribed by § 38.2-403. In any year in which a company has no direct gross premium income or in which its direct gross premium income is insufficient to produce at the rate of assessment prescribed by law an amount equal to or in excess of \$100, there shall be so apportioned and assessed against such company a contribution of \$100.

B. After reserving funds for the Fire Services Grant Program and Dry Fire Hydrant Grant Program pursuant to subsection D, 75 percent of the remaining moneys available for allocation from the Fund shall be allocated to the several counties, cities, and towns of the Commonwealth providing fire service operations to be used for the improvement of volunteer and career fire services in each of the receiving localities. Funds allocated to the counties, cities, and towns pursuant to this subsection shall not be used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities, and towns for fire service operations. Such funds shall be

used solely for the purposes of (i) training volunteer or career firefighting personnel in each of the receiving localities; (ii) funding fire prevention and public safety education programs; (iii) constructing, improving, and expanding regional or local fire service training facilities; (iv) purchasing emergency medical care and equipment for fire personnel; (v) payment of personnel costs related to fire and medical training for fire personnel; (vi) purchasing personal protective equipment, vehicles, equipment, and supplies for use in the receiving locality specifically for fire service purposes; or (vii) providing training and education and purchasing products, including personal protective equipment, diesel exhaust removal systems, decontamination equipment, and commercial extractors, that are designed to reduce the incidence of cancer among firefighters. Notwithstanding any other provision of the Code, when localities use such funds to construct, improve, or expand fire service training facilities, fire-related training provided at such training facilities shall be by instructors certified or approved according to policies developed by the Virginia Fire Services Board. Distribution of this 75 percent of the Fund shall be made on the basis of population as provided for in §§ 4.1-116 and 4.1-117; however, no county or city eligible for such funds shall receive less than \$10,000, nor eligible town less than \$4,000. The Virginia Fire Services Board shall be authorized to exceed allocations of \$10,000 for eligible counties and cities and \$4,000 for eligible towns, respectively. Allocations to counties, cities, and towns receiving such allocations shall be fair and equitable as set forth in Board policy. Any increases or decreases in such allocations shall be uniform for all localities. In order to remain eligible for such funds, each receiving locality shall report annually to the Department on the use of the funds allocated to it for the previous year and shall provide a completed Fire Programs Fund Disbursement Agreement form. Each receiving locality shall be responsible for certifying the proper use of the funds. If, at the end of any annual reporting period, a satisfactory report and a completed agreement form have not been submitted by a receiving locality, any funds due to that locality for the next year shall not be retained. Such funds shall be added to the 75 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for improvement of fire services in localities.

C. The remainder of the moneys available for allocation from the Fund shall be used for (i) the purposes of carrying out the powers and duties assigned to the Department of Fire Programs under Chapter 2 (§ 9.1-200) of Title 9.1, which shall include providing funded training and administrative support services for nonfunded training to localities and (ii) the payment of the compensation and costs of expenses of the members of the Fire Services Board in performing their official duties; however, the Fund shall not be used for salaries or operating expenses associated with the Office of the State Fire Marshal.

D. The Fire Services Grant Program is hereby established and will be used as grants to provide regional fire services training facilities, to finance the Virginia Fire Incident Reporting System and to build or repair live fire training structures as determined by the Virginia Fire Services Board. Beginning January 1, 1996, \$1 million from the assessments made pursuant to this section shall be distributed each year for the Fire Services Grant Program to be used as herein provided, and \$100,000 shall be distributed annually for continuing the statewide Dry Fire Hydrant Grant Program. Moneys allocated pursuant to this subsection shall be used for the purposes stated in this subsection, and for no other purpose. All grants provided from these programs shall be administered by the Department according to the policies established by the Virginia Fire Services Board.

E. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.

F. The Director shall establish written standards for determining the extent to which clients outside the Commonwealth shall be financially responsible for the cost of fire and emergency services training provided by the Department of Fire Programs. Revenues generated by such training shall be retained in the Fire Programs Fund and may be used solely for providing additional funded direct training to members of Virginia's fire and emergency services.

1985, c. 545, § 38.1-44.1; 1986, cc. 60, 562; 1988, c. 336; 1995, cc. 615, 637; 1997, c. 791; 1998, cc. 166, 877; 2000, c. 820; 2001, cc. 397, 413; 2002, c. 389; 2004, c. 164; 2006, cc. 58, 322; 2007, cc. 647, 741; 2018, c. 649; 2019, c. 509.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Robert Floyd

RE: **First read and consideration of Center for Tech and Civic Life grant appropriation (\$81,889.50) for the Registrar's Office.**

PURPOSE: To have City Council approve the appropriation of the \$81,889.50 grant from the Center for Tech and Civic Life for the Registrar's Office.

REASON: The Registrar's Office for the City of Petersburg received a grant for \$81,889.50 from the Center for Tech and Civic Life. These funds need to be appropriated by City Council.

RECOMMENDATION: Staff recommends City Council approve the appropriation of the Center for Tech and Civic Life grant funds.

BACKGROUND: The Registrar's Office received grant funding from the Center for Tech and Civic Life in the amount of \$81,889.50. These funds are to be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Petersburg.

COST TO CITY: \$81,889.50

BUDGETED ITEM: No

REVENUE TO CITY: \$81,889.50

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Registrar's Office

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Center for Tech and Civic Life Grant
2. Center for Tech and Civic Life Appropriations ordinance



CENTER FOR
TECH AND
CIVIC LIFE

September 25, 2020

Petersburg City, Virginia

General Registrar

PO Box 1031

Petersburg , VA 23804

Dear Dawn Wilmoth,

I am pleased to inform you that based on and in reliance upon the information and materials provided by Petersburg City, and the special circumstances Petersburg City faces administering elections in 2020, the Center for Tech and Civic Life ("CTCL"), a nonprofit organization tax-exempt under Internal Revenue Code ("IRC") section 501(c)(3), has decided to award a grant to support the work of the Petersburg City General Registrar ("Grantee").

The following is a description of the grant:

AMOUNT OF GRANT: \$81,889.50 USD

PURPOSE: The grant funds must be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Petersburg City in 2020 ("Purpose").

Before CTCL transmits these funds to Grantee, CTCL requires that Grantee review and sign this agreement ("Grant Agreement") and agree to use the grant funds in compliance with the Grant Agreement and with United States tax laws and the laws and regulations of your state and jurisdiction ("Applicable Laws"). Specifically, by signing this letter Grantee certifies and agrees to the following:

1. Grantee is a local government unit or political subdivision within the meaning of IRC section 170(c)(1).
2. This grant shall be used only for the Purpose described above, and for no other purposes.
3. Grantee has indicated that the amount of the grant shall be expended on the following specific election administration needs: Ballot drop boxes, Election department real estate costs, or costs associated with satellite election department offices, Non-partisan voter education, Personal protective equipment (PPE) for staff, poll workers, or voters, Poll worker recruitment funds, hazard pay, and/or training expenses, Polling place rental and cleaning expenses for early voting or Election Day, Temporary staffing, Voting materials in languages other than English, and Vote-by-mail/Absentee voting equipment or supplies. Grantee may allocate grant funds among those needs, or to other public purposes listed in the grant application, without further notice to or permission of CTCL.
4. Grantee shall not use any part of this grant to make a grant to another organization, except in the case where the organization is a local government unit or political subdivision within the meaning of IRC section 170(c)(1) or a nonprofit organization tax-exempt under IRC section 501(c)(3), and the subgrant is intended to accomplish the Purpose of this grant. Grantee shall take reasonable steps to ensure that any such subgrant is used in a manner consistent with the terms and conditions of this Grant Agreement, including requiring that subgrantee agrees in writing to comply with the terms and conditions of this Grant Agreement.
5. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs may be applied to the grant. The Grantee shall expend the amount of this grant for the Purpose by December 31, 2020.
6. Grantee is authorized to receive this grant from CTCL and certifies that (a) the receipt of these grant funds does not violate any Applicable Laws, and (b) Grantee has taken all required, reasonable and necessary steps to receive, accept and expend the grant in accordance with the Purpose and Applicable Law.
7. The Grantee shall produce a brief report explaining and documenting how grant funds have been expended in support of the activities described in paragraph 3. This report shall be sent to CTCL no later than January 31, 2021 in a format approved by CTCL and



CENTER FOR TECH & CIVIC LIFE
233 N. MICHIGAN AVE., SUITE 1800
CHICAGO, IL 60601
HELLO@TECHANDCIVICLIFE.ORG

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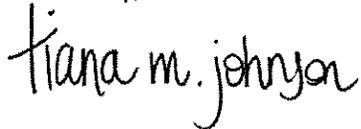
shall include with the report a signed certification by Grantee that it has complied with all terms and conditions of this Grant Agreement.

8. This grant may not supplant previously appropriated funds. The Grantee shall not reduce the budget of the General Registrar ("the Election Department") or fail to appropriate or provide previously budgeted funds to the Election Department for the term of this grant. Any amount supplanted, reduced or not provided in contravention of this paragraph shall be repaid to CTCL up to the total amount of this grant.
9. CTCL may discontinue, modify, withhold part of, or ask for the return all or part of the grant funds if it determines, in its sole judgment, that (a) any of the above terms and conditions of this grant have not been met, or (b) CTCL is required to do so to comply with applicable laws or regulations.
10. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs for the Purpose may be applied to the grant.

Your acceptance of and agreement to these terms and conditions and this Grant Agreement is indicated by your signature below on behalf of Grantee. Please have an authorized representative of Grantee sign below, and return a scanned copy of this letter to us by email at grants@techandcivicliflife.org.

On behalf of CTCL, I extend my best wishes in your work.

Sincerely,



Tiana Epps Johnson

Executive Director

Center for Tech and Civic Life



CENTER FOR TECH & CIVIC LIFE
233 N. MICHIGAN AVE., SUITE 1800
CHICAGO, IL 60601
HELLO@TECHANDCIVICLIFE.ORG

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GRANTEE

By: Arcell Young Blood

Title: City Manager

Date: 9/28/2020



CENTER FOR TECH & CIVIC LIFE
233 N. MICHIGAN AVE., SUITE 1800
CHICAGO, IL 60601
HELLO@TECHANDCIVICLIFE.ORG

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**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021
FOR THE GRANTS FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2020, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2021.

Previously adopted	\$0
ADD:	
3-200-XXXXX-X-X-XXX Center for Tech and Civic Life Grant	<u>81,889.50</u>
Total Revenues	<u>81,889.50</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021, the following sums for the purposes mentioned:

Previously adopted	\$0
ADD:	
4-200-XXXXX-XXXX-X-XXX Center for Tech and Civic Life Grant	81,889.50
Total Expenses	<u>81,889.50</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Wayne Crocker, Robert Floyd

RE: **First read and consideration of Library of Virginia COVID CARES Act subgrant appropriation (\$36,312) for the Petersburg Public Library.**

PURPOSE: To have City Council approve the receipt and appropriation of the COVID CARES Act subgrant from the Library of Virginia in the amount of \$36,312.

REASON: The Library of Virginia received funding from the CARES act through the Institute of Museum and Library Services. The goals of the CARES Act for the Library of Virginia is to assist public libraries in responding to the coronavirus.

RECOMMENDATION: Staff recommends City Council approve the receipt and appropriation of the Library of Virginia COVID CARES Act subgrant to the Petersburg Public Library.

BACKGROUND: The Library of Virginia received funding from the CARES Act. The Library of Virginia has a goal to assist public librariues in responding to the coronavirus pandemic. The Petersburg Public Library applied for funds and was awarded \$36,312.

COST TO CITY: \$36,312

BUDGETED ITEM: No

REVENUE TO CITY: \$36,312

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Public Library

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. CARES Act MOA Petersburg Public Library
2. LVA CARES Appropriations ordinance



MEMORANDUM OF AGREEMENT

MOA Number: LVA-CARES-007

- I. PARTIES TO THE AGREEMENT:** This Memorandum of Agreement (MOA) is entered into by Petersburg Public Library, hereafter called the “PUBLIC LIBRARY,” and the Commonwealth of Virginia through the Library of Virginia, hereafter called the “LVA.”

WHEREAS, LVA enters into an agreement to assist the Public Library in responding to the Covid-19 Pandemic and the PUBLIC LIBRARY desires to perform such services.

THEREFORE, in consideration of their respective undertakings, the LVA and PUBLIC LIBRARY hereby agree to the following terms.

- II. PURPOSE:** LVA received funding from the CARES Act (Public Law 116-136) through the Institute of Museum and Library Services (IMLS) to administer in accordance with our existing LSTA program. The goals of the CARES Act are to assist public libraries in responding to the coronavirus pandemic.

III. SCOPE OF SERVICES:

LVA shall:

- Identify those Virginia Public Libraries located in areas that meet the following targeted criteria and notify those libraries that they are eligible for LSTA sub-grants: high poverty and involvement in the Supplemental Nutrition Assistance Program (SNAP), high unemployment, and low broadband availability.

PUBLIC LIBRARY shall:

- Address efforts to prevent, prepare for, and respond to COVID-19.
- Improve broadband access (e.g. connectivity such as hotspots and digital content like eBooks, audiobooks, databases).
- Address unemployment (e.g. online unemployment resources, assistance with job searches, and training librarians to provide employment-related programming).

800 East Broad Street
Richmond, Virginia 23219

www.lva.virginia.gov

804.692.3500 *phone*
804.692.3976 *ty*

FEDERAL AWARD INFORMATION:

Federal Award ID Number LS-246564-OLS-20

Award Recipient: Commonwealth of Virginia, Library of Virginia

Project Title: LSTA CARES ACT State Grants

Federal Awarding Agency: Institute of Museum and Library Services

CFDA#: 45.310 – State Library Program

Federal Award Date: 4/20/2020

Research and Development: No

Indirect Cost Rate: Indirect Costs are not allowable for this award per IMLS

Total Federal Award: \$771,257

SUB-RECIPIENT INFORMATION:

Name: Petersburg Public Library

Address: 201 W. Washington Street, Petersburg, VA 23803

DUNS (Unique Entity Identifier): 120563762

Award Amount: \$36,312

Period of Performance: 10/1/2020 – 9/30/2021

Final Report Due: 11/15/2021

IV. REIMBURSEMENT TO PUBLIC LIBRARY:

- a. Invoices for allowable expenses that have been received and approved by the Public Library shall be submitted to LVA on a monthly basis no later than the 15th of the following month to:

lva.accountspayable@lva.virginia.gov

Your submission should include a cover sheet listing each invoice with the vendor name, invoice number, invoice amount, and a statement signed by the Public Library Director to certify that the products or services have been delivered and tested. Please submit the invoices and all relevant backup documentation.

- b. The final invoice for the grant period is due by November 15, 2021.
- c. All reimbursed expenses must be on the approved budget, submitted with Public Library application.
- d. Approved pre-award costs may be reimbursed that were charged up to 90 days prior to Public Library sub-award date (10/1/2020).

V. REPORTING REQUIREMENTS:

- 1) You are required to measure the outputs and outcomes of your project(s) at the end of this grant. For outputs, use such tools as usage/circulation statistics, holds stats, fulfillment rates, # of cleaning rounds, etc. For outcomes, use surveys, Evaluation Continuum/Likert Scale, voting, observation/anecdotes, focus group questionnaires, social media interaction, etc. The measures can include, but are not limited to, the following items:

Outputs (countable products or activities)

Number of patron borrowed hotspots.

Number of patrons utilizing routers.

Number of patron borrowed tablets/laptops/chromebooks.

Number of patrons participating in virtual programming.

Percentage of increase in use of Public Library's digital resources.

Number of patrons picking up items in lockers.

Number of items circulated via the locker project and the percent of increase in circulation.

Number of outreach program attendance and the percentage of increase in outreach programs.

Number of additional outreach events.

Number craft packages distributed.

Number of workshops held and the number of attendees.

Number of tests proctored.

Outcomes (changes in participant behaviors, skills, knowledge, or life conditions)

Percentage of students and adults learners who will demonstrate information literacy skills.

Percentage of patrons who will report that their student or work lives improved through connectivity.

Percentage of patrons who learned something new or were entertained due to new locker service.

Percentage of children and adults who will report that they learned something new or were entertained by new outreach reading activities.

Percentage of attendees who will report new knowledge or increased skills after attending a workshop.

Percentage of job seeking attendees who report subsequent employment.

- 2) You are required to collect descriptive information throughout the project so that LVA may develop a narrative to support the data that LVA will report at the end of the grant. This narrative will include a brief description of the project's innovation, vision, impact on targeted audience, or service to a new population group. While the narrative is primarily descriptive and succinct, it is highly recommended that you collect testimonials and even anecdotal stories to emphasize impact whenever possible.

VI. MONITORING:

The LVA will monitor the Public Library to evaluate the progress and performance of the program. The Public Library shall submit quarterly progress reports to the LVA contacts listed in **Section XXIII** on the requirements outlined in **Section V** of this agreement; the reports will be due on the 15th of the month following the end of the quarter (i.e. 1/15/2021, 4/15/2021, and 7/15/2021), with the final report due 11/15/2021. The LVA and Federal personnel shall be provided access to all program-related records and facilities under reasonable request.

VII. TIME AND EFFORT REPORTING:

Salary expenses are not allowable.

VIII. AUDIT REQUIREMENTS:

The Public Library shall retain all books, accounts, reports, files and other records relating to the performance of the agreement for a period of five years after its completion. All accounting records must be supported by source documentation and retained in order to show for what purpose funds were spent. All such records shall be made available and produced for inspection when required by the LVA.

Should an audit by authorized state or federal official result in disallowance of amounts previously paid to the Public Library, the Public Library shall reimburse the LVA upon demand.

§ 200.501 Audit requirements:

(a) Audit required. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.

(b) Single audit. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with § 200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.

(c) Program-specific audit election. When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with § 200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a subrecipient, approves in advance a program-specific audit.

(d) Exemption when Federal awards expended are less than \$750,000. A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in § 200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

IX. APPROPRIATIONS:

The PUBLIC LIBRARY acknowledges the understanding that this Agreement is subject to appropriations and constraints by the State or the Federal government budget.

X. SUBCONTRACTS:

No portion of the work shall be subcontracted without prior written consent of the LVA. In the event that the PUBLIC LIBRARY desires to subcontract some part of the work specified herein, the Public Library shall furnish the names, qualifications, and experience of their proposed sub-contractor(s) and shall assure compliance with all requirements of this agreement.

XI. INTEGRATION AND MODIFICATION:

This Agreement constitutes the entire understanding of the parties as to the matters contained herein. No alteration, amendment or modification of this Agreement shall be effective unless in writing and signed by the duly authorized officials of both the LVA and the PUBLIC LIBRARY.

XII. CONFIDENTIALITY OF PROPRIETARY INFORMATION, DUPLICATION AND DISCLOSURE:

The PUBLIC LIBRARY agrees that proprietary information disclosed by LVA to the PUBLIC LIBRARY for the purpose of an MOA shall be held in confidence and used only in the performance of the agreement. No item designed for or by the LVA shall be duplicated or furnished to others without prior written consent. All products and materials including but not limited to papers, data, reports, forms, records, materials, creations, or inventions relating to this agreement are sole and exclusive property of the LVA. All such materials shall be delivered to the LVA in usable condition at any time requested by the LVA.

XIII. DRUG-FREE WORKPLACE:

During the performance of this agreement, the Public Library agrees to (i) provide a drug-free workplace for the Library's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Public Library's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the Public Library that the Public Library maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "*drug-free workplace*" means a site for the performance of work done in connection with a specific agreement awarded to the Public Library, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the agreement.

XIV. IMMIGRATION REFORM AND CONTROL ACT OF 1986:

By entering into a written agreement with the Commonwealth of Virginia, the Public Library certifies that it does not, and shall not during the performance of the agreement for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

XV. ANTI-DISCRIMINATION:

By submitting their (bids/proposals), (bidders/offerors) certify to the Commonwealth that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and § 2.2-4311 of the *Virginia Public Procurement Act (VPPA)*. If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the agreement on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender sexual orientation, gender identity, or national origin and shall be subject to the same rules as other organizations that agreement with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. (*Code of Virginia, § 2.2-4343.1E*).

1. During the performance of this agreement, the Public Library agrees as follows:
 - a. The Public Library will not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Public Library. The Public Library agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
 - b. The Public Library, in all solicitations or advertisements for employees placed by or on behalf of the Public Library, will state that such Public Library is an equal opportunity employer.
 - c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
 - d. If the Public Library employs more than five employees, the Public Library shall (i) provide annual training on the Public Library's sexual harassment policy to all supervisors and employees providing services in the Commonwealth, except such supervisors or employees that are required to complete sexual harassment training provided by the Department of Human Resource Management, and (ii) post the Public Library's sexual harassment policy in (a) a conspicuous public place in each building located in the Commonwealth that the Public Library owns or leases for business purposes and (b) the Public Library's employee handbook.
 - e. The requirements of these provisions 1. and 2. are a material part of the agreement. If the Public Library violates one of these provisions, the Commonwealth may terminate the affected part of this agreement for breach, or at its option, the whole agreement. Violation of one of these provisions may also result in debarment from State contracting regardless of whether the specific agreement is terminated.
 - f. In accordance with Executive Order 61 (2017), a prohibition on discrimination by the Public Library, in its employment practices, subcontracting practices, and delivery of goods or services, on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, disability, or veteran status, is hereby incorporated in this agreement.
2. The Public Library will include the provisions of 1. above in every subcontract or purchase order over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

XVI. APPLICABLE LAWS AND COURTS:

This solicitation and any resulting agreement shall be governed in all respects by the laws of the Commonwealth of Virginia, without regard to its choice of law provisions, and any litigation with respect thereto shall be brought in the circuit courts of the Commonwealth. The LVA and the PUBLIC LIBRARY are encouraged to resolve any issues in controversy arising from the award of the agreement or any agreement dispute using Alternative Dispute Resolution (ADR) procedures (*Code of Virginia*, § 2.2-4366). ADR procedures are described in Chapter 9 of the *Vendors Manual*. The PUBLIC LIBRARY shall comply with all applicable federal, state and local laws, rules and regulations.

XVII. AVAILABILITY OF FUNDS:

It is understood and agreed between the parties herein that the agency shall be bound only to the extent that the legislature has appropriated funds that are legally available or may hereafter become legally available for the purpose of this Agreement.

XVIII. CHANGES TO THE AGREEMENT:

Both parties must agree in writing to modify the scope of the MOA.

XIX. RENEWAL OF AGREEMENT:

This Agreement shall not be renewed.

XX. ANTITRUST:

By entering into an agreement, the PUBLIC LIBRARY conveys, sells, assigns, and transfers to the Commonwealth of Virginia all rights, title and interest in and to all causes of action it may now have or hereafter acquire under the antitrust laws of the United States and the Commonwealth of Virginia, relating to the particular goods or services purchased or acquired by the Commonwealth of Virginia under said agreement.

XXI. ASSIGNMENT OF AGREEMENT:

An agreement shall not be assignable by the PUBLIC LIBRARY in whole or in part without the written consent of the Commonwealth.

XXII. DEFAULT:

In case of failure to deliver goods or services in accordance with the agreement terms and conditions, the Commonwealth, after due oral or written notice, may procure them from other sources and hold the PUBLIC LIBRARY responsible for any resulting additional purchase and administrative costs. This remedy shall be in addition to any other remedies that the Commonwealth may have.

XXIII. STATUS OF PERSONNEL:

Nan Carmack has been designated as LVA administrator for this Agreement.

Please contact Nan Carmack at nan.carmack@lva.virginia.gov for programmatic inquires.

Please contact Wendy Hupp at wendy.hupp@lva.virginia.gov for financial inquires.

IN WITNESS WHEREOF, the parties have caused this MOA to be duly executed intending to be bound thereby. This Memorandum of Agreement becomes effective on the date of the last signature.

Public Library Authorized Representative

LVA Authorized Representative

Signature and Date

Signature and Date

Name and Title (Printed)

Name and Title (Printed)

Note: This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia*, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, sexual orientation, gender identity, political affiliation, or veteran status or any other basis prohibited by state law relating to discrimination in employment.

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021
FOR THE GRANTS FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2020, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2021.

Previously adopted	\$0
ADD:	
3-200-XXXXX-X-X-XXX LVA CARES	<u>\$36,312.00</u>
Total Revenues	<u>\$36,312.00</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021, the following sums for the purposes mentioned:

Previously adopted	\$0
ADD:	
4-200-XXXXX-XXXX-X-XXX LVA CARES	<u>\$36,312.00</u>
Total Expenses	<u>\$36,312.00</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Sergei Troubetzkoy

RE: **First read and Consideration of Virginia Tourism Corporation DMO WanderLOVE Grant appropriation (\$10,000) for Petersburg Tourism.**

PURPOSE:

Request the appropriation of funds allocated to the City of Petersburg through the Virginia Tourism Corporation DMO WanderLOVE grants program.

REASON: City Council approval is required to authorize receipt, appropriation, and expenditure of new sources of funds.

RECOMMENDATION: Recommend City Council authorize appropriation of the funds as allocated and certified.

BACKGROUND: The Virginia Tourism Corporation (VTC) offered this grant program for communities to apply for relief and assistance in response to travel marketing during Covid-19.

Use of this grant funding will focus on activities for Petersburg visitors to explore historic neighborhoods and learn about Petersburg's historic sites while following safety guidelines outlined by the CDC. Following grant guidelines provided by the VTC, self-guided walking and driving tours will explore historic personalities from the past during different periods of history. Some of the topics include African-American heritage and Presidents of the United States who've visited Petersburg; with an additional focus on many lesser-known individuals who made important contributions to the community and the nation.

COST TO CITY: \$10,000

BUDGETED ITEM: N/A

REVENUE TO CITY: \$10,000

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Tourism

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. VTC DMO WanderLOVE Grant Ordinance 9-30-20
2. WanderLoveAward

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021
FOR THE GRANT FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2020, in the Grant Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2021.

Previously adopted	\$0.00
ADD: Virginia Tourism Corporation DMO WanderLOVE Grant 3-200-024040-0615-0-312	<u>\$10,000.00</u>
Total Revenues	<u>\$10,000.00</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021, the following sums for the purposes mentioned:

Previously adopted	\$0.00
ADD: Virginia Tourism Corporation DMO WanderLOVE Grant 4-200-071362-XXXX	<u>\$10,000.00</u>
Total Expenses	<u>\$10,000.00</u>

VIRGINIA IS FOR LOVERS

July 14, 2020

Sergei Troubetzkoy
Director of Tourism
Petersburg Tourism Department
15 West Bank Street
Petersburg, VA 23803

Dear Sergei:

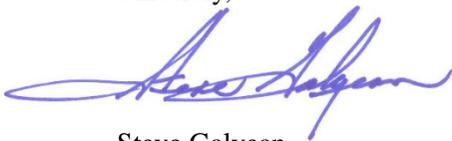
Congratulations! Your VTC DMO WanderLOVE Grant application has been approved in the amount of \$10,000.00. Thank you for submitting a competitive application.

Below are next steps that VTC asks you follow:

- Please do not issue any local media releases until after the Governor's media release. We anticipate that release to be issued within the next several days.
- VTC will provide you a media template that you may use for local announcements.
- In the next few days, you will receive from Ben Nicastro, VTC Contracts Officer, the VTC DMO WanderLOVE Marketing Grant Program Agreement. You will need to sign the agreement and return to VTC.
- When you return the signed agreement, please include an invoice to VTC for your grant award amount of \$10,000.00.
- Grant payment will be issued by VTC within 30 days of the receipt of your invoice.
- As per the grant guidelines, you will be required to incorporate components of the VTC WanderLOVE Campaign.
- Information on the VTC WanderLOVE Campaign is available at <https://www.vatc.org/coronavirus/brand-response-marketing/campaign-wanderlove/>.
- Questions regarding the VTC WanderLOVE Campaign should be directed to Lindsey Norment at lnorment@virginia.org.
- All WanderLOVE campaign placements and expenses MUST be completed no later than June 30, 2021. Extensions beyond this date will not be possible.

Again, congratulations upon your successful grant application!

Sincerely,



Steve Galyean
Planning & Partnerships Director
Virginia Tourism Corporation



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: City Council Minutes of September 1, 2020 (Closed Session), September 14, 2020 (Special City Council Meeting), September 15, 2020 (Closed Session), September 15, 2020 (Special City Council Meeting, and September 21, 2020 (Special City Council Meeting)

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. September 1, 2020 Closed Session Meeting Minutes
2. September 14, 2020 Special meeting Minutes
3. September 15, 2020 Closed Session Meeting Minutes
4. September 15, 2020 Special Regular City Council Meeting Minutes

5. September 21, 2020 Special meeting Minutes

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, September 1, 2020, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 11:07a.m.

1. **ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr
Council Member Annette Smith-Lee
Council Member Darrin Hill
Council Member W. Howard Myers
Vice Mayor John A. Hart, Sr.
Mayor Samuel Parham

Absent: Council Member Treska Wilson-Smith

Present from City Administration:

City Attorney Anthony Williams
City Manager Aretha R. Ferrell-Benavides
Clerk of Council Nykesha D. Jackson
Deputy City Manager Lionel Lyons

2. **CLOSED SESSION:**

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(7) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters of actual or probable litigation specifically including but not limited to Petersburg Circuit Court Case No.: 730CL20-000525-00 and 730CL15-000785-00; U.S. District Court (Eastern District of Virginia – Richmond Division) Case No.: 3:2019cv00750; legal advice concerning the terms and requirements of an MOU with Historic Petersburg Foundation in regard to the Exchange Building; legal advice concerning the requirements of Section 78-2 of the City Code; legal advice concerning legislative matters currently pending before the Virginia General Assembly; and other matters requiring the legal advice of the City Attorney.

Council Member Hill moved that the City Council go into closed session for the purposes noted by Mayor Parham. The motion was seconded by Council Member Myers. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Hill, Hart and Parham; Absent: Wilson-Smith

City Council entered closed session at 11:09a.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this evening to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure that in

*Audio available upon request.

his or her judgment has taken place. This requires a roll call vote Mr. Mayor.”

Council Member Hill made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Myers. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

20-R-43 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to opened session at 12:33 p.m.

3. ADJOURNMENT:

City Council adjourned at 12:34 p.m.

Clerk of City Council

APPROVED:

Mayor

*Audio available upon request.

The Special City Council Meeting of the Petersburg City Council was held on Monday, September 21, 2020, on live stream. Mayor Parham called the Special City Council Meeting to order at 12:00p.m.

1. CALL TO ORDER

2. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr
Council Member Treska Wilson-Smith
Council Member Annette Smith-Lee
Council Member Darrin Hill
Council Member W. Howard Myers
Vice Mayor John A. Hart, Sr.
Mayor Samuel Parham

Absent: None

Present from City Administration:

City Attorney Anthony Williams
City Manager Aretha R. Ferrell-Benavides
Clerk of Council Nykesha D. Jackson

3. PUBLIC HEARING AND CONSIDERATION:

- a. A public hearing and consideration of adoption of the Continuity of Government Ordinance previously adopted by Council expiring on September 14, 2020. This ordinance replaces the prior ordinance and will extend the emergency operation provisions through March 14, 2021.

BACKGROUND: Council's current Continuity of Government Ordinance expires on September 14, 2020. In order to continue operating under the emergency provisions, Council must adopt this ordinance on or before September 14, 2020. If adopted, Council may continue to operate under the emergency provisions through March 14, 2021 unless rescinded prior to that by Council through adoption of a rescission ordinance.

RECOMMENDATION: Adopt the ordinance.

Mayor Parham opened the floor for public comments.

Michelle Murrills, 131 S. Market Street, stated, "In the State of Virginia we are in Stage 3 of COVID-19 Pandemic, this means that we are allowed to have gatherings of up to 250 people. There is no reason why the City of Petersburg cannot have hybrid City Council meetings of in person and online. The train station should allow for plenty of room for social distancing. And quite honestly, I do not see more than 50 people going in person. I just do not understand how a place like Colonial Heights can have in person meetings and Petersburg is not. I believe the reason for not allowing in person meetings is more than just you are afraid of the pandemic. A lot of pictures have been taken with you all in photo ops and without mask and with other people around and not just council members. If you are afraid of catching COVID if sitting more than 20 feet away from the citizens of Petersburg, perhaps you should have made sure that the most vulnerable citizens receive PPE that was given out or use the CARES money to get more. Otherwise, the citizens should be able to take responsibility of themselves. Though it has been banded around before I have yet to hear anyone excersiing the right to open government catching the virus. After all we still have had and are going to have open elections. And while mail in ballots are available no state has closed down voting at the polls. If members

*Audio available upon request.

of City Council are afraid of catching something from the unwashed masks then it the meeting should be of hybrid, electronic or in person. If Councilwoman Wilson-Smith can attend meetings from her house, then there is no reason that any else cannot as well. That would also allow City Council Members who have been exposed in their personal lives to quarantine themselves. Also, City Council Meetings are to be in the evening. It is ridiculous and so easy to throw out what citizens have setup just because City Council Members do not want to have to take actual time out of their day to do the job that they were voted in to do. I am happy that you all have time in the middle of the day to have meetings, as I to have that time available and it is easy for me as well. But it is very telling when someone gets out early because things are rushed through. Perhaps someone would not need to rush through meetings so much if done at the proper time instead of the middle of the day. Also, the middle of the day is now time that our schools are in session and we do not need to add more to an internet system that is already crushing easily because of too many people using it. So, in conclusion, City Council meetings need to be the same way Colonial Heights are and only better. The meetings need to be of hybrid and in person and they need to be in the evening so that people that have jobs and other commitments are able to attend. And they need to be at the train station so that all citizens can attend. Thank you."

Barb Rudolph, 1675 Mt. Vernon Street, stated, "I can keep it real short because I want to endorse everything that Michelle said. She made a number of excellent points. I don't think that she omitted anything I wanted to say. So, I just encourage all of you to practice open government. Hiding from us for six months, which is how it looks, is not showing a commitment to that. Also, I just want to encourage you to remember what the Attorney General's intention for this was. It is for emergency content that is supposed to be discussed in these virtual meetings. And I know in an earlier discussion that Council Member Cuthbert brought that up. It is more like you all are using the meetings where citizens cannot attend to bring up all kinds of things. So, it seems like I wish that the spirit on how this was offered to the community is one that you would follow. Thank you."

Patrick Ingram, 836 S. Gillfield Drive, stated, "Members of Council and City Administration, I speak before you today on a matter of great importance. Today, City Council votes to extend continuity of an ordinance to continue operating under emergency provisions. In the agenda, it addresses whereas the order of Governor's Executive Order 53 limited public and private gathering of 10 or more persons with limited exceptions. However, we are currently under Executive Order 67, which on page 10 of that order states that under continued restrictions public and private in-person gatherings of more than 250 individuals are prohibited. It goes on to stating that more than 250 performing functions of their employment is not a gathering. I do not believe that City Council meetings in person will exceed that and the practice of democracy is a function of such employment which is not a gathering. We should be going back to normal unless Dr. Hart or Dr. Oliver supersedes with documentation stating otherwise. Additionally, I feel as a candidate for City Council for the 6th seat that it is necessary to set the example. Such example like using the CARES Act money for COVID-19 counter measures for doing in-person meetings to prevent limited exposure and distribution of PPE to every vulnerable Petersburg resident and a paper trail that shows where the distribution takes place. We need to be setting an example and not practicing a do as a I say and not as I do ideology. Virtually we have witnessed Members of Council and the administration not social distancing and consistent mask wearing and disease techniques happening. And in pictures we do not see social distancing and consistent mask wearing. And in a City that is vulnerable to COVID-19 our current leadership in my opinion is not setting the example. It is time that council is held accountable and do the right thing to better listen to your constituency, possess measurable examples to prove otherwise and zoom accessible and fair meetings of both available in person and virtually by phone and television. Thank you."

Linwood Christian, 410 Mistletoe Street, stated, "I too have been asking the question and now I am asking this question of why are we continuing or want to continue for a further six months to operate under emergency. As prior speakers have touched on this especially Mrs. Rudolph and Michelle and Mr. Ingram, we have been in Phase 3 for more than a week. We have actually been in Phase 3 for more than a month. Yet, all of our surrounding localities are having in-person meetings except us. Even our school board is doing both in-

*Audio available upon request.

person and virtual meetings. But yet, we are still going through this. What we are doing now is expensive for a City that is already having financial troubles. This is just another abuse of your citizens taxpayer money. And so, we are still going through this. We keep on giving some excuse that the train station is not available when whatever the reason did not just happen. So, my thing is that I am one of those citizens that do not agree to extending it. I know that we will not get back to total normalcy, but this is ridiculous. It is a waste of our money. And those who claim that you are doing right by this City, whether it is a campaign speech or not, your actions are not speaking louder than your words. So, I would suggest that if you all have any decency or any feelings that we are going to do right by our citizens do not approve this ordinance. Thank you.”

Seeing no further hands, Mayor Parham closed the public hearing.

There was discussion among City Council Members and staff.

Council Member Wilson-Smith made a motion to not continue virtual meetings or approve the ordinance. The motion was seconded by Council Member Cuthbert. There was discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert and Wilson-Smith; Voting No: Myers, Smith-Lee, Hill Hart and Parham

Council Member Myers made a motion to continue virtual meetings and to approve the ordinance. The motion was seconded by Vice Mayor Hart. The motion was approved on roll call vote. On roll call vote, voting yes: Myers, Smith-Lee, Hill, Hart and Parham; Voting No: Wilson-Smith and Cuthbert

20-ORD-41 AN EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER.

4. ADJOURNMENT:

City Council adjourned at 12:22 p.m.

Clerk of City Council

APPROVED:

Mayor

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, September 15, 2020, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 11:02a.m.

1. **ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr
Council Member Treska Wilson-Smith
Council Member Annette Smith-Lee
Council Member Darrin Hill
Council Member W. Howard Myers
Vice Mayor John A. Hart, Sr.
Mayor Samuel Parham

Absent: None

Present from City Administration:

City Attorney Anthony Williams
City Manager Aretha R. Ferrell-Benavides
Clerk of Council Nykesha D. Jackson
Executive Assistant to the Clerk of Council Tanesha Flowers

2. **CLOSED SESSION:**

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(7) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters of actual or probable litigation specifically including but not limited to a discussion of legal strategy and options associated with the Ramada Inn property; and pursuant to §2.2-3711(A)(1) of the Code of Virginia for the purpose of discussions pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg specifically including but not limited to the subject of performance, assignment, and appointment specific public employees of the City of Petersburg. Specifically included but not limited to discussion of the contract, performance, and benefits afforded to the Clerk of Council.

Council Member Hill made a motion to add courthouse repairs to the regular City Council Meeting Agenda. The motion was seconded by Council Member Wilson-Smith. There was no discussion on the motion, which was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Smith-Lee, Myers, Hill, Hart and Parham

Council Member Hill moved that the City Council go into closed session for the purposes noted by Mayor Parham. The motion was seconded by Vice Mayor Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Hill, Hart and Parham; Absent: Wilson-Smith

City Council entered closed session at 11:03a.m.

CERTIFICATION:

*Audio available upon request.

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this evening to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure that in his or her judgment has taken place. This requires a roll call vote Mr. Mayor."

Vice Mayor Hart made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Hill. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill, Hart and Parham; Absent: Smith-Lee

20-R-46 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to opened session at 1:01 p.m.

3. ADJOURNMENT:

City Council adjourned at 1:02 p.m.

Clerk of City Council

APPROVED:

Mayor

*Audio available upon request.

The special regular meeting of the Petersburg City Council was held on Tuesday, September 1, 2020, in live stream. Mayor Parham called the meeting to order at 12:34p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member Darrin Hill
Vice Mayor John A. Hart, Sr.
Mayor Samuel Parham

Absent: Council Member Annette Smith-Lee

Present from City Administration:

City Manager Aretha R. Ferrell-Benavides
City Attorney Anthony C. Williams
Clerk of Council Nykesha D. Jackson

2. PRAYER:

Mayor Parham stated, "Councilman Hill will lead us in our opening prayer."

Council Member Hill led the council meeting in prayer.

3. CLOSED SESSION:

*No items for this portion of the agenda.

4. MOMENT OF SILENCE:

Mayor Parham led the meeting into the moment of silence.

5. PLEDGE OF ALLEGIANCE:

Mayor Parham led council and the citizens in the pledge of allegiance.

6. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum was determined with the presence of all City Council Members except Council Member Smith-Lee.

7. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

*No items for this portion of the agenda.

Mayor Parham stated, "Good Afternoon Everyone. For our Positive Petersburg moment today, I want to thank everyone for their participation and great work leading up the park and ride groundbreaking last Wednesday! This project has been in the works for a few years now and it was certainly exciting to host an

*Audio available upon request.

official groundbreaking last week. Demolition has begun at the location for the future park and ride and this structure is great news for what's to come in Petersburg. This park and ride project is funded entirely through the Commonwealth's of Virginia Smart Scale which is a prioritization process focused on investing limited tax dollars into the **best** projects that meet the most critical transportation needs for Virginians. The goal of this project is to reduce traffic congestion and energy consumption. The new facility will have up to 215 parking spaces and will be located next to the current Petersburg Area Transit Station. Again, thank everyone for your participation and to the staff for your hard work."

8. REPORTS/RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

*No reports from the previous meeting.

9. COMMUNICATIONS/SPECIAL REPORTS:

a. City Manager's Report – Aretha R. Ferrell-Benavides, City Manager

Mrs. Benavides went through the City Manager's report highlighting key events.

Key points:

- August was the largest revenue month in the 12-year history of Dogwood Trace. This achievement was fueled by successful marketing efforts pricing strategies, and Dogwood's creative response to accommodating play during the pandemic.
- Dogwood Trace has completed the transition to the G1 point of sale system. This system easily allows for contactless check-in through mobile payments and soon will introduce mobile ordering and delivery to further accommodate guests who want to ensure the safest experience possible.
- Dogwood Trace continues to share its agronomic expertise and spray certifications to partner with other City departments. Dogwood has set up test areas with Blandford to spray pre-emergent chemicals and growth regulators to assist in keeping grass growth more manageable. Additionally, Dogwood has worked with Public Works in assisting in spraying common areas in Olde Towne to facilitate weed control.
- There will be a groundbreaking for St. Andrews Street Bridge on September 21st.

Mrs. Benavides thanked City Council, staff and the citizens for the cards, calls, and messages on the loss of her brother.

There was discussion among City Council Members and staff on the City Manager's Report.

b. Assessor Report – Brian Gordineer, City Assessor

Key points:

- Hired a GIS Analyst July 1, 2019.
- GIS Analyst begins data audit on July 1, 2019 to present.
- July 1, 2020 updated the ESRI and Geodecision software.
- On track with completion December 31, 2020.

Council Member Smith-Lee arrived on live stream at 2:08pm

c. COVID-19 Update

Mrs. Benavides, Darnetta Tyus and Kevin Michalek went over the numbers and updated information for

*Audio available upon request.

COVID-19

Key points:

- Petersburg has 696 cases and 25 deaths
- Only 131 of the cases are still active in Petersburg and the other cases are no longer testing positive.
- Numbers in the prison are on the rise.
- They are focusing on the courts and will be doing contact tracing.
- They are getting help with testing in the City of Petersburg as well because the testing and the spread needs to be controlled.

There was discussion among City Council and staff.

Mrs. Benavides continued the updates and key points on COVID-19.

Key points:

- CARES Act requires that the payments from the coronavirus relief fund only be used to cover expenses that are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).
- They are not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES ACT) for the State or government.
- They were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.
- All expenditures have to be spent by December 30th, 2020.
- Goals of City of Petersburg CARES Funding: (1) to promote the health and well-being of City of Petersburg Employees and Residents; (2) to account for all non-budgeted expenditures associated with City personnel and operations costs tied to COVID-19; and (3) To support Community and Economic Development Challenges spurred by the COVID-19 Crisis.

There was discussion among City Council and staff.

d. Presentation of the City of Petersburg 2021-2025 Strategic Plan

Mrs. Benavides stated, "Mayor and Council, during your Council Retreat we worked with the persons who developed not only the vision for the City but some goals and preliminary. What we have done because we want to keep this moving is that Mrs. India Adams started this process with the first phase of the plan to highlight what you identified as your goals and objectives. A great example is that you had a goal of hiring an economic development director. We all didn't want to just stop there we want to think long range. About two months ago I challenged Mr. Floyd and his team and I will let him introduce it to take this document and work with our team to further develop a strategic plan so that we have some tools to measure our success by. So, what you are going to see is a collective effort based on the foundation effort by Mrs. India but tiered by Mr. Floyd, his team and ICMA person. And they have literally done more than what I have anticipated. I think that we are well on our way in the right direction when it comes to our strategic plan. So, I will let Mr. Floyd and his team walk you through everything."

Mr. Floyd stated gave a briefing of the strategic plan.

Key points:

- The City's vision is Petersburg is a vibrant, welcoming and engaged community for all.
- The values are citizen/customer focused, competent and responsive staff, open and honest

*Audio available upon request.

communications, fiscally sound and sustainable operations and understanding and respect for council/manager form of government.

Mrs. Benavides stated, "We recognize that we have a pretty crowded agenda and we wanted to show you the work that they have done. But to give you the time to go through this document to see if you see something missing. We may do a special workshop with you where we go through the strategic plan to see if there is anything missing or anything that you want to add. But that will be at the pleasure of council given our time today."

A Strategic Plan Workshop will be worked on to get a date together to go through the plan.

10. APPROVAL OF CONSENT AGENDA (to include minutes of previous meeting/s)

- a. A request to schedule a public hearing for an ordinance to amend and readopt Section 38-97 and 38-98 of the City Code, changing the effective date and area if the Technology Zone; of the 2000 Code of Petersburg as amended.
- b. A request to schedule a public hearing and City Council consideration of a petition for a Special Use Permit for the property at 1300 East Washington Street.
- c. A request to schedule a public hearing and City Council consideration of a petition to rezone the property at 1000 Diamond Street.
- d. A request to schedule a public hearing and to consider approval of the City of Petersburg Consolidation Plan, as required by the U.S. Department of Housing and Urban Development.
- e. Request to schedule a public hearing and consider authorization to vacate undeveloped street Right-of-Way adjacent to City-owned parcels previously approved for sale by the City Council and associated with the Harbor festival and event space development.
- f. Request to vacate an undeveloped Alley Right-of-Way associated with the Petersburg Transit Station and future parking deck.
- g. Minutes of the Special Closed Session City Council Meeting.
- h. Request to schedule a public hearing for the disposition of properties located at 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard, 357 University Boulevard, 1237 Halifax Street, 100 Ball Park Road, 1015 Commerce Street, 10 North Jefferson, 125 East Washington Street, 2233 Halifax Road for the October 6, 2020, City Council Meeting.

Council Member Myers made a motion to approve the consent agenda and for council to support University Boulevard and A.P. Hill to move forward for a public hearings and move Ball Park Road, 1015 Commerce Street (Titmus Building), 125 East Washington Street and 10 North Jefferson Street to the Planning Commission and have 2233 Halifax Road removed from the consent agenda. The motion was seconded by Council Member Cuthbert. There was discussion on the motion.

Council Member Myers made a motion to approve items A-G on the consent agenda move item H to (14) Items removed from consent agenda. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

11. OFFICIAL PUBLIC HEARINGS:

*There are no public hearings for this portion of the agenda.

- 12. PUBLIC INFORMATION PERIOD:** A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak

*Audio available upon request.

on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:

- a) First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,
- b) Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting.

Barb Rudolph, 1675 Mt. Vernon Street, stated, "I just want to thank Council Members Cuthbert and Wilson-Smith from yesterday for attempting to allow citizens to access these meetings in person. I understand that the resolution or ordinance that was passed does allow for live meetings and it does not prevent. I hope that council reconsiders. I also ask that council staff review the executive orders of the Governor. Because Petersburg is not part of the eastern region and therefore has been in Phase 3 since late June or early July. Thank you."

13. BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

Council Member Wilson-Smith stated, "At the last council meeting I suggested to us that we start to look at developing our Legislative Agenda Packet. Made mention of the citizens being able to vote for their own Mayor. So, what I did was I went back to the Charter to see how it was written at this point. And I copied and pasted some other stuff of the internet. I put in red some of the things that I thought we could change and also on our Charter page are some examples of what some other jurisdictions have done in Manassas, Alexandria and Norfolk. I am not proposing an at-large Mayor like what Richmond has. That is not what this is about. This is a proposal for the citizens to vote for the Mayor. The duties or nothing else changes. What I did was I wrote it out so that you can understand what I was saying and consider this or something like this. It does not have to be verbatim so that we can look at the process. Another item that I wanted us to look at for the Legislative Agenda is doing away with the Ward System. That is also within this document. It is in the Charter under 2-1.1. The only thing that I did is put in the word 'not'. And the last thing that I wanted to ask us was that at the next meeting I would like to make a motion for us to reinstate our CCRA. I think that it is important in these dates and times. The last thing on the Charter and it is the last page of Section 3-13, 'Powers and duties of Treasurer'. I inserted in red, 'and shall possess the credentials of a degree of some form of money management, CPA, accounting, etc.' That is idea only and subject to better legal jargon to get the point across. These are my ideas for the Legislative Agenda. Thank you."

Council Member Smith-Lee stated, "I am sorry that I am not there physically but mentally I am there. The first thing I want to share is that on September 27th at 1pm, Char-Les-Manze and Councilwoman Annette Smith-Lee will be doing a voter registration drive. Also, a census drive on the corner of Wythe and Washington Street. It will be at 1pm. Also, I would like the City of Petersburg to partner with the Parks and Recreation during COVID-19 to do a virtual after school exercise initiative for the kids in the City of Petersburg using the City TV Channel. This would happen about 4:30pm to give them 30 minutes of exercise to get them moving. We haven't been able to have any kind of recreational activities for the kids since March. So, we would partner with the Parks and Recreations, but we would have people to do exercises such karate and basic exercise. The Woo-Woos and maybe some kids that play instruments can do band. But that is one of the initiatives that I would like the City of Petersburg to really look into. So, that concludes my report."

Council Member Myers stated, "Council Member Smith-Lee, did you mean Wythe and Sycamore Street?"

Council Member Smith-Lee stated, "I said Wythe and Washington and I meant to say Wythe and Sycamore Street. I apologize."

*Audio available upon request.

Council Member Hill stated, "I want to thank the Public Works and Ms. Darnetta Tyus for their grass cutting and trash removal throughout the City. And now we have persons that are certified with weed control to spray and there is a big difference even with grass season coming to a close. I would like for the City Manager to get with the Public Safety Director, Chief Miller, to see if we can do some type of survey in the neighborhood of Oakhurst as it relates to speeding. I have been getting a lot of complaints from the citizens in that neighborhood. And I have a strong feeling that it is because of the pavement. We just paved that area. And it is so smooth around there now and they thank us for the paving. They said that the speed has increased tremendously, and we even had an accident about a month and a half ago when a young lady ran into someone's home. I thank God that they did not get hurt so. So, they want speed bumps in their neighborhood and if we could do some type of test to see where it best would be in the Oakhurst neighborhood. As far as to cut down on the speeding. Also, in Lakewood in the neighborhood south of Crater Road when it rains at the very end it is flooded. So, we need to get some vegetation cut there. Other than that, I just want everyone to remain safe and try to do the best you can during this COVID situation that we are dealing with. Thank you."

Council Member Myers, "Nothing at this time Mr. Mayor."

Vice Mayor Hart stated, "Good afternoon everyone. I just want to thank you for a great meeting today. One thing I want to take note of is that we just had a 50-year-old business to close that a lot of people are bothered about and it is not due to the City. So, let us put that out. I would like to know if there is some way that we can start recognizing from a City perspective that has been in business for 20 years plus. And I say that we should do this because mainly for the last 20 or 30 years they have been keeping the City afloat by paying their taxes. At least most of them have been. That is all that I have Mr. Mayor."

Council Member Cuthbert stated, "I want to thank the City Manager, Mr. Lyons and Mrs. Innis for helping to replace the St. Andrew Street Bridge. It has been closed for the last 13 years. So, I am looking forward to that groundbreaking and I appreciate all of staffs work and effort. Thank you, Mr. Mayor."

14. ITEMS REMOVED FROM CONSENT AGENDA:

- a. Request to schedule a public hearing for the disposition of properties located at 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard, 357 University Boulevard, 1237 Halifax Street, 100 Ball Park Road, 1015 Commerce Street, 10 North Jefferson, 125 East Washington Street, 2233 Halifax Road for the October 6, 2020, City Council Meeting.

Council Member Cuthbert stated, "Thank you Mr. Mayor. I would like to focus on one of these parcels and that is 100 Ball Park Road. I move that we refer 100 Ball Park Road to the City Manager for study and creation of a development plan and report back to council."

Council Member Cuthbert made a motion to refer 100 Ball Park Road to the City Manager for study and creation of a development plan and to report back to council. The motion was seconded by Council Member Hill. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

Council Member Myers made a motion that University Boulevard properties and A.P. Hill Community Center be moved to a public hearing on October 6th and the rest be sent to the Planning Commission. The motion was seconded by Council Member Smith-Lee. There was discussion among City Council and staff. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

15. UNFINISHED BUSINESS:

*Audio available upon request.

- a. Consideration of appointment/s to the Anti-Poverty Commission.

BACKGROUND: The members of the Anti-Poverty Commission shall be persons with human service backgrounds either via education or experience. Those backgrounds shall consist of financial, educational, public housing, business, transportation, police and legislation, the criminal justice system and health and most of all genuine interest in the development and progression of the citizens affected by poverty. Members shall be either residents of Petersburg or employees of some capacity in the City of Petersburg.

RECOMMENDATION: Recommend City Council appoint members to the Anti-Poverty Commission.

Council Member Wilson-Smith made a motion to appoint Chloe N. Carter and Keitoya N. Taylor to the Anti-Poverty Commission. The motion was seconded by Vice Mayor Hart. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

20-R-47 A RESOLUTION APPOINTING CHLOE N. CARTER AND KEITOYA N. TAYLOR TO THE ANTI-POVERTY COMMISSION.

16. NEW BUSINESS:

- a. Consideration of an appropriation for Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, 2nd round - \$2,734,818

BACKGROUND: On May 12, 2020, the Virginia Secretary of Finance advised the City of Petersburg of Governor Northam's decision to provide the first round of allocations to local governments from the federal Coronavirus Relief Fund (CRF) authorized pursuant to the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act). On June 1, 2020, each locality received its share of the first half, or fifty (50) percent, of the locally based allocations (not including Fairfax County that received its funds directly).

While the federal CARES Act does not require that states distribute funding to local governments with populations less than 500,000 residents, the Governor recognizes that localities continue to experience the same COVID-19 related expenses as the Commonwealth.

Therefore, the Governor recently announced the second and final round to allocate the remaining fifty (50) percent of the locally-based allocations from the CRF to local governments. When completed, the state will have distributed 100 percent of the local allocations the Commonwealth received under the CARES Act providing a total of \$1.3 billion for local governments.

Just like the first round, the second round will be based on population. Consequently, the second round of allocations will be for the same amount that you received in the first round on June 1, 2020.

As a reminder, the overarching federal guidance states that these funds must be used for qualifying expenses of state and local governments. Specifically, the CARES Act provides that payments from the CRF only may be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

RECOMMENDATION: Recommend City Council authorize appropriation of the funds as

*Audio available upon request.

allocated and certified.

Council Member Myers made a motion to approve the appropriation. The motion was seconded by Council Member Hill.

Mayor Parham opened the floor for public comment.

Seeing no hands, Mayor Parham closed public comments.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

20-ORD-42 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021 BUT WITH EXPENDITURES NO LATER THAN DECEMBER 30, 2020 FOR THE GRANTS FUND.

- b. Consideration for Virginia Department of Criminal Justice Services COVID-19 Prepare and Ready Grant - \$5,907

BACKGROUND: On June 26, 2020, the Petersburg Sheriff's Office applied for a grant which was solicited by Department of Criminal Justice Services. This funding was made available to assist eligible law enforcement agencies in their efforts to mitigate and respond to the COVID-19 pandemic. On August 31, 2020, the Sheriff's Office was notified that the Petersburg Sheriff's Office was approved.

RECOMMENDATION: It is recommended that this appropriation be approved as it will allow the Sheriff's Office to purchase additional safety equipment and supplies to be used by the Petersburg Sheriff's Office deputies.

Council Member Hill made a motion to approve the appropriation. The motion was seconded by Council Member Wilson-Smith.

Seeing no hands, Mayor Parham closed public comments.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

20-ORD-43 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021, FOR THE GRANT FUND.

- c. Consideration to authorize the City Manager to sign a Deed of Utility Easement between the City of Petersburg and Prince George County for temporary construction and variable width utility easements across City property at 6104 County Drive, Prince George, VA.

BACKGROUND: Prince George County is extending water utility infrastructure along Route 460 (County Drive) to serve existing and future customers. The alignment of the project will take the proposed waterline across City property within the County. The County is requesting a temporary construction easement and a variable width utility easement to enable the construction, maintenance, and operation of the waterline.

RECOMMENDATION: Recommend City Council authorize City Manager to sign a Deed of Utility Easement between the City of Petersburg and Prince George County for temporary construction and variable

*Audio available upon request.

width utility easements across City property located within Prince George County.

Council Member Hill made a motion to authorize the City Manager to sign a Deed of Utility Easement between the City of Petersburg and Prince George County for temporary construction and variable width utility easements across City property at 6104 County Drive, Prince George, VA. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

- d. Resolution to amend and re-adopt Article VII of the City of Petersburg's Personnel Policies and Procedures Manual Pertaining to Grievance and Appeal Procedures.

BACKGROUND: City of Petersburg's Personnel Policies and Procedures Manual amended and updated on February 18, 2014.

RECOMMENDATION: Approve.

Council Member Hill made a motion to approve the resolution. The motion was seconded by Council Vice Mayor Hart.

Mayor Parham opened the floor for public comment.

Seeing no hands, Mayor Parham closed public comments.

There was discussion among City Council and staff.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Hart; Abstain: Parham

20-R-48 A RESOLUTION TO AMEND AND RE-ADOPT ARTICLE VII OF THE CITY OF PETERSBURG PERSONNEL POLICIES PROCEDURES MANUAL PERTAINING TO GRIEVANCE AND APPEAL PROCEDURES.

- e. Consideration of appointment to the Petersburg Area Regional Tourism (PART) Board.

BACKGROUND: The structure of the PART Board includes the City Manager or County Administrator from each locality automatically on the board. Additionally, each locality should appoint a private sector person who is in a hospitality-related business (Examples: restaurant, hotel, shop or art gallery owner, etc.).

For many years, the Petersburg appointee was the manager of the former Ramada Inn. When it closed, the position was not immediately filled and remained vacant.

The board meets every other month (July, September, November, January, March, May), on the 3rd Friday for a lunch meeting from 11:00 AM – 1:00 PM.

This is no concrete term limit. The appointee and/or the City can choose whether to continue with the appointment each year.

RECOMMENDATION: To consider applications presented for an appointee.

*Audio available upon request.

Mrs. Benavides stated, "Mayor and Council we received a notice recently from PART. PART is going through a couple of changes right now just so that you know it. One example is that Chesterfield has stated that they will no longer be part of PART. We have a few of our neighboring jurisdictions that participate in two tourism groups. One area of concern is the name PART. There was a push by some individuals to possibly change the name to something like the Appomattox. It was studied that it was very valuable to call it the Petersburg Area Regional Tourism. I believe that they do a great job. We have Sergei on board, and we have Kemi who has also been working. And I have been on the board. But we do have a vacancy in the hospitality industry. And the recommendation on the individual actually came from me on who would serve on this board. I recommended Ms. Claudia Bezaka who owns Ragland Mansion. Which is a bed and breakfast here in Petersburg to serve as our representative."

Council Member Cuthbert made a motion to appoint Claudia Bezaka to the Petersburg Area Regional Tourism Board. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

20-R-49 A RESOLUTION APPOINTING CLAUDIA BEZAKA TO THE PETERSBURG AREA REGIONAL TOURISM BOARD (PART).

- f. Consideration of appointment/s to the Planning Commission.

BACKGROUND: The Planning Commission consists of 4 at-large members and 7 members appointed by City Council.

The duties of the Board include, but are not limited to, the following: Promote the orderly development of the City and its environs; serves primarily in an advisory capacity to the City Council in matters pertaining to land use, future development, and capital improvements.

RECOMMENDATION: Recommend City Council appoint members to the Planning Commission.

Mayor Parham made a motion to appoint Candace Taylor to the Planning Commission. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

20-R-50 A RESOLUTION APPOINTING CANDACE TAYLOR TO THE PLANNING COMMISSION WITH A TERM ENDING SEPTEMBER 30, 2024.

Council Member Wilson-Smith made a motion to appoint Crystal Johnson to the Planning Commission. The motion was seconded by Vice Mayor Hart. There was discussion on the motion among City Council Members.

Council Member Cuthbert made a motion to bring back the consideration for Crystal Johnson with application to the October 6th agenda for the Planning Commission. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

- g. Consideration of appointments to the Community Development Block Grant Citizen Advisory Board

BACKGROUND: The Community Development Block Grant Citizen Advisory Board consists of nine members. The board reviews and makes recommendations for City Council action regarding requests for projects to be funded from the City's annual CDBG entitlement.

*Audio available upon request.

RECOMMENDATION: Recommend Council make appointment/s to the Community Development Block Grant (CDBG) Citizen Advisory Board.

Council Member Cuthbert made a motion to appoint Tamika Green and Shabaka Moore to the CDBG Board. The motion was seconded by Council Member Myers.

Council Member Wilson-Smith made a substitute motion to appoint Ron Flock, Belinda Baugh, Talibah Majeed, Tamika Green, Shabaka Moore and Patricia Miller to the CDBG Board. The motion was seconded by Vice Mayor Hart. There was discussion on the motion. The motion was not approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Smith-Lee and Hart; Voting No: Cuthbert, Myers, Hill and Parham

Original motion made by Council Member Cuthbert goes back on the floor.

Council Member Cuthbert made a motion to appoint Tamika Green and Shabaka Moore to the CDBG Board. The motion was seconded by Council Member Myers. The motion was not approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

20-R-51 A RESOLUTION APPOINTING TAMIKA GREEN AND SHABAKA MOORE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN ADVISORY BOARD FOR A TERM SEPTEMBER 30, 2024.

17. CITY MANAGER’S AGENDA:

*No items for this portion of the agenda.

18. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

19. BUSINESS OR REPORTS FROM CITY ATTORNEY:

*No items for this portion of the agenda.

20. ADJOURNMENT:

City Council adjourned at 3:38 p.m.

Clerk of City Council

APPROVED:

Mayor

*Audio available upon request.

The Special Called Closed Session Meeting of the Petersburg City Council was held on Monday, September 21, 2020, on live stream. Mayor Parham called the Special City Council Meeting to order at 12:00p.m.

1. **ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr
Council Member Annette Smith-Lee
Council Member Darrin Hill
Council Member W. Howard Myers
Vice Mayor John A. Hart, Sr.
Mayor Samuel Parham

Absent: Council Member Treska Wilson-Smith

Present from City Administration:

City Attorney Anthony Williams
City Manager Aretha R. Ferrell-Benavides
Clerk of Council Nykesha D. Jackson

2. **CLOSED SESSION:**

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(29) for the purpose of discussion of the award of a public contract involving the expenditure of public funds and discussion of the terms or scope of such contract where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Specifically, the discussion of the award of the banking services contract.

Council Member Hill moved that the City Council go into closed session for the purposes noted by Mayor Parham. The motion was seconded by Vice Mayor Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

City Council entered closed session at 12:03p.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this evening to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure that in his or her judgment has taken place. This requires a roll call vote Mr. Mayor."

Vice Mayor Hart made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Hill. There was no discussion on the motion.

The motion was approved on roll call vote.

*Audio available upon request.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

- 20-R-52 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.**

City Council returned to opened session at 12:22p.m.

4. CONSIDERATION:

- a. Consideration of a resolution to authorize the City Manager to execute a banking services contract for the City of Petersburg and designate Atlantic Union Bank as a Depository for City Funds.

BACKGROUND: On December 3, 2014, the City entered into a contract with SunTrust, now Truist Bank, for Banking Services for a three (3) year term with two (2) renewal options. The contract also allowed for up to twelve (12) month extension period. The City's current contract for Banking Services will expire February 1, 2021. The Budget and Procurement issued a Request for Proposal #20-0024 dated May 7, 2020 and received no proposals. A new Request for Proposal #20-0026 was issued June 28, 2020 and resulted in no valid responses received. The proposal received was found to be nonconforming as it was submitted electronically rather than in hard copy form as required under the solicitation. Given the need to secure such services in order to continue the operation of government, the Purchasing Agent reached out to the offeror. A subsequent proposal was submitted and negotiated, and the Purchasing Agent determined that this proposal qualifies to be accepted as an emergency procurement in accordance with 2-293 of the City Code.

RECOMMENDATION: Recommend Council approve Emergency Purchase request and to approve the resolution.

Council Member Myers made a motion to approve the Emergency Purchase request and to approve the resolution. The motion was seconded by Council Member Hill.

Mayor Parham opened the floor for public comment.

Seeing no hands, public comments was closed.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham

- 20-R-53 A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A BANKING SERVICES CONTRACT FOR THE CITY OF PETERSBURG AND DESIGNATE ATLANTIC UNION BANK AS A DEPOSITORY FOR CITY FUNDS.**

5. ADJOURNMENT:

City Council adjourned at 12:25 p.m.

*Audio available upon request.

Clerk of City Council

APPROVED:

Mayor

DRAFT



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager
Lionel Lyons, Deputy City Manager of Development

FROM: Carthan Currin

RE: **A public hearing regarding a Letter of Intent to Purchase city owned property at 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard, and 357 University Boulevard, and consideration of an Ordinance authorizing the City Manager to execute a Purchase Agreement toward the sell of City-owned property.**

PURPOSE: A public hearing regarding an Intent to Purchase city-owned property at 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard, and 357 University Boulevard and consideration of an Ordinance authorizing the City Manager to execute a Purchase Agreement toward the sell of City-owned property.

REASON: A public hearing and consideration of an Ordinance that authorizes the City Manager to execute a Purchase Agreement and proceed with the sell of City-owned property in accordance with applicable legal requirements.

RECOMMENDATION: A public hearing and consideration of an adoption of an Ordinance that approves and authorizes the City Manager to execute a Purchase Agreement and proceed with the sell of City-owned property in accordance with applicable legal requirements.

BACKGROUND: The city has received a proposal from Tremaine Neverson to purchase the following City-owned property:

Parcel ID	Premise	Street	Proposed Use
010-150021	333	University Blvd	Single Family Home
010-150025	347	University Blvd	Single Family Home
010-150027	351-353	University Blvd	Single Family Home
010-150029	357	University Blvd	Single Family Home

Tremaine Neverson propose to develop 333 University Blvd, 347 University Blvd, 351-353 University Blvd and 357 University Blvd as Single Family Homes and sale them at market value. The site plans are attached

333, 347, 351-353, and 357 University Blvd assessed value is \$102,200. The offer price is \$35,000.

COST TO CITY: Conveyance of Real Property

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from sale of property and associated fees and taxes

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. University Blvd Properties Ordinance, Maps, Property Record Card, LOI
2. Site Plans for University Blvd Properties
3. Purchase Agreement (Signed by Purchaser)

ORDINANCE

This is an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of City-owned property at 333 University Blvd, 347 University Blvd, 351-353 University Blvd, and 357 University Blvd, and

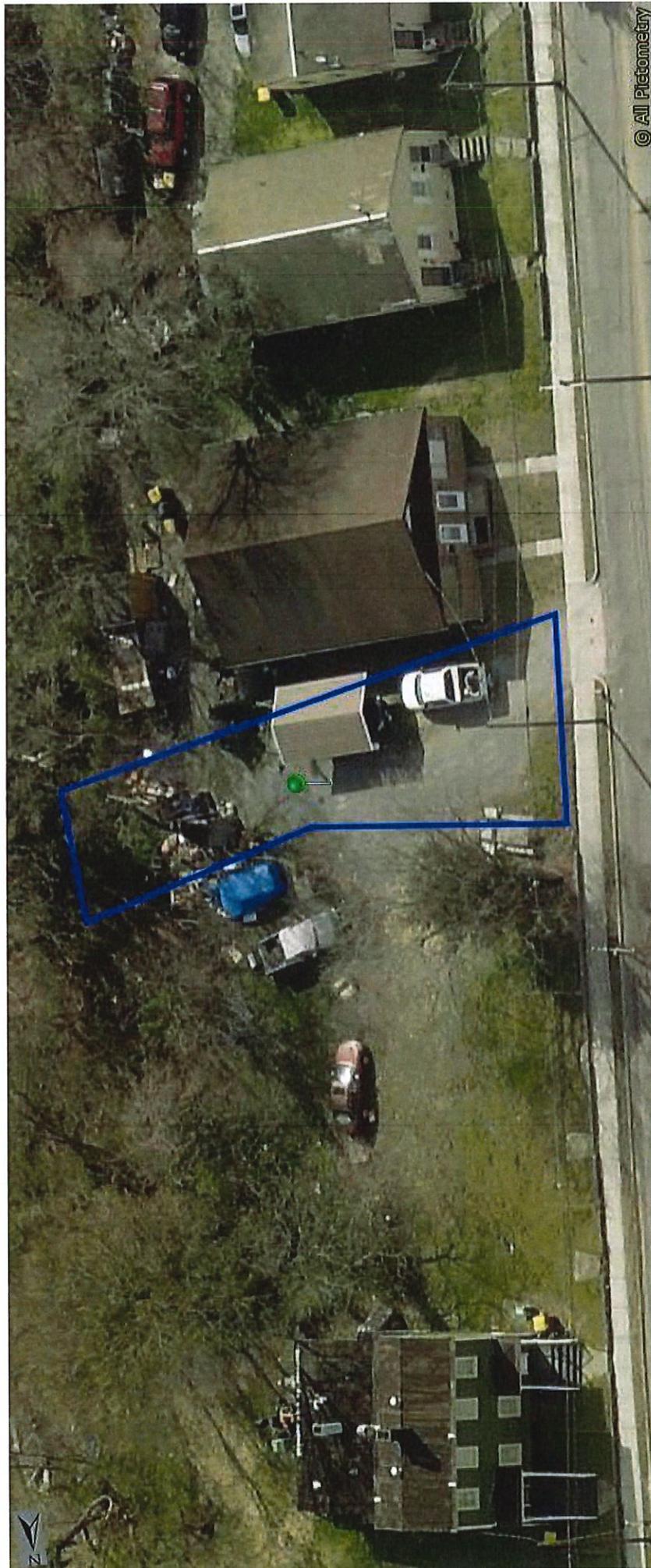
WHEREAS, the City of Petersburg has received a proposal from Tremaine Neverson to purchase the City-owned property at 333 University Blvd, 347 University Blvd, 351-353 University Blvd, 357 University Blvd to develop single-family homes; and

WHEREAS, the potential benefits to the City include infill development, population growth, increased tax base, and future homeownership; and

WHEREAS, in accordance with applicable legal requirements, a public hearing was held prior to approving and authorizing the sale of City-owned property.

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby authorizes the City Manager to execute a Purchase Agreement with Tremaine Neverson toward the Sale and development of City-owned property at 333 University Blvd, 347 University Blvd, 351-353 University Blvd, and 357 University Blvd.

333 University Blvd



Property Record Card - Petersburg, VA

General Property Data

Parcel ID **010-150021**
 Prior Parcel ID **--**
 Property Owner **CITY OF PETERSBURG**
 Mailing Address **135 N. Union St**
 City **Petersburg**
 Mailing State **VA** Zip **23803**
 ParcelZoning **R-3**

Account Number **FOR SALE, Lot**
 Property Location **333 UNIVERSITY BLVD**
 Property Use **Urban Res**
 Most Recent Sale Date **10/2/1989**
 Legal Reference **650-307**
 Grantor
 Sale Price **2,400**
 Land Area **acres**

Current Property Assessment

Card 1 Value Building Value **0** Xtra Features Value **0** Land Value **10,000** Total Value **10,000**

Building Description

Building Style NONE	Foundation Type	Flooring Type CARPET
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type NONE
Building Grade EXCELLENT	Roof Cover	Heating Fuel N/A
Building Condition N/A	Siding	Air Conditioning
Finished Area (SF)	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths
# of 3/4 Baths	# of 1/2 Baths	# of Other Fixtures

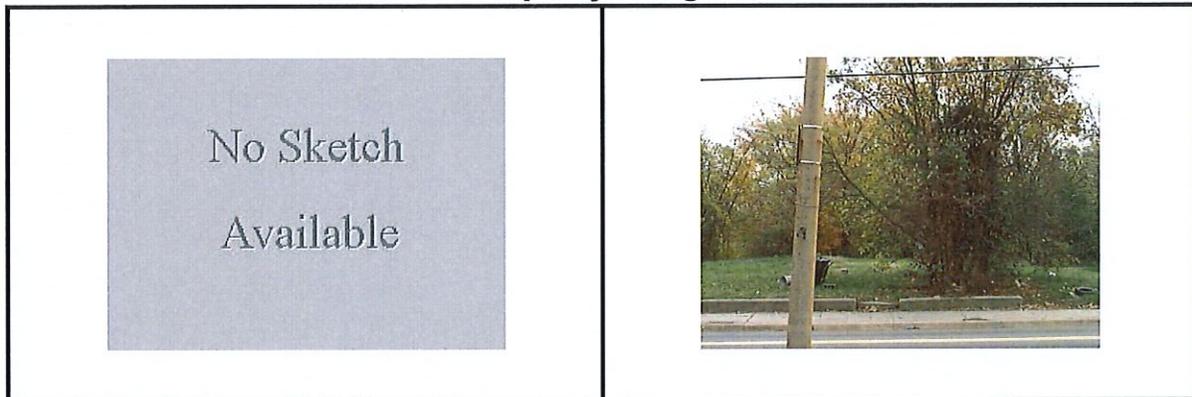
Legal Description

LOT D TITUS ESTATE34.1-21.1X125.5-121.7

Narrative Description of Property

This property contains acres of land mainly classified as Urban Res with a(n) NONE style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), bath(s), half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

347 University Blvd



Property Record Card - Petersburg, VA

General Property Data

Parcel ID **010-150025**
 Prior Parcel ID **--**
 Property Owner **CITY OF PETERSBURG**
 Mailing Address **135 N. Union St**
 City **Petersburg**
 Mailing State **VA** Zip **23803**
 ParcelZoning **R-3**

Account Number **FOR SALE, Grassy Lot**
 Property Location **347 UNIVERSITY BLVD**
 Property Use **Urban Vac**
 Most Recent Sale Date **10/13/2010**
 Legal Reference **2010-2560**
 Grantor
 Sale Price **4,500**
 Land Area **acres**

Current Property Assessment

Card 1 Value Building Value **0**

Xtra Features Value **0**

Land Value **7,700**

Total Value **7,700**

Building Description

Building Style **NONE**
 # of Living Units **0**
 Year Built **N/A**
 Building Grade **EXCELLENT**
 Building Condition **N/A**
 Finished Area (SF)
 Number Rooms **0**
 # of 3/4 Baths

Foundation Type
 Frame Type
 Roof Structure
 Roof Cover
 Siding
 Interior Walls **N/A**
 # of Bedrooms **0**
 # of 1/2 Baths

Flooring Type **CARPET**
 Basement Floor **N/A**
 Heating Type **NONE**
 Heating Fuel **N/A**
 Air Conditioning
 # of Bsmt Garages **0**
 # of Full Baths
 # of Other Fixtures

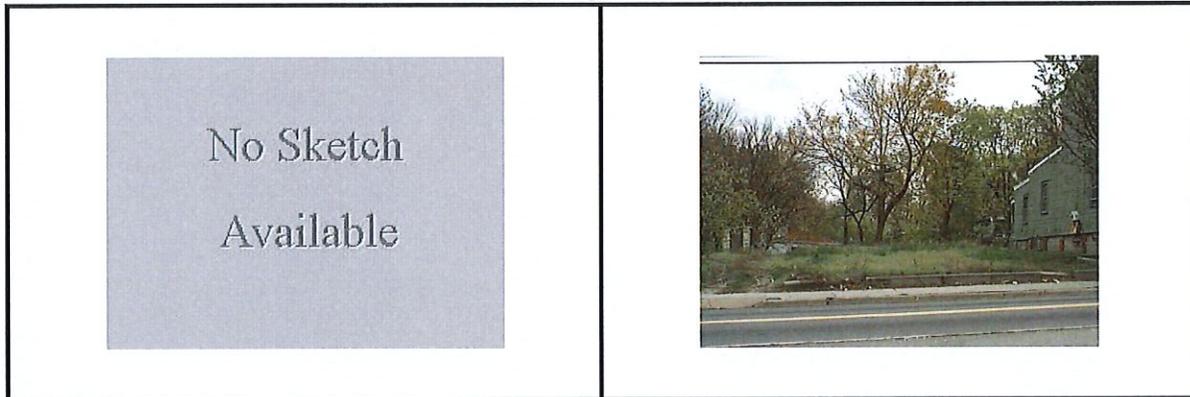
Legal Description

24.2 X 112

Narrative Description of Property

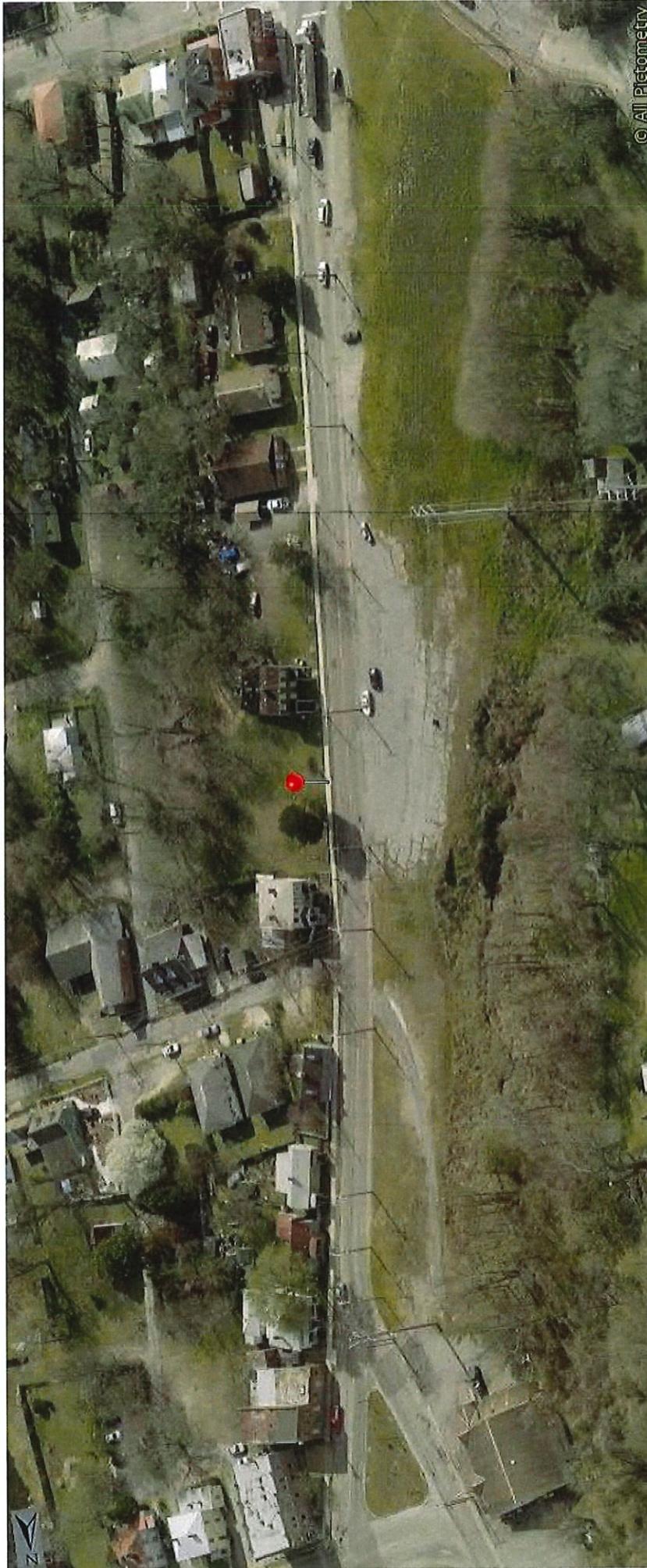
This property contains acres of land mainly classified as Urban Vac with a(n) NONE style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), bath(s), half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

351-353 University Blvd



Property Record Card - Petersburg, VA

General Property Data

Parcel ID **010-150027**
Prior Parcel ID --
Property Owner **CITY OF PETERSBURG**

Account Number **FOR SALE, Grassy Lot**

Mailing Address **135 N. Union St**

Property Location **351-53 UNIVERSITY BLVD**

Property Use **Urban Res**

Most Recent Sale Date **12/20/2007**

Legal Reference **2007-6810**

City **Petersburg**

Grantor

Mailing State **VA** Zip **23803**

Sale Price **45,000**

ParcelZoning **R-3**

Land Area **acres**

Current Property Assessment

Card 1 Value Building Value **0**

Xtra Features Value **0**

Land Value **14,000**

Total Value **14,000**

Building Description

Building Style **N/A**
of Living Units **N/A**
Year Built **N/A**
Building Grade **N/A**
Building Condition **N/A**
Finished Area (SF)
Number Rooms **0**
of 3/4 Baths

Foundation Type **N/A**
Frame Type **N/A**
Roof Structure **N/A**
Roof Cover **N/A**
Siding **N/A**
Interior Walls **N/A**
of Bedrooms **0**
of 1/2 Baths

Flooring Type **N/A**
Basement Floor **N/A**
Heating Type **N/A**
Heating Fuel **N/A**
Air Conditioning
of Bsmt Garages **0**
of Full Baths
of Other Fixtures

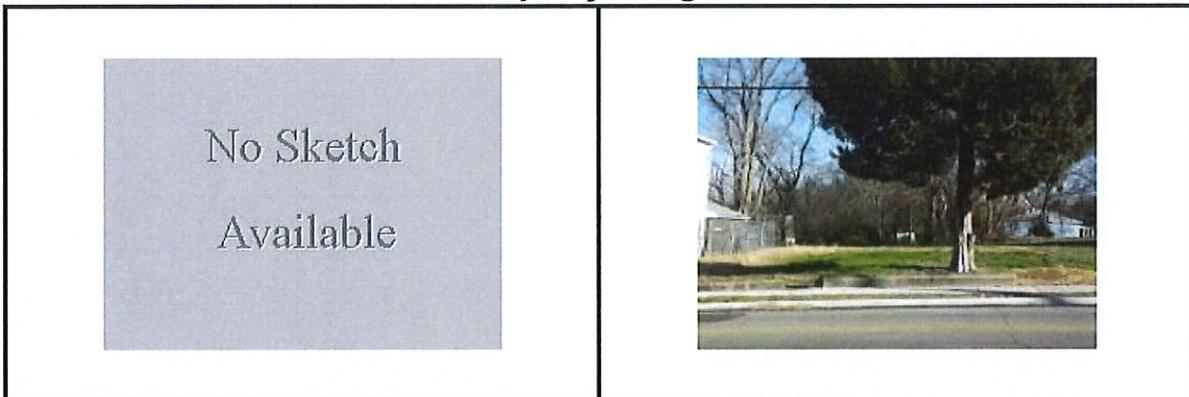
Legal Description

LOT 1 TITUS ESTATE55-59 X 114

Narrative Description of Property

This property contains acres of land mainly classified as Urban Res with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), bath(s), half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

357 University Blvd



© All Pictometry

Property Record Card - Petersburg, VA

General Property Data

Parcel ID **010-150029**
 Prior Parcel ID --
 Property Owner **CITY OF PETERSBURG**
 Mailing Address **135 N. Union St**
 City **Petersburg**
 Mailing State **VA** Zip **23803**
 ParcelZoning **R-3**

Account Number **FOR SALE, Lot W Vacant BLDG**
 Property Location **357 UNIVERSITY BLVD**
 Property Use **Urban Vac**
 Most Recent Sale Date **5/12/2016**
 Legal Reference **2016-1176**
 Grantor **BLANDELORES**
 Sale Price **40,000**
 Land Area **acres**

Current Property Assessment

Card 1 Value Building Value **55,400** Xtra Features Value **0** Land Value **15,100** Total Value **70,500**

Building Description

Building Style 2STORY	Foundation Type	Flooring Type CARPET
# of Living Units 1	Frame Type	Basement Floor N/A
Year Built 1901	Roof Structure	Heating Type WOOD
Building Grade AVERAGE	Roof Cover COMPOSI	Heating Fuel N/A
Building Condition N/A	Siding VINYL/ALUM	Air Conditioning
Finished Area (SF)	Interior Walls DRYWALL	# of Bsmt Garages 0
Number Rooms 10	# of Bedrooms 4	# of Full Baths
# of 3/4 Baths	# of 1/2 Baths	# of Other Fixtures

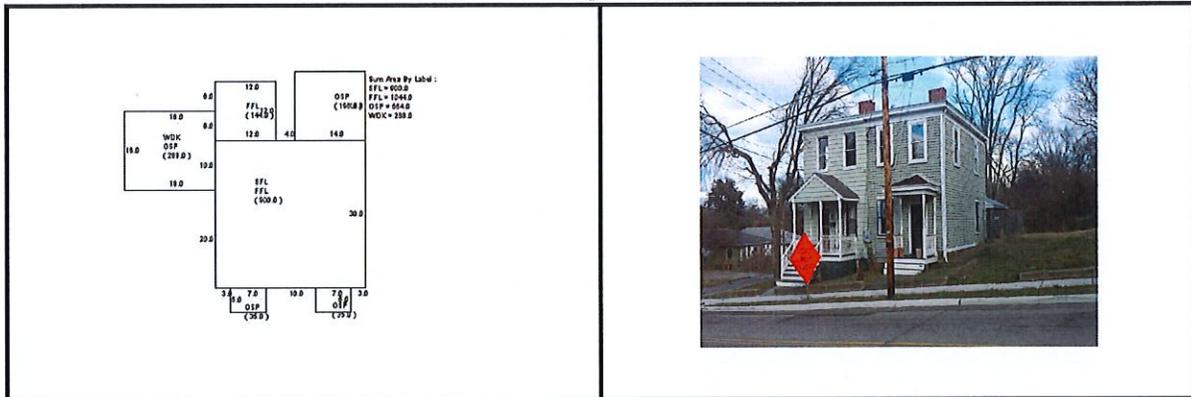
Legal Description

LT JTITUS ESTATE PLAT

Narrative Description of Property

This property contains acres of land mainly classified as Urban Vac with a(n) 2STORY style building, built about 1901 , having VINYL/ALUM exterior and COMPOSI roof cover, with 1 unit(s), 10 room(s), 4 bedroom(s), bath(s), half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Letter of Intent to Purchase Real Estate

August 24, 2020

Tremaine Neverson


By this letter, Tremaine Neverson ("Buyer"), presents the manner in which it and the City of Petersburg ("Seller") agree Buyer may acquire certain real property from Seller as described herein. The parties recognize that the transaction will require further documentation and approvals, including the preparation and approval of a formal agreement setting forth the terms and conditions of the proposed purchase (the "Purchase Agreement"); nevertheless, they execute this letter to evidence their intention to proceed in mutual good faith to complete work required to negotiate terms of a Purchase Agreement that are consistent with this letter.

The proposed terms and conditions include, but are not limited to, the following:

1. **PROPERTY ADDRESS.** The property proposed to be sold is located at:

333 University Blvd. Parcel ID: 010-150021; 347 University Blvd. Parcel ID: 010-150025; 351-353 University Blvd. Parcel ID: 010-150027; 357 University Blvd. Parcel ID: 010-150029 all in Petersburg, VA. 23803.

Included are all permanent fixtures and all property that integrally belongs to or is part of the Real Estate, whether attached or detached.

2. **PRICE.** The proposed price is \$35,000. The following are the terms of this proposed Agreement:
1) the Buyer will purchase a two-year option with two one year extensions.
3. **DEPOSIT.** Concurrently with the opening of escrow, Buyer shall place therein the sum of 1% of Purchase Price (Three hundred fifty dollars / \$350) as a refundable deposit toward and applicable to the Purchase Price ("the Initial Deposit"). Escrow Holder shall deposit such sum in an interest-bearing, federally insured account with interest accruing for the benefit of Buyer.
4. **INTENT.** This project benefits the City of Petersburg by adding a city owned property back to the tax roll as well as adding dwellings to the community on a formerly vacant lot and blighted property.
5. **INSPECTION.** After the final acceptance of a binding Purchase Agreement, Buyer may have the property inspected by a person of Buyer's choice to determine if there are any structural, mechanical, plumbing, electrical or structural deficiencies, pest damage or infestation, any unsafe conditions or other damage, including the presence of any lead-based paint hazards, and inspections for other conditions that are customary to the locality and/or that are required by law.
6. **FINANCING.** Buyer shall secure financing or make an All Cash offer after exercising option.
7. **CLOSING COSTS.** Seller agree to pay buyer's closing costs.
8. **STANDARD PROVISIONS.** The Purchase Agreement will include the standard provisions that are customary to the locality and/or that are required by law.

9. **STAND STILL PROVISION.** Seller shall not initiate or carry on negotiations for the sale of the property other than Buyer unless both (1) Buyer and Seller fail to enter into a binding Lease Purchase Agreement by 1 year from the time of acceptance this agreement, or (2) Buyer and Seller agree in writing to abandon this Letter of Intent.

10. **NON-BINDING.** This Letter of Intent, does not, and is not intended to, contractually binds the parties, and is only an expression of the basic conditions to be incorporated into a binding Purchase Agreement. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding Lease Purchase Agreement. The parties shall not be contractually bound unless and until they enter into a formal, written Lease Purchase Agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligations of any kind. Notwithstanding the provisions of this paragraph to the contrary, Seller and Buyer agree that the above paragraph entitled "Stand Still" shall be binding, regardless of whether a binding Lease Purchase Agreement is entered into by the parties.

11. **EXPIRATION OF OFFER.** This Letter of Intent shall constitute an open offer until August 24, 2021, at which time it shall be automatically terminated if not executed by Buyer and Seller.

If the above outline of terms and conditions are acceptable, please indicate by signing below. All parties to these transactions intend that this proposal be superseded by the Purchase Agreement. In the meantime, all parties agree to proceed in accordance with terms and conditions outlined in this Letter of Intent. Seller understands the purpose of this Letter of Intent is to allow further investigation by both parties into the feasibility of entering into a formal agreement. This Letter of Intent is only binding on the parties during the Contract Negotiation period. If the Purchase Agreement is not mutually executed within the Contract Negotiation Period for any reason whatsoever or no reason at all, this Letter of Intent shall expire and no party shall have any further rights or duties hereunder. Seller shall not solicit other offers during the Contract Negotiation Period.

SELLER:

Seller Signature

Date

Seller Printed Name

SELLER SEAL:

BUYER:

Jumaine Neversom  8/04/2020
Buyer Signature Date

Tremaine Neversom
Buyer Printed Name

Letter of Intent to Purchase Real Estate

Letter of Intent to Purchase Real Estate Site Plan

September 25, 2020

Tremaine Neverson

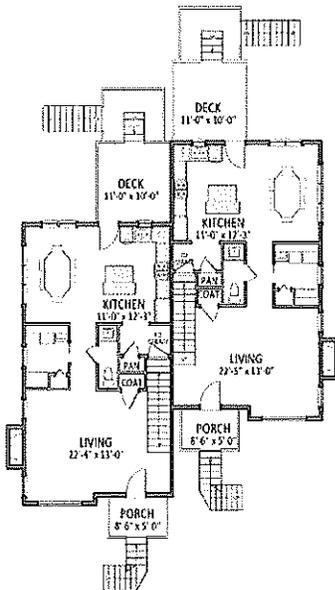
The property proposed to be sold is located at:

333 University Blvd. Parcel ID: 010-150021; 347 University Blvd. Parcel ID: 010-150025; 351-353 University Blvd. Parcel ID: 010-150027; 357 University Blvd. Parcel ID: 010-150029 all in Petersburg, VA. 23803.

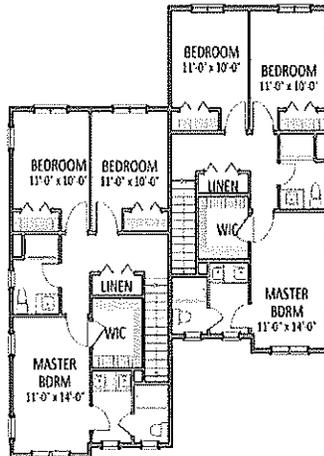
These parcels are located in a residential neighborhood all in Petersburg, VA. 23803 and intended development of 3-story duplex single family homes at market rate is as follows:

1. 351-353 University Blvd. Parcel ID: 010-150027; the site is .15 acres; building total square footage 4,782; Per unit square footage 1580.
2. 357 University Blvd. Parcel ID: 010-150029; the site is .14 acres

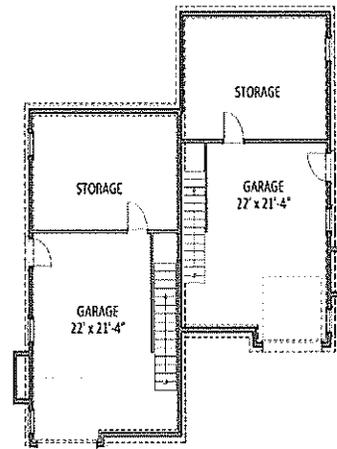
1st Floor:



2nd Floor:



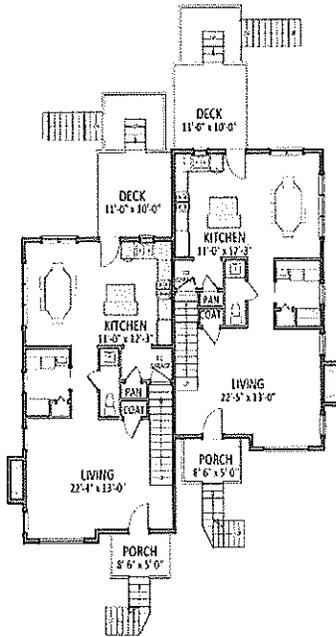
Basement Garage:



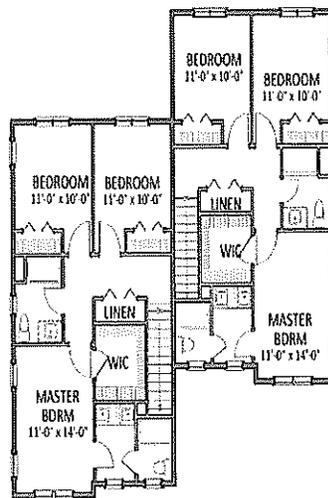
These parcels are located in a residential neighborhood all in Petersburg, VA. 23803 and intended development of 3-story single family homes at market rate is as follows:

3. 333 University Blvd. Parcel ID: 010-150021; the site is .08 acres; home square footage 1580.
4. 347 University Blvd. Parcel ID: 010-150025; the site is .06 acres; home square footage 1580.

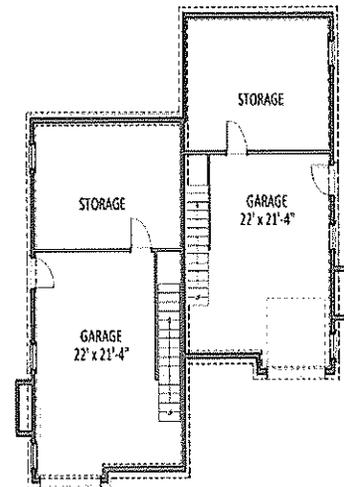
1st Floor:



2nd Floor:



Basement Garage:



ELEVATIONS: Possible Duplex Elevations (Brick Façade)



Possible Single Family Dwelling Elevations



****NOTE:** Plans are © copyright of developer. Plan specs can and will change indicative of the build site. Sites will maintain the integrity of the plan.

REAL ESTATE PURCHASE AGREEMENT

Assessed Value: \$102,000

Consideration: \$ 35,000

Tax Map No.: 010-150021, 010-150025, 010-150027, 010-150029

This Commercial Real Estate Purchase Agreement (the "Agreement") is dated September 15, 2020, between the CITY OF PETERSBURG, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to a "Seller" and party of the first part, Tremaine Neverson, hereinafter referred to as "Purchaser", and party of the second part, and Pender & Coward (the "Escrow Agent") and recites and provides the following:

RECITALS:

The Seller owns certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Petersburg, Virginia, commonly known as: 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard and 357 University Boulevard, Tax Map Number: 010-150021, 010-150025, 010-150027, 010-150029 (Property).

Purchaser desires to purchase the Property and Seller agrees to sell the Property subject to the following terms and provisions of this Agreement:

1. **Sale and Purchase:** Subject to the terms and conditions hereof, Seller shall sell and Purchaser shall purchase, the Property. The last date upon which this Agreement is executed shall be hereinafter referred to as the "Effective Date".
2. **Purchase Price:** The purchase price for the Property is thirty five thousand dollars (\$35,000.00) (the "Purchase Price"). The Purchase Price shall be payable all in cash by wired transfer or immediately available funds at Closing.
3. **Deposit:** Purchaser shall pay ten percent (10%) of the Purchase Price, three thousand five hundred dollars (\$3,500.00) (the "Deposit") within fifteen (15) business days of the Effective Date to the Escrow Agent which shall be held and disbursed pursuant to the terms of this Agreement.
4. **Closing:** Closing shall take place on or before ninety (90) business days after the completion of the Due Diligence Period described in Section 5. Purchaser may close on the Property prior to completion of the Due Diligence Period with reasonable advance notice to Seller. At Closing,

Seller shall convey to Purchaser, by Special Warranty Deed, good and marketable title to the Property in fee simple, subject to any and all easements, covenants, and restrictions of record and affecting the Property and current taxes.

In the event a title search done by Purchaser during the Due Diligence Period reveals any title defects that are not acceptable to the Purchaser, Purchaser shall have the right, by giving written notice to the Seller within the Due Diligence Period, to either (a) terminate this Agreement, in which event this Agreement shall be null and void, and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party and the entire Deposit is refunded to the Purchaser or (b) waive the title objections and proceed as set forth in this Agreement. Seller agrees to cooperate with Purchaser to satisfy all reasonable requirements of Purchaser's title insurance carrier.

5. **Due Diligence Period:** Not to exceed one hundred twenty (120) calendar days after the Effective Date. The Purchaser and its representatives, agents, employees, surveyors, engineers, contractors and subcontractors shall have the reasonable right of access to the Property for the purpose of inspecting the Property, making engineering, boundary, topographical and drainage surveys, conducting soil test, planning repairs and improvements, and making such other tests, studies, inquires and investigations of the Property as the Purchaser may deem necessary. The Purchaser agrees that each survey, report, study, and test report shall be prepared for the benefit of, and shall be certified to, the Purchaser and Seller (and to such other parties as the Purchaser may require). A duplicate original of each survey, report, study, test report shall be delivered to Seller's counsel at the notice address specified in Section 15 hereof within ten (10) days following Purchaser's receipt thereof.

Seller shall be responsible for paying the real estate commission, Seller's attorney fees, applicable Grantor's tax and the cost associated with the preparation of the deed and other Seller's documents required hereunder. All other closing costs shall be paid by the Purchaser.

- a. At or before the extinguishing of the Due Diligence Period, the Purchaser shall draft a Development Agreement in conformance with the proposal presented to City Council on _____, 2020. Such proposal shall be reviewed by the City to determine its feasibility and consistency with the original proposal made on _____, 2020. Approval and execution of the Development Agreement shall not be unreasonably withheld by either party, and execution of the Development Agreement by all parties shall be a condition precedent to closing on the property. The Development Agreement shall be recorded by reference in the deed of conveyance to the Property which shall include a right of reverter in the event that the Developer fails to comply with the terms of the Development Agreement.

6. Termination Prior to Conclusion of Due Diligence Phase:

- a. If Purchaser determines that the project is not feasible during the Due Diligence Period, then, after written notice by Purchaser delivered to Seller, nine percent (9%) of the Purchase Price shall be returned to the Purchaser and one percent (1%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent and the Purchaser waives any rights or remedies it may have at law or in equity.
- b. If during the Due Diligence phase Seller determines that Purchaser does not possess sufficient resources to complete the Development Agreement, then nine percent (9%) of the Purchase Price shall be returned to the Purchaser and one percent (1%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent.
- c. If the parties are unable to agree on the terms of the Development Agreement as required by paragraph 5(a) of this Agreement after good faith efforts by the parties, then nine percent (9%) of the Purchase Price shall be returned to the Purchaser and one percent (1%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent.. If either party fails to exercise good faith in the efforts to reach a Development Agreement, then the other party shall be entitled to one hundred percent (100%) of the Deposit.

7. Seller's Representations and Warranties: Seller represents and warrants as follows:

- a. To the best of Seller's knowledge, there is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or threatened in writing against Seller relating to the Property or against the Property. Seller is not subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator which results in a material adverse effect on the Property or the operation thereof.
- b. To the best of Seller's knowledge, there are no pending or threatened (in writing) condemnation or eminent domain proceedings which affect any of the Property.
- c. To the best of Seller's knowledge, neither the execution nor delivery of the Agreement or the documents contemplated hereby, nor the consummation of the conveyance of the Property to Purchaser, will conflict with or cause a breach of any of the terms and conditions of, or constitute a default under, any agreement, license, permit or other instrument or obligation by which Seller or the Property is bound.
- d. Seller has full power, authorization and approval to enter into this Agreement and to carry out its obligations hereunder. The party executing this Agreement on behalf of Seller is fully authorized to do so, and no additional signatures are required.

- e. The Property has municipal water and sewer lines and has gas and electric lines at the line. Seller makes no representation as to whether the capacities of such utilities are sufficient for Purchaser's intended use of Property.
- f. Seller has not received any written notice of default under, and to the best of Seller's knowledge, Seller and Property are not in default or in violation under, any restrictive covenant, easement or other condition of record applicable to, or benefiting, the Property.
- g. Seller currently possesses and shall maintain until Closing general liability insurance coverage on the Property which policy shall cover full or partial loss of the Property for any reason in an amount equal to or exceeding the Purchase Price.

As used in this Agreement, the phrase "to the best of Seller's knowledge, or words of similar import, shall mean the actual, conscious knowledge (and not constructive or imputed knowledge) without any duty to undertake any independent investigation whatsoever. Seller shall certify in writing at the Closing that all such representations and warranties are true and correct as of the Closing Date, subject to any changes in facts or circumstances known to Seller.

8. Purchaser's Representations and Warranties:

- a. There is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or threatened in writing against Purchaser, nor is Purchaser subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator, that would affect Purchaser's ability and capacity to enter into this Agreement and transaction contemplated hereby.
- b. Purchaser has full power, authorization and approval to enter into this Agreement and to carry out its obligation hereunder. The party executing this Agreement on behalf of Purchaser is fully authorized to do so, and no other signatures are required.

- 9. Condition of the Property:** Purchaser acknowledges that, except as otherwise set forth herein, the Property is being sold "AS IS, WHERE IS AND WITH ALL FAULTS", and Purchaser has inspected the Property and determined whether or not the Property is suitable for Purchaser's use. Seller makes no warranties or representations regarding the condition of the Property, including without limitation, the improvements constituting a portion of the Property or the systems therein.

10. **Insurance and Indemnification:** Purchaser shall indemnify Seller from any loss, damage or expense (including reasonable attorney's fees and costs) resulting from Purchaser's use of, entry upon, or inspection of the Property during the Due Diligence Period. This indemnity shall survive any termination of this Agreement. Notwithstanding any other provision of this Agreement, Purchaser's entry upon the subject property and exercise of due diligence is performed at Purchaser's sole risk. Purchaser assumes the risk and shall be solely responsible for any injuries to Purchaser, its employees, agents, assigns and third parties who may be injured or suffer damages arising from Purchaser's entry upon the property and the exercise of Purchaser's due diligence pursuant to this Agreement.
11. **Escrow Agent:** Escrow Agent shall hold and disburse the Deposit in accordance with the terms and provisions of this Agreement. In the event of doubt as to its duties or liabilities under the provisions of this Agreement, the Escrow Agent may, in its sole discretion, continue to hold the monies that are the subject of this escrow until the parties mutually agree to the disbursement thereof, or until a judgment of a court of competent jurisdiction shall determine the rights of the parties thereto. In the event of any suit where Escrow Agent interpleads the Deposit, the Escrow Agent shall be entitled to recover a reasonable attorney's fee and cost incurred, said fees and cost to be charged and assessed as court costs in favor of the prevailing party. All parties agree that the Escrow Agent shall not be liable to any party or person whomsoever for mis-delivery to Purchaser or Seller of the Deposits, unless such mis-delivery shall be due to willful breach of this Agreement or gross negligence on the part of the Escrow Agent. The Escrow Agent shall not be liable or responsible for loss of the Deposits (or any part thereof) or delay in disbursement of the Deposits (or any part thereof) occasioned by the insolvency of any financial institution unto which the Deposits is placed by the Escrow Agent or the assumption of management, control, or operation of such financial institution by any government entity.
12. **Risk of Loss:** All risk of loss or damage to the Property by fire, windstorm, casualty or other cause is assumed by Seller until Closing. In the event of a loss or damage to the Property or any portion thereof before Closing, Purchaser shall have the option of either (a) terminating this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall then be deemed null and void and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party, or (b) affirming this Agreement, in which event Seller shall assign to Purchaser all of Seller's rights under any applicable policy or policies of insurance and pay over to Purchaser any sums received as a result of such loss or damage. Seller agrees to exercise reasonable and ordinary care in the maintenance and upkeep of the Property between the Effective Date and Closing. Purchaser and its representatives shall have the right to make an inspection at any reasonable time during the Due Diligence Period or prior to Closing.
13. **Condemnation:** If, prior to Closing, all of any part of the Property shall be condemned by governmental or other lawful authority, Purchaser shall have the right to (1) complete the purchase, in which event all condemnation proceeds or claims thereof shall be assigned to

Purchaser, or (2) terminate this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall be terminated, and this Agreement shall be deemed null and void and none of the parties hereto shall then have any obligation to any other party hereto or to any third party, except as otherwise provided in this Agreement.

14. **Notices:** All notices and demands which, under the terms of this Agreement must or may be given by the parties hereto shall be delivered in person or sent by Federal Express or other comparable overnight courier, or certified mail, postage prepaid, return receipt requested, to the respective hereto as follows:

SELLER:

The City of Petersburg
Aretha Ferrell-Benavides
City Manager
135 North Union Street
Petersburg, VA 23803

Anthony C. Williams, City Attorney
City of Petersburg, Virginia
135 N. Union Street
Petersburg, VA 23803

PURCHASER:

Tremaine Neversun
[REDACTED]
[REDACTED]

COPY TO:

Notices shall be deemed to have been given when (a) delivered in person, upon receipt thereof by the person to whom notice is given, (b) as indicated on applicable delivery receipt, if sent by Federal Express or other comparable overnight courier, two (2) days after deposit with such courier, courier fee prepaid, with receipt showing the correct name and address of the person to whom notice is to be given, and (c) as indicated on applicable delivery receipt if sent via certified mail or similar service.

15. **Attorneys' Fees and Costs:** Should either party hereto incur costs, including attorney's fees, to enforce the terms of this Agreement, the substantially prevailing party shall be entitled to recover all such costs and attorney's fees from the non-substantially prevailing party.

16. **Modification:** The terms of this Agreement may not be amended, waived or terminated orally, but only by an instrument in writing signed by the Seller and Purchaser.

17. **Assignment; Successors:** This Agreement may not be transferred or assigned without the prior written consent of both parties. In the event such transfer or assignment is consented to, this Agreement shall inure to the benefit of and bind the parties hereto and their respective successors and assigns.

18. **Counterparts:** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one of the same instrument.

19. **Survival:** All of the representations, warranties, covenants and agreements made in or pursuant to this Agreement made by Seller shall survive the Closing and shall not merge into the Deed or any other document or instrument executed and delivered in connection herewith.

20. **Captions and Counterparts:** The captions and paragraph headings contained herein are for convenience only and shall not be used in construing or enforcing any of the provisions of this Agreement.

21. **Governing Law; Venue:** This Agreement and all documents and instruments referred to herein shall be governed by, and shall be construed according to, the laws of the Commonwealth of

Virginia. Any dispute arising out of performance or non-performance of any term of this Agreement shall be brought in the Circuit Court for the City of Petersburg, Virginia.

22. **Entire Agreement:** This Agreement contains the entire agreement between Seller and Purchaser, and there are no other terms, conditions, promises, undertakings, statements or representations, expressed or implied, concerning the sale contemplated by this Agreement. Any and all prior or subsequent agreements regarding the matters recited herein are hereby declared to be null and void unless reduced to a written addendum to this Agreement signed by all parties in accordance with Section 16.

23. **Copy or Facsimile:** Purchaser and Seller agree that a copy or facsimile transmission of any original document shall have the same effect as an original.

24. **Days:** Any reference herein to "day" or "days" shall refer to calendar days unless otherwise specified. If the date of Closing or the date for delivery of a notice or performance of some other obligation of a party falls on a Saturday, Sunday or legal holiday in the Commonwealth of Virginia, then the date for Closing or such notice of performance shall be postponed until the next business day.

25. **Title Protection:**

26. **Development Agreement:** A Development agreement detailing the development scope, budget, funding, schedule and any other agreed upon performance requirements of the Developer will be executed prior to the transfer of the deed for the property.

27. **Reversion Provision:** The property will revert back to the City if performance requirements are not met by the Developer within _____ months.

28. **Compliance with Zoning, land use and Development requirements:**

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and years first written.

PURCHASER: Shemane Nevensen 

By: _____

Title: _____

Date: 9/30/2020

SELLER:

The City of Petersburg, Virginia

By: _____, Aretha Ferrell-Benavides

Title: City Manager

Date: _____

ESCROW AGENT:

By: _____,

Title: _____

Date: _____

Approved as to form:

Date: _____

By: _____, Anthony Williams

Title: City Attorney



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager
Lionel Lyons, Deputy City Manager of Development

FROM: Carthan Currin, Jeremy Tennant, Kelly Evko, Reginald Tabor

RE: **A public hearing for an Ordinance to amend and readopt Section 38-97 and 38-98 of the city code, changing the effective date and area of the Technology Zone; of the 2000 Code of Petersburg as amended.**

PURPOSE: The purpose of this Agenda Item is to provide an updated effective date and specify the area of the Technology Zone.

REASON: To clarify the boundary of the Technology Zone and extend the application of the Technology Zone beyond the originally proposed expiration dates.

RECOMMENDATION: Staff Recommends Approval

BACKGROUND: The original area of the Technology Zone was established in 2003 when the ordinance was originally adopted using then an existing parcel of land to designate the boundaries. In 2014 the effective date was extended to expire in January 2020.

COST TO CITY: \$0

BUDGETED ITEM: \$0

REVENUE TO CITY: TBD per growth in the Zone

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: Economic Development, Planning, City Assessor, Utilities, Commissioner of Revenue, Treasurer

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Ord. No. 03-52,7-15-2003
Ord. No. 14-101, 10-21-2014

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Layout650
2. Technology Zone Amendment Ordinance_Final_Version

Exhibit A



AN ORDINANCE TO AMEND AND READOPT SECTION 38-97 AND 38-98 OF THE CITY CODE, CHANGING THE EFFECTIVE DATE AND AREA OF THE TECHNOLOGY ZONE; OF THE 2000 CODE OF PETERSBURG AS AMENDED.

WHEREAS, the original area of the Technology Zone was established in year 2003 when the Ordinance was originally adopted using a then existing parcel of land to designate the boundaries; and

WHEREAS, the original parcel is being subdivided into separate parcels bearing tax map numbers which differ from those reflected in the current Ordinance Section 38-98; and

WHEREAS, it is the wish of the City to clarify its intention to extend the application of the Technology Zone beyond the originally proposed expiration dates for the Ordinance reflected in Section 38-97; and

WHEREAS, it is the belief of Council that the implementation of these changes will clarify the ordinance and be in the best interests of the City.

NOW therefore BE IT ORDAINED by the City Council of the City of Petersburg, Virginia that Sections 38-97 and 38-98 are hereby amended and re-adopted as follows:

Sec. 38-97. Effective date.

This article shall be effective upon adoption by Council

*(Ord. No. 03-52, 7-15-2003; **Ord. No. 14-101, 10-21-2014**)*

Sec. 38-98. I-95 Technology Zone.

The I-95 Technology Zone shall consist of all that tract of land located in the City of Petersburg, Virginia, containing approximately 197 acres ~~197.033~~ acres located on the east side of Interstate 95 and on the north side of Wagner Road, further identified as Tax Map Parcel 063010800 and Tax Map Parcel 063010001 ~~063-01-001~~ reference to said Tax Map Parcel which is made by this section and incorporated herein and as further depicted in (Exhibit A).

*(Ord. No. 03-52, 7-15-2003; **Ord. No. 14-101, 10-21-2014**)*

Ordinance _____
adopted by the City of Petersburg Council of the City of Petersburg on:

Clerk of City Council

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Tangela Innis, Director of Public Works and Utilities
Lionel Lyons, Deputy City Manager of Development

FROM:

RE: **A public hearing to vacate an undeveloped Alley Right-of-Way associated with the Petersburg Transit Station and future parking deck.**

PURPOSE: To vacate an undeveloped alley right-of-way of South Union Street.

REASON: Vacate undeveloped alley right-of-way and merge with adjacent lots in area of the Petersburg Station and future parking deck.

RECOMMENDATION:

The Public Works and Utilities recommends the right-of-way be vacated.

BACKGROUND: The right-of-way was established to permit access to adjacent properties. Those properties were purchased by the City to construct the Petersburg Station and portions of the constructed facility are in the alley right-of-way.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: None

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

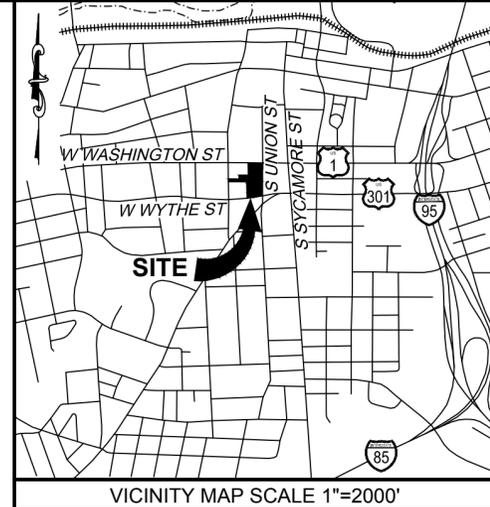
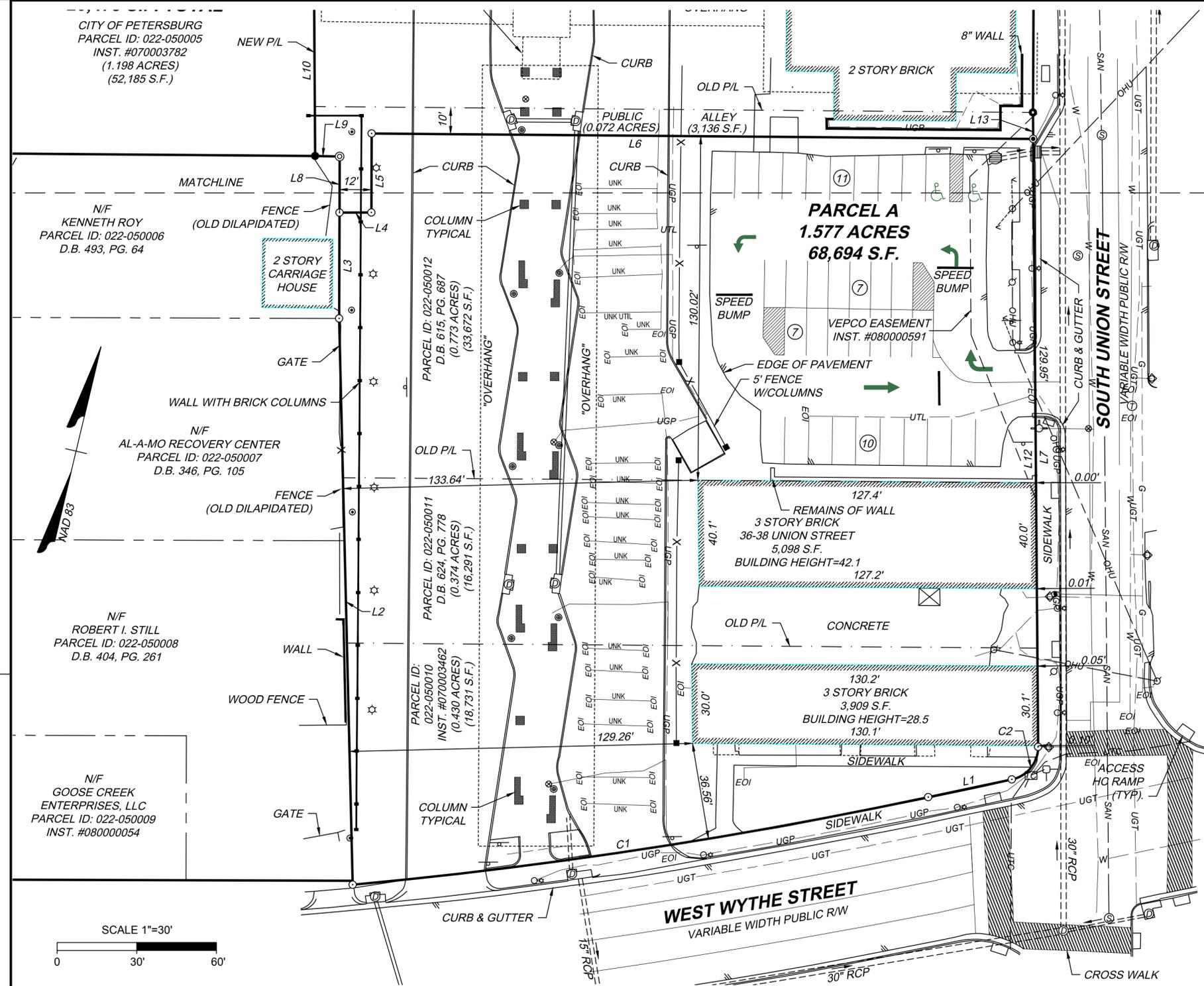
AFFECTED AGENCIES: Department of Public Works and Utilities
Petersburg Area Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 45095-903V-PLATSUBD-SHEET 1
2. 45095-903V-PLATSUBD-SHEET 2



SOURCE OF TITLE

PID: 0022-050005
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated July 5, 2007 and recorded July 6, 2007 as Instrument No. 070003782 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

PID: 0022-050010
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated June 14, 2007 and recorded June 21, 2007 as Instrument No. 070003462 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

PID: 0022-050011
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated October 20, 1999 and recorded October 25, 1999 in Deed Book 624, Page 778 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

PID: 0022-050012
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated June 2, 1999 and recorded June 7, 1999 in Deed Book 615, Page 687 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

PID: 0022-050802
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated June 3, 2003 and recorded June 10, 2003 as Instrument No. 030002493 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

W. M. Naulty L.S., No. 2067

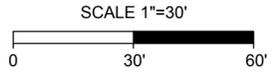
August 31, 2020
 Date

SURVEYOR'S CERTIFICATE

I hereby certify that to the best of my knowledge and belief, all of the requirements of the Board of Supervisors and Ordinances of the City of Petersburg, Virginia, regarding the platting of subdivisions within the City have been complied with.

Given under my hand this 13th day of August 2020.

W. M. Naulty L.S., No. 2067



CITY/COUNTY OF COMMONWEALTH OF VIRGINIA
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY _____

NOTARY PUBLIC
 NOTARY REGISTRATION NUMBER: _____
 MY COMMISSION EXPIRES: _____

APPROVALS	
CHAIRMAN OF PLANNING	DATE
DIRECTOR OF PUBLIC WORKS	DATE
DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT	DATE

SUBDIVISION CERTIFICATE
 The boundary line adjustment and consolidation of land as shown on this plat designated as **PLAT SHOWING A BOUNDARY LINE ADJUSTMENT & CONSOLIDATION BETWEEN PARCEL ID: #022-050005, #022-050010, #022-050011, #022-050012 & #022-050802** LOCATED NORTH SIDE OF WEST WYTHE STREET, THE WEST SIDE OF SOUTH UNION STREET, THE SOUTH SIDE OF WEST WASHINGTON STREET & THE EAST SIDE OF SOUTH MARKET STREET is with the free consent and in accordance with the desires of the undersigned Owner(s). There is a mortgage on this property. All easements, strips and roads are of the width and extent shown and are dedicated to the City of Petersburg free and unrestricted by any previous agreements except as noted on this plat as of the time of recordation. The dedication of easements to the City of Petersburg includes granting the right to make reasonable use of the adjoining land for construction and maintenance of public facilities within the boundaries of easements shown herein. All easements are for surface and underground drainage and overhead and underground utilities except as restricted use on this plat.

Owner _____

- GENERAL NOTES**
- Use: Public Transportation
 - Zoning: B-3
 - Parcel ID: #022-050005, #022-050010, #022-050011, #022-050012 & 022-050802
 - Water: Public
 - Sewer: Public
 - Drainage: Curb & Gutter
 - Lot Size:
 Maximum Lot Size = 1.577 Acres
 Minimum Lot Size = 1.506 Acres
 - Area:
 Area in Lots = 3.083 Acres
 Area in Residual = 0.470 Acres
 Area in Right-of-Way = N/A
 - Number of Lots: 2
 - Based on graphic determination this property is in Zone "X" of the HUD defined flood hazard area as shown on F.E.M.A. flood insurance rate map, community panel #5101120007C dated February 4, 2011.
 - This survey was prepared without the benefit of a title binder and may therefore not show all existing easements or other pertinent facts which may affect the property.
 - Boundary lines for Parcel B & Parcel 3 are compiled from plats recorded in Deed Book 372, Page 36 & Instrument #070003782.
 - Improvements for Parcel B taken from site plan from Timmons Group dated July 14, 2020.

PLAT SHOWING A
 BOUNDARY LINE ADJUSTMENT & CONSOLIDATION BETWEEN
**PARCEL ID: #022-050005,
 #022-050010, #022-050011,
 #022-050012 & #022-050802** LOCATED
 NORTH SIDE OF WEST WYTHE STREET,
 THE WEST SIDE OF SOUTH UNION
 STREET, THE SOUTH SIDE OF WEST
 WASHINGTON STREET & THE EAST SIDE
 OF SOUTH MARKET STREET
 PETERSBURG, VIRGINIA

DATE: August 31, 2020	SCALE: 1"=30'
SHEET 1 OF 2	J.N.:45095-903
DRAWN BY: J. Livingston	CHECK BY: W.M. Naulty
REVISED: May 12, 2020	

THIS DRAWING PREPARED AT THE
TRI-CITIES OFFICE
 4701 Owens Way, Suite 900 | Prince George, VA 23875
 TEL 804-541-6600 FAX 804-458-1511 www.timmons.com
Technology
Infrastructure
Residential
Site Development

TIMMONS GROUP

SYMBOL LEGEND

- - ROD FOUND
- ⊙ - PIPE FOUND
- - ROD SET
- ⊙ - MAG NAIL FOUND
- ⊙ - CALCULATED POINT
- ⊙ - SANITARY SEWER MANHOLE
- ⊙ - STORM DRAINAGE MANHOLE
- ◇ - WATER METER
- ⊙ - TELECOMM. MANHOLE
- - GAS VALVE
- ▬ - GRATE TOP INLET (STORM)
- - COLUMN
- - - - - SIGN
- ⊙ - POWER LIGHT POLE
- ⊙ - POWER POLE

- ⊙ - FIRE HYDRANT
- ⊙ - WATER VALVE
- ⊙ - TRAFFIC SIGNAL POLE
- ⊙ - TRAFFIC CONTROL BOX
- ⊙ - YARD INLET (1' x 1')
- ⊙ - BOLLARD
- ⊙ - YARD LIGHT
- ⊙ - HANDICAP SPACE
- ⊙ - NUMBER OF PARKING SPACES
- - - - - SAN - - - - - SANITARY SEWER PIPE
- ===== STORM SEWER PIPE
- - - - - OHU - - - - - OVERHEAD UTILITY
- - - - - UGP - - - - - U/G POWER
- - - - - UGT - - - - - U/G COMMUNICATION LINE
- - - - - W - - - - - U/G WATERLINE
- - - - - G - - - - - U/G GAS (ABANDONED)

ABBREVIATION LEGEND

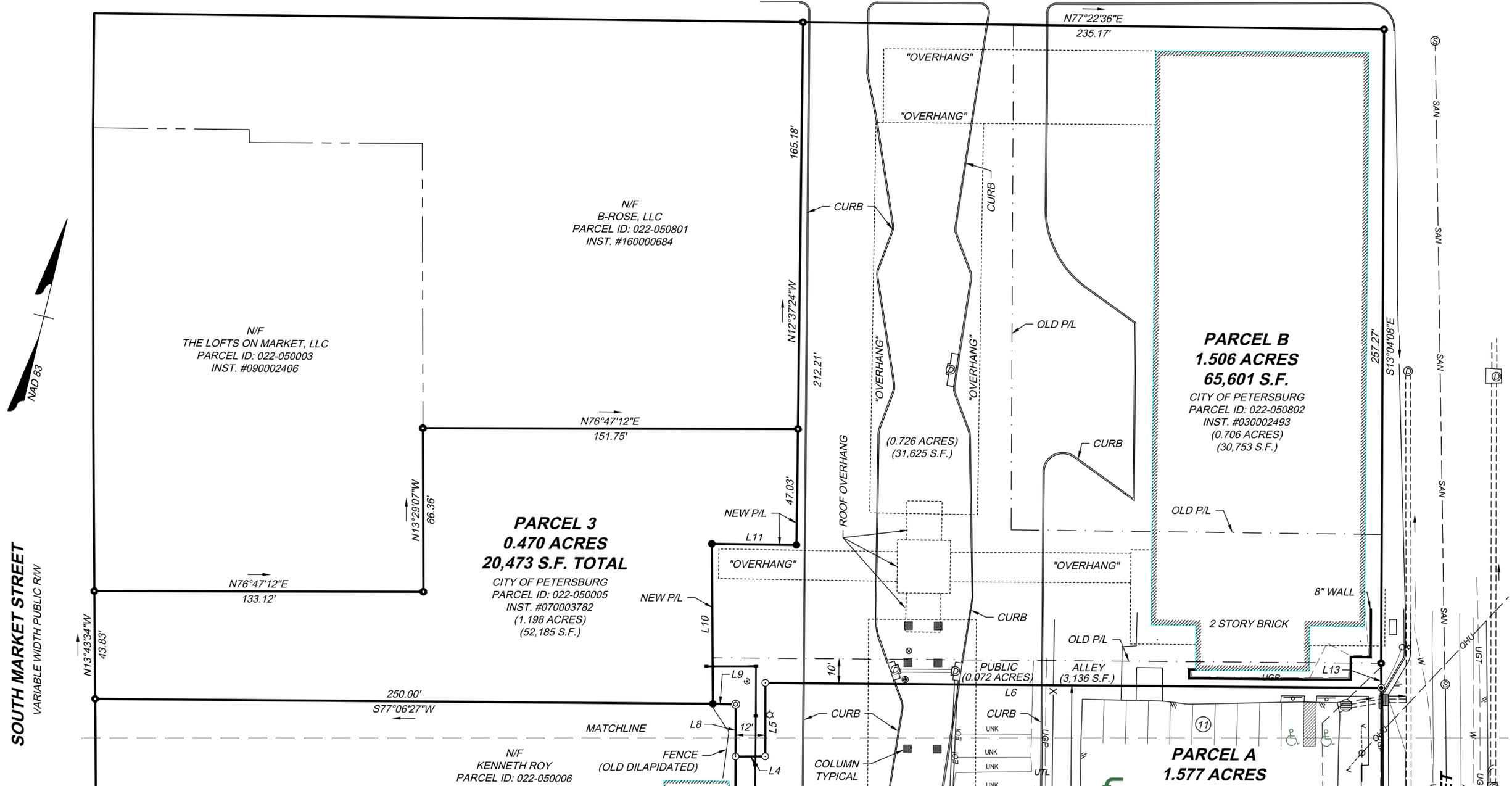
- N/F - NOW OR FORMERLY
- D.B. - DEED BOOK
- PG. - PAGE
- R/W - RIGHT OF WAY
- EOI - END OF INFORMATION / SIGNAL
- UNK - TYPE UNKNOWN
- TYP. - TYPICAL
- U/G - UNDERGROUND
- S.F. - SQUARE FOOT

T.M. #022-050010	ORIGINAL	0.430 ACRES
T.M. #022-050011	ADD	0.374 ACRES
T.M. #022-050012	ADD	0.773 ACRES
T.M. #022-050010	REMAINING	1.577 ACRES
T.M. #022-050802	ORIGINAL	0.706 ACRES
T.M. #022-050005	ADD	0.728 ACRES
12' ALLEY VACATED	ADD	0.072 ACRES
T.M. #022-050802	REMAINING	1.506 ACRES
T.M. #022-050005	ORIGINAL	1.198 ACRES
	LESS	0.728 ACRES
T.M. #022-050005	REMAINING	0.470 ACRES

LINE TABLE		
LINE	BEARING	LENGTH
L1	S64°37'54"W	32.19'
L2	N14°42'05"W	214.09'
L3	N13°10'06"W	40.00'
L4	N76°21'11"E	12.00'
L5	N13°10'06"W	29.84'
L6	N77°07'41"E	249.24'
L7	S13°48'14"E	239.77'

LINE TABLE		
LINE	BEARING	LENGTH
L8	N13°10'06"W	21.17'
L9	S78°03'46"W	9.24'
L10	N13°43'03"W	64.91'
L11	N77°22'36"E	34.26'
L12	S13°48'14"E	229.77'
L13	S13°48'14"E	10.00'

WEST WASHINGTON STREET
VARIABLE WIDTH PUBLIC R/W



SOUTH MARKET STREET
VARIABLE WIDTH PUBLIC R/W

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	1878.66'	219.47'	109.86'	6°41'36"	S67°58'43"W	219.34'
C2	12.50'	17.11'	10.20'	78°26'08"	S25°24'50"W	15.81'



PLAT SHOWING A
BOUNDARY LINE ADJUSTMENT & CONSOLIDATION BETWEEN
**PARCEL ID: #022-050005, #022-050010, #022-050011,
#022-050012 & #022-050802** LOCATED NORTH SIDE OF
**WEST WYTHE STREET, THE WEST SIDE OF SOUTH UNION
STREET, THE SOUTH SIDE OF WEST WASHINGTON STREET &
THE EAST SIDE OF SOUTH MARKET STREET**
PETERSBURG, VIRGINIA

DATE: August 31, 2020	SCALE: 1"=30'
SHEET 2 OF 2	J.N.:45095-903
DRAWN BY: J. Livingston	CHECK BY: W.M. Naulty
REVISED: May 12, 2020	

TIMMONS GROUP

THIS DRAWING PREPARED AT THE
TRI-CITIES OFFICE
4701 Owens Way, Suite 900 | Prince George, VA 23875
TEL 804-541-6600 FAX 804-458-1511 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

Site Development Residential Infrastructure Technology



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager
Lionel Lyons, Deputy City Manager of Development
Tangela Innis, Director of Public Works and Utilities

FROM:

RE: **A public hearing and consider authorization to vacate undeveloped street Right-of-Way adjacent to City-owned parcels previously approved for sale by the City Council and associated with the Harbor festival and event space development.**

PURPOSE: To hold a public hearing and consider authorization to vacate undeveloped street right-of-way adjacent to Joseph Jenkins Roberts Street and South of the Appomattox River.

REASON: To vacate undeveloped street Right-of-Way adjacent to City-owned parcels previously approved for sale and associated with the Harbor festival and event space development.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and considers authorization to vacate undeveloped street Right-of-Way.

BACKGROUND: The right-of-way was established to accommodate former street traffic. The streets were closed and the paved areas were removed, however the right of way was not vacated.

The right-of-way is included in the property approved for sale to be part of the Harbor Festival and Event Space project.

The right-of-way vacation is requested to establish contiguous parcels prior to finalizing the sale of the property.

The City Council voted during the September 15, 2020 meeting to schedule a public hearing regarding this item during the October 6, 2020 City Council meeting.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue generated from the proposed use of property that is currently vacant.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Department of Public Works and Utilities, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: None



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager
Lionel Lyons, Deputy City Manager of Development

FROM: Reginald Tabor

RE: **A public hearing and consideration of the City of Petersburg Consolidated Plan, as required by the U.S. Department of Housing and Urban Development.**

PURPOSE: To hold a public hearing and consideration of the approval of the City's Consolidated Plan.

REASON: The U.S. Department of Housing and Urban Development requires approval of a Consolidated Plan from jurisdictions that receive funding through HUD grant programs. The City of Petersburg currently receives funding through the HUD Community Development Block Grant (CDBG) Program.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and considers adoption of the Consolidated Plan.

BACKGROUND: The Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions.

Through the Consolidated Plan, grantee jurisdictions engage the community, as partners and stakeholders in the implementation of HUD Community Planning Development (CPD) programs. By consulting and collaborating with other public and private entities, grantees can align and coordinate community development programs with a range of other plans, programs and resources to achieve greater impact.

The Consolidated Plan may have a duration of between 3 and 5 years and it describes the jurisdiction's community development priorities and multiyear goals.

The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.

The City's Consolidated Plan will compliment both the City's Strategic Plan and the City's Comprehensive Plan.

A draft plan has been put on the City's website for public comment, and advertisements have been placed in the local newspaper.

The City Council voted during the September 15, 2020 meeting to schedule a public hearing to adopt the 2020-2024 HUD Consolidated Plan on October 6, 2020.

COST TO CITY: Expenditures related to HUD CDBG program

BUDGETED ITEM: CDBG budgeted items

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: US Department of Housing and Urban Development.

AFFECTED AGENCIES: Finance, Public Works, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0930_2020ExecutiveSummary

Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The U.S. Department of Housing and Urban Development (HUD) Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the HUD Community Planning Development (CPD) formula block grant programs. The Consolidated Plan is to be submitted to HUD and approved prior to releasing funding for CPD block grant programs. The City of Petersburg is a participant in one of the HUD CPD grant programs, the Community Development Block Grant (CDBG) Program.

The Petersburg City Council adopted priorities for the use of CDBG funds. These include: #1 public improvements and housing, #2 Public facilities, including facilities owned and operated by not for profits, but open to the public, #3 Planning and #4 Public Services. These serve as an overall guide, but the City has over the last few years funded several public service programs. The priorities are intended to support the City's Strategic Plan to stabilize and enhance residential and commercial environments for the promotion of investment by others and the creation of jobs. This focus can be seen in the City's proposed uses of funds for infrastructure, facilities, homeownership, and residential repairs, while providing support for the ongoing public service needs in the community.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The City hopes to repair about 15 to 17 homes a year. More is needed, but funds are limited. The City hopes to invest a significant portion of its available funds in facilities and infrastructure, along with its spending on rehabilitation, to support its Strategic Plan. It is estimated that more than 10% of funds will be spent on public services, which includes shelter and services for some 300 women and children annually.

3. Evaluation of past performance

The City has embraced a strategic focus for its use of CDBG funds. The adoption of priorities is a reflection on this focus for investment of funds. It is hoped that this emphasis, perhaps lacking in the

past, will result in yet another meaningful promotion of private and public investment already now ongoing in the City.

4. Summary of citizen participation process and consultation process

Throughout the planning process the City has consulted with service providers, nonprofit developers, and others. This is actually an ongoing interaction that includes non-profits, private developers, the real estate industry, state and federal agencies with community development roles and funding capacity, other local governments, with diverse and numerous stakeholders. The City has conducted the public hearing on needs, and the City Council public hearing on the proposed uses of CDBG funds for the coming year. Proposed uses of funds were advertised for public comment prior to submission. The City has created a timeline to recruit and increase participation to the number of active members on the CDBG Citizens Participation Advisory Board.

5. Summary of public comments

Attached to Document published online.

<http://www.petersburgva.gov/DocumentCenter/View/5557/Consolidated-Plan-2020-2024-Final-Draft-09232020>

6. Summary of comments or views not accepted and the reasons for not accepting them

Attached to Document published online.

<http://www.petersburgva.gov/DocumentCenter/View/5557/Consolidated-Plan-2020-2024-Final-Draft-09232020>

7. Summary

The City of Petersburg is eligible in its entirety for CDBG assistance on a service area basis. Funds are extremely limited. The City received an increase CDBG dollar for 2020-2021 and receives no HOME Program funds. The City has established objectives for the use of its CDBG funds. It continues to seek to support revitalization through the stabilization and enhancement of its residential and commercial environments to promote investment by others and the creation of jobs.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager
Lionel Lyons, Deputy City Manager of Development

FROM: Reginald Tabor

RE: **A public hearing and City Council consideration of a petition to rezone the property at 1000 Diamond Street.**

PURPOSE: For the City Council to hold a public hearing to receive public comment and to consider a petition to rezone the property at 1000 Diamond Street.

REASON: To comply with legal requirements to hold a public hearing and receive public comment prior to consideration of a petition to rezone property.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and considers a petition to rezone the property at 1000 Diamond Street.

BACKGROUND: The Petersburg Planning Commission held a public hearing and considered a petition from PB Petersburg Owner, LLC to rezone the property at 1000 Diamond Street, formerly known as Virginia Avenue Elementary School, Parcel ID: 044-08000 from R-2, Single Family Residence District to PUD, Planned Unit Development District to allow for a mixed used development that will include multi-family residential targeted to Senior and Military.

The Planning Commission unanimously approved a motion to recommend City Council approval of the rezoning.

The City Council previously approved the sale of the property for the purposed use. Rezoning is required for the proposed use to be in compliance with the City Code.

The City Council voted during the September 15, 2020 City Council meeting to schedule a public hearing regarding this item during the October 6, 2020 City Council meeting.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the development and use of the vacant property.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor, Economic Development, Planning and Community Development.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 1006_2020CaseReport1000DiamondSt
2. 0902_2020CaseReportDocuments1000DiamondSt
3. 2020-08-26b_PetersburgSeniorHousing_Blocking
4. 100620 VAS Zoning PUD

TO: Mayor and Members of the City Council

FROM: Reginald Tabor, Interim Director of the Department of Planning and Community Development
Sandra A Robinson, Zoning Administrator

SUBJECT: Case 2020-REZ-04:
Tax Map Parcel 044-080006
1000 Diamond Street

A petition for rezoning of the property at 1000 Diamond Street, formerly known as Virginia Avenue Elementary School, Parcel ID: 044-080006 from R-2, Single Family Residence District to PUD, Planned Unit Development District to allow for a mixed used development that will include multi-family residential targeted to Seniors and Military.

APPLICANT: Thomas Heinemann on behalf of PB Petersburg Owner LLC

DATE: Delivery to the Department of Planning and Community Development on August 13, 2020, approved during the September 2, 2020 Planning Commission meeting, and for consideration during the October 6, 2020 City Council Meeting.

1. APPLICANT'S PROPOSAL

Thomas Heinemann on behalf of PB Petersburg Owner LLC has proposed rezoning of the property at 1000 Diamond Street, formerly known as Virginia Avenue Elementary School, Parcel ID: 044-080006 from R-2, Single Family Residence District to PUD, Planned Unit Development District to allow for a mixed used development that will include multi-family residential targeted to Seniors and Military.

The proposed redevelopment of the property would provide a vital anchor to the community by providing:

- Community amenities: meeting space, playing fields, playgrounds.
- 50 one and two bedroom apartments for Petersburg seniors.
- Preservation of a vital cultural building. Efforts will be made, in accordance with Federal and State Historic
- Tax Credit programs to preserve key architectural and design elements of the building
- The current zoning does not permit residential / apartment use.

2. CHARACTER OF THE AREA

The property proposed for rezoning comprises an entire block with dimensions of frontage: 571, depth: 300 and area: 171,300 sf. The property is located in a residential neighborhood zoned "R-2" Single-Family Residence District. The block is bounded by Virginia Avenue, Diamond Street, St Mark Street and High Pearl Street.

Exhibits provided by the applicant include:

1. Property tax card
2. Aerial view of property
3. Property record card
4. Draft schematic plan for apartments and amenities

The subject property includes a large building on a significant parcel of land, surrounded by residences. The building has been vacant for several years and it currently has a blighting influence on the neighboring properties.

The site is currently served by water and sewer, and there is no indication that development permitted under the proposed rezoning would overburden existing facilities.

The Future Land Use Plan included in the City's Current Comprehensive Plan, updated in 2014, shows the property as Public Use. The City has rezoned several similar properties in the City for the repurposing or reuse of structures as medium and high density residential. The development of these structures has added to the quality of the rental housing stock in the City and the revitalization and redevelopment of underutilized lots and buildings. The proposed use as housing for Seniors and Veterans would provide a housing alternative that is not currently available in the immediate vicinity.

3. ZONING ORDINANCE

Article 26 of the Zoning Ordinance provides that "The regulations set forth in this article or set forth elsewhere in this ordinance when referred to in this article are the regulations for the Planned Unit Development District. Single-use zoning often has tended to constrain imaginative design for new community projects. The Planned Unit Development District, by offering developers the opportunity to overcome traditional zoning limitations, is intended to encourage innovative design approaches to large-scale

subdivisions and commercial development. The purpose of this article is to establish procedures and standards for planned unit developments in order to achieve the following objectives:

- (1) Promote the use of land planning and design techniques that will result in the efficient, economical, and convenient arrangement of differing land uses, including residential and commercial, and their supporting infrastructure;
- (2) Encourage flexibility in design to retain natural land features, including but not limited to floodplains, steep slopes and unique geological formations as well as historical and archeological areas;
- (3) Provide the reservation of land for public or private community facilities, including open space for scenic and recreational use; and
- (4) Encourage the creation of a variety of residential uses and compatible neighborhood arrangements that give the home occupant greater choice in the selection of types of environment and housing units.
(Ord. No. 89-103, 10-3-89)

I. FINDINGS

The proposed rezoning will not adversely impact the public welfare of either the neighborhood or the City as the proposed reuse of the property for the conversion to up to 50 dwelling units is a reasonable density and provides for density that is compatible with other similar uses in the City. The residential use is compatible with the residential use adjacent to the property.

Off-street parking will be provided on the property for each of the proposed uses minimizing significant impacts related to traffic or parking in the neighborhood.

The proposed rezoning and reuse of the structure would prevent any further deterioration of a historically significant structure and removes the potential for the unoccupied building to continue to be a blighting influence in the City.

The request will provide for new, unique and desirable housing options to the City of Petersburg and help to support a range of housing options in the neighborhood.

The proposed community space would serve the community and provide access for the public to enjoy the historically significant building.

The request is driven by the need to rehabilitate and reuse an existing vacant structure located in an R-2, Single-Family Residence District. The PUD district has been designated to provide for flexibility in the redevelopment of historically

significant buildings that could not otherwise be achieved under the constraints of existing traditional zoning classifications. The rezoning of the property would allow the building to be repurposed in a way that acknowledges its historical significance which is otherwise prohibited by the current zoning classification.

II. RECOMMENDED CONDITIONS

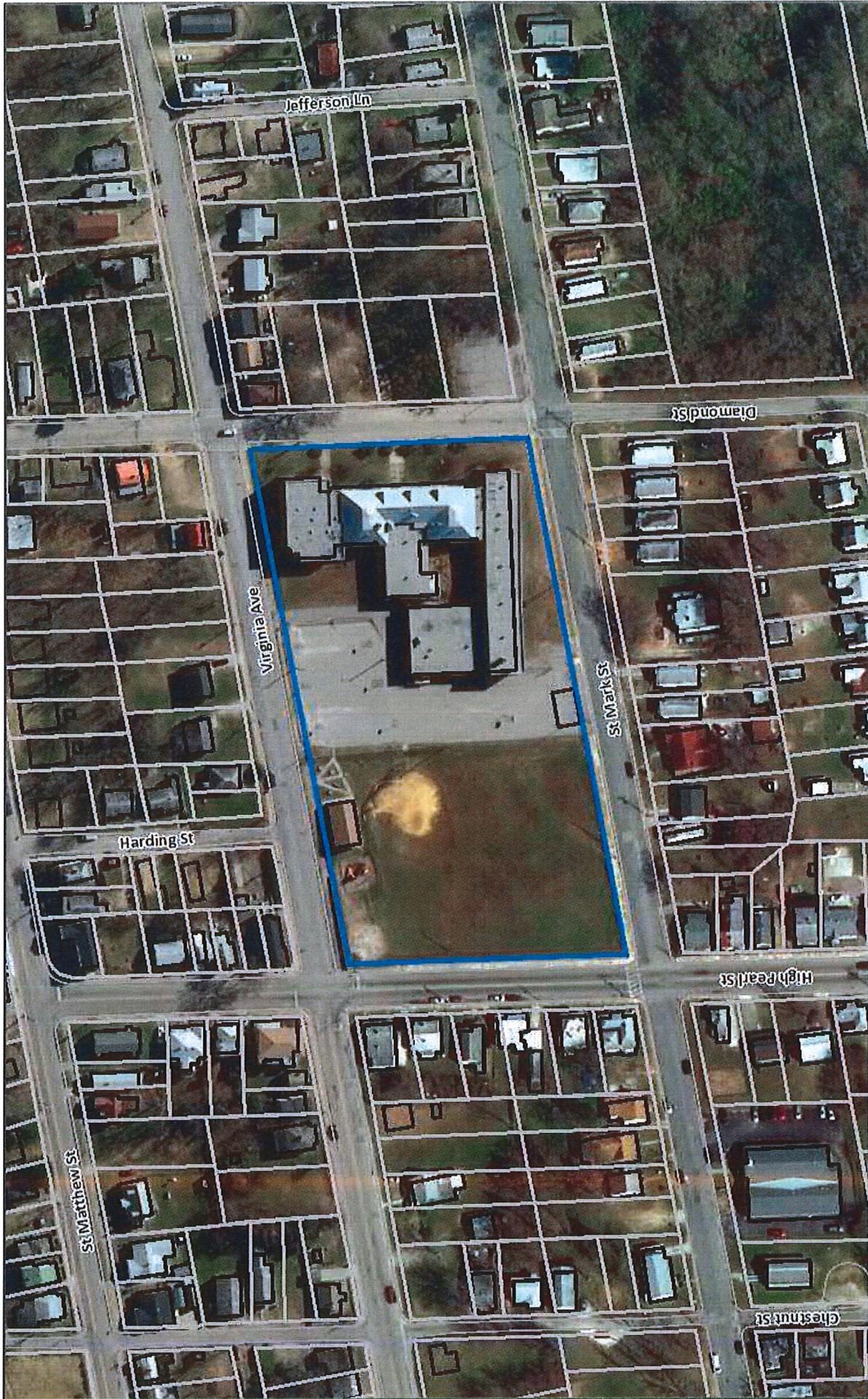
Staff recommends that the Planning Commission approves the rezoning request with the following conditions:

- 1) That the design of the proposed redevelopment of the existing structure located at 1000 Diamond Street substantially conform to the preliminary site plan, which will be reviewed through the City's Site Plan Review process;
- 2) That the applicant agrees, in writing to maintain appropriate landscaping around the parking lot and at the entrance of the building along Diamond Street.
- 3) That the applicant employs landscaping measures to maximize coverage and reduce any potential visual impacts;
- 4) That the applicant will comply with all signage criteria as outlined in Article 21, Sign Regulations of the Zoning Ordinance.
- 5) That the applicant agrees to maintain the parking lot in a manner which will minimize its aesthetic and visual impact. That applicants shall ensure that the parking lot regardless of the number of spaces, must have individual spaces marked.
- 6) Each parking space is properly delineated with paint or plastic stripping which shall provide a permanent delineation between spaces. Spaces should be arranged so that any maneuvering directly incidental to entering or leaving a parking space shall not be on any public street, alley or walkway. Parking requirements: Multi-family – One (1) space per each one-bedroom unit
Two (2) spaces per every two (2) or more bedroom units; Public Space – One (1) space for every 200 square feet of floor space.

III. EXHIBITS

- Tax Parcel Map Extract
- Zoning Map Extract
- Applicants Petition
- Public Notification Information
- Applicant Exhibits

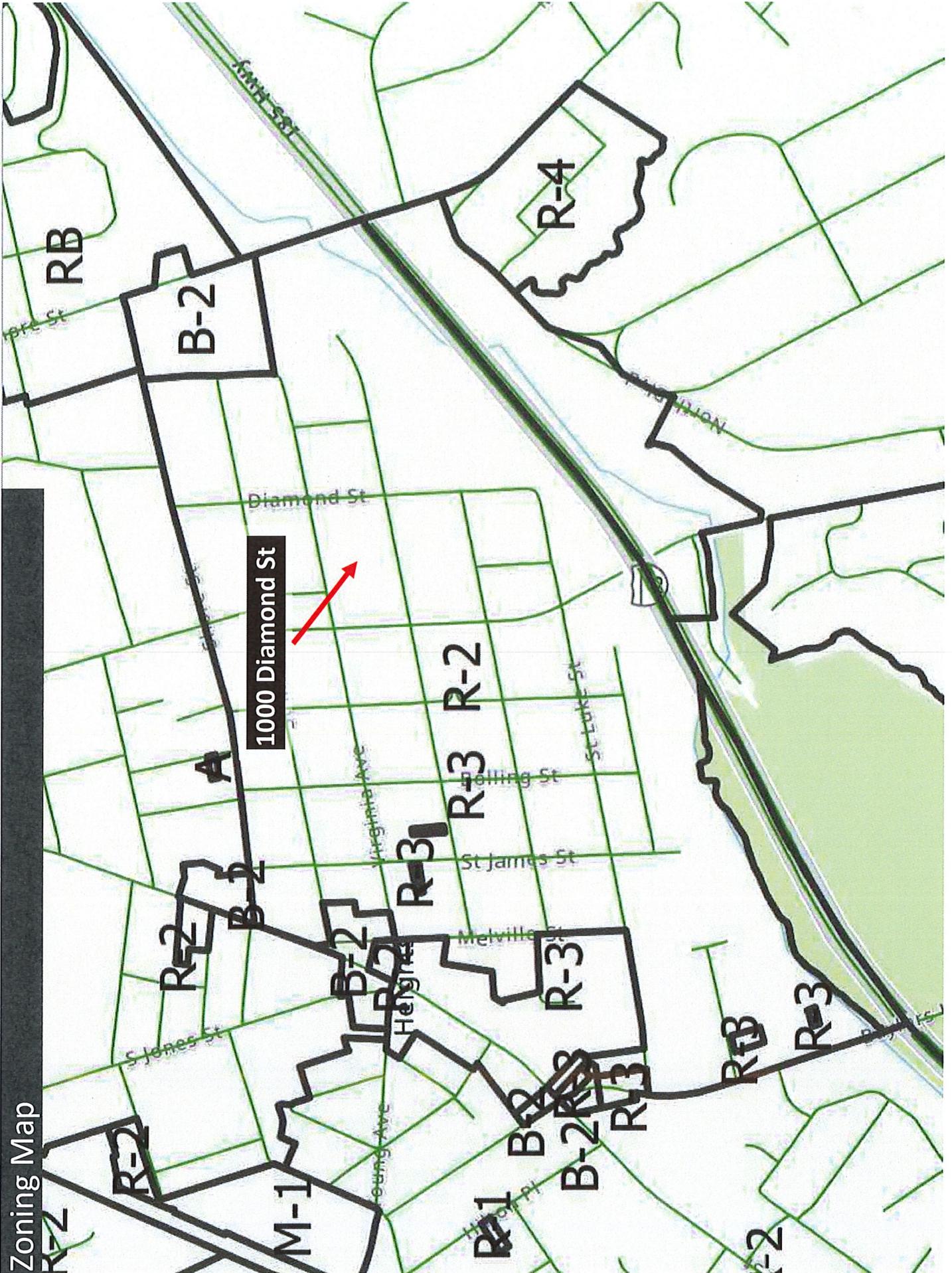
City of Petersburg Property 1000 Diamond St

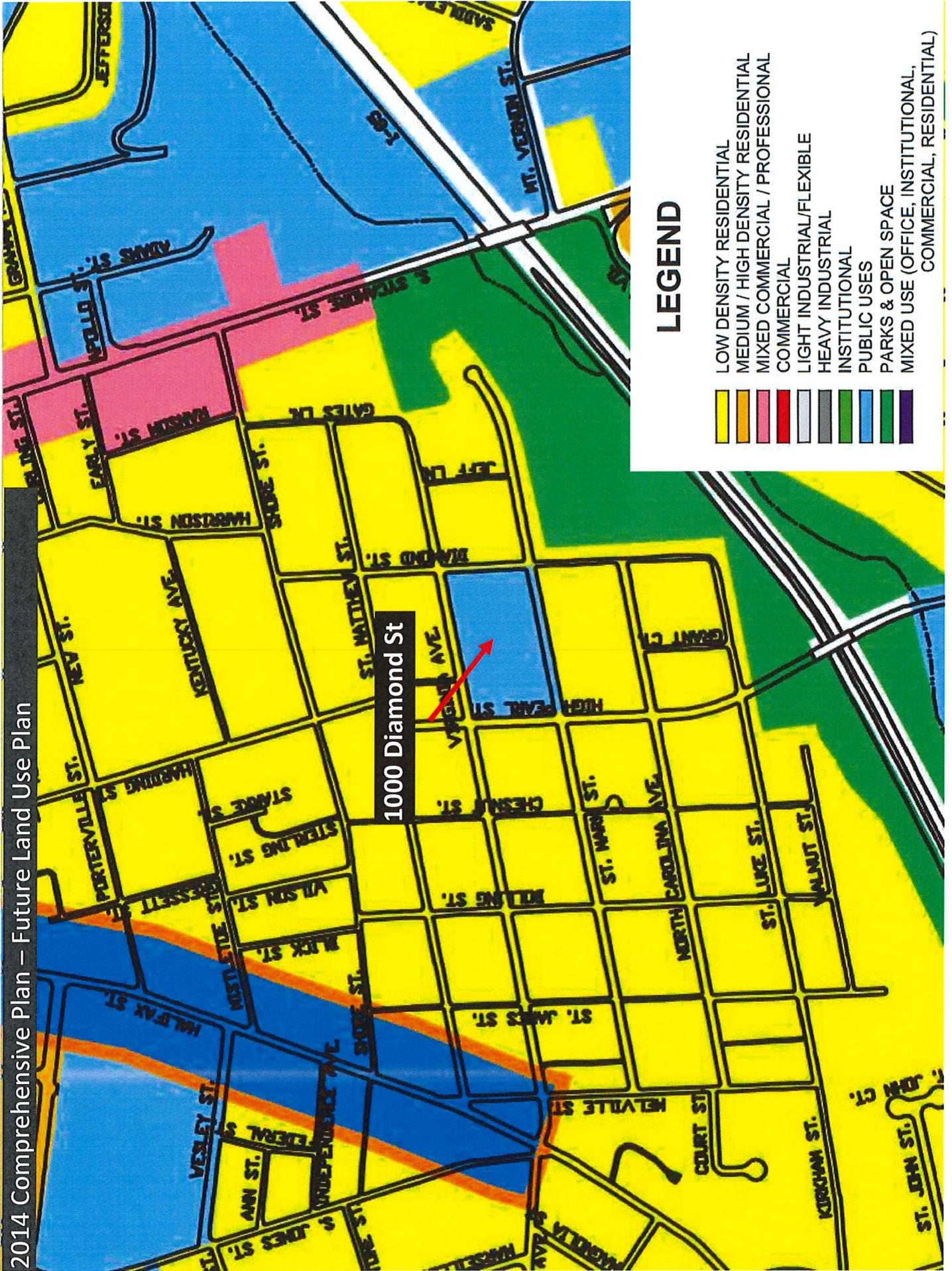


September 26, 2018

1:2,257
0 0.0175 0.035 0.06 0.07 mi
0 0.03 0.06 0.12 km
Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

Zoning Map





LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM / HIGH DENSITY RESIDENTIAL
- MIXED COMMERCIAL / PROFESSIONAL COMMERCIAL
- LIGHT INDUSTRIAL/FLEXIBLE
- HEAVY INDUSTRIAL
- INSTITUTIONAL
- PUBLIC USES
- PARKS & OPEN SPACE
- MIXED USE (OFFICE, INSTITUTIONAL, COMMERCIAL, RESIDENTIAL)



City of Petersburg

Department of Planning and Community Development

PROCEDURES FOR PETITION FOR REZONINGS OR SPECIAL USE PERMITS

1. Applicant files petition in triplicate (3 sets) with the Petersburg Planning Department, City Hall, Room 304, Petersburg, Virginia 23803. **Filing fee for Petitions for Rezoning or Special Use Permits are \$1,500.** Checks, Money Order, and/or cash are to accompany the application (*Checks or money orders made payable to the City of Petersburg*). A Plat of the property must accompany the petition.
2. Planning Department Staff refers the petition to Planning Commission. Planning staff shall advertise twice during a fourteen day period, holds a public hearing, and makes recommendations to City Council.
3. City Council schedules a public hearing and advertises twice during a fourteen day period.
4. City Council renders final decision to approve or disapprove petitions.

PLEASE NOTE: THE REZONING OR SPECIAL USE PERMIT PROCESS TAKES APPROXIMATELY THREE MONTHS

CASE NUMBER _____

Applicant: PB Petersburg Owner LLC

PETITION FOR REZONING OR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING (CITY HALL, THIRD FLOOR, ROOM 304) WITH THE FILING FEE: \$1,500 (CHECK/MONEY ORDER/CASH) AT THE TIME OF SUBMITTAL

A. Property Information

1. Thomas Heinemann on behalf of PB Petersburg Owner LLC, do hereby petition to rezone the following described properties
from zoning district R2 (school is zoned CIP) to zoning district R 6 to
permit _____

2. Legal Description: (Use attachment if necessary) - Identify proposed Use

Legal Description: PT. The Heights Bruner & Dunn Plats (from property record card). This property contains 3.93 acres of land mainly classified as CIP with a(n) 2STORY style building, built about 1963 , having exterior and BUILTUP roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), bath(s), half bath(s).

Attachments:

1. Property tax card
2. Aerial view of property
3. Property record card
4. Draft schematic plan for apartments and amenities
5. Plat – Bruner and Dunn plat (not enclosed)

Proposed Use: Mixed use. 50 residential units / community space.

3. Tax Parcel Identification Number(s):	Map	Block	Lot
	044-080006		
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

4. Current Street Address(es): - (if assigned) _1000 Diamond St.
5. Approximate Area: ___171,300 sq. ft. ___3.93_ acres
6. Public Street Frontage 571' on VA Ave / 300' on Diamond St_ ft.

7. A boundary plat of this property outlining the area to be rezoned shall be attached to this petition.
8. The following deed restrictions may affect the use of this property:

9. Brief:

Said deed restrictions will expire on : _____

B. JUSTIFICATION FOR REZONING

1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (A detailed statement of reasons why the proposed rezoning should be granted).

The Virginia Avenue Elementary School has been vacant for approximately 14 years. The proposed redevelopment of the property would provide a vital anchor to the community by providing:

- Community amenities: meeting space, playing fields, playgrounds.
- 50 one and two bedroom apartments for Petersburg seniors.
- Preservation of a vital cultural building. Efforts will be made, in accordance with Federal and State Historic Tax Credit programs to preserve key architectural and design elements of the building
- The current zoning does not permit residential / apartment use.

2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

The redevelopment of the site will provide a revitalized community center and recreational amenities to the neighborhood. These are generally viewed as net positives to the community – particularly to nearby property owners.

3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

- Repurposes a vital community anchor that has been vacant for close to 14 years.
- Provides affordable rental housing for Petersburg seniors through a mix of one and two bedroom apartments.
- Sets aside 3,000 sq ft for community purposes.
- Provides the neighborhood recreational amenities such as playing fields and playgrounds.
- Puts the property on the real estate tax rolls.

4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

Currently the school is vacant. There are no other nearby properties that permit R6 development. Redevelopment of the school with R6 zoning will provide community amenities and rental housing for seniors. This would not be possible in the absence of the zoning change.

C. CERTIFICATION:

The undersigned applicant certifies that: (He) (She):

_____ (a) Is the owner or lessee or agent specified in writing, for

_____X_____ (b) Possesses a proprietary interest in: (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING; and that the foregoing answer and statements herein contained and all other information herewith submitted are in all respects true and correct to the best of (his) (her) knowledge and belief.

APPROVED	Signed: 
_____ City Attorney	Mailing Address: PB Petersburg Owner, LLC 24851 Quimby Oaks Place Aldie, VA 20105 Phone Number

TO BE FILED IN TRIPLICATE (3-SETS) IN THE PLANNING DEPARTMENT, CITY HALL

ACTION RECORD

Date Filed (with Planning Department) _____

Date of Planning Commission Public Hearing 9-2-2020

Planning Commission Action(s) _____

Date of City Council Hearing: _____

City Council Action(s): _____

For additional names, use back of sheet

Property Record Card - Petersburg, VA

General Property Data

Parcel ID **044-080006**
 Prior Parcel ID **--**
 Property Owner **CITY OF PETERSBURG**
 Mailing Address **135 N. Union St**
 City **Petersburg**
 Mailing State **VA** Zip **23803**
 ParcelZoning **R-2**

Account Number **Virginia Avenue Elem**
 Property Location **1000 DIAMOND ST**
 Property Use **CIP**
 Most Recent Sale Date **12:00:00 AM**
 Legal Reference **0-0**
 Grantor
 Sale Price **0**
 Land Area **acres**

Current Property Assessment

Card 1 Value Building Value **4,982,600** Xtra Features Value **0** Land Value **185,500** Total Value **5,168,100**

Building Description

Building Style **2STORY**
 # of Living Units **0**
 Year Built **1963**
 Building Grade **AVERAGE**
 Building Condition **N/A**
 Finished Area (SF)
 Number Rooms **0**
 # of 3/4 Baths

Foundation Type
 Frame Type
 Roof Structure
 Roof Cover **BUILTUP**
 Siding
 Interior Walls **N/A**
 # of Bedrooms **0**
 # of 1/2 Baths

Flooring Type **CARPET**
 Basement Floor **N/A**
 Heating Type **HEATPUM**
 Heating Fuel **N/A**
 Air Conditioning
 # of Bsmt Garages **0**
 # of Full Baths
 # of Other Fixtures

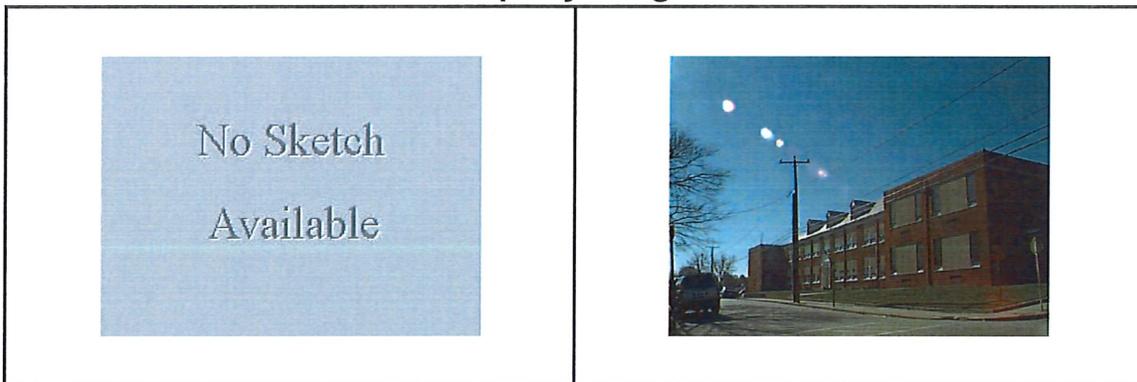
Legal Description

PT. THE HEIGHTS BRUNER & DUNN PLATS

Narrative Description of Property

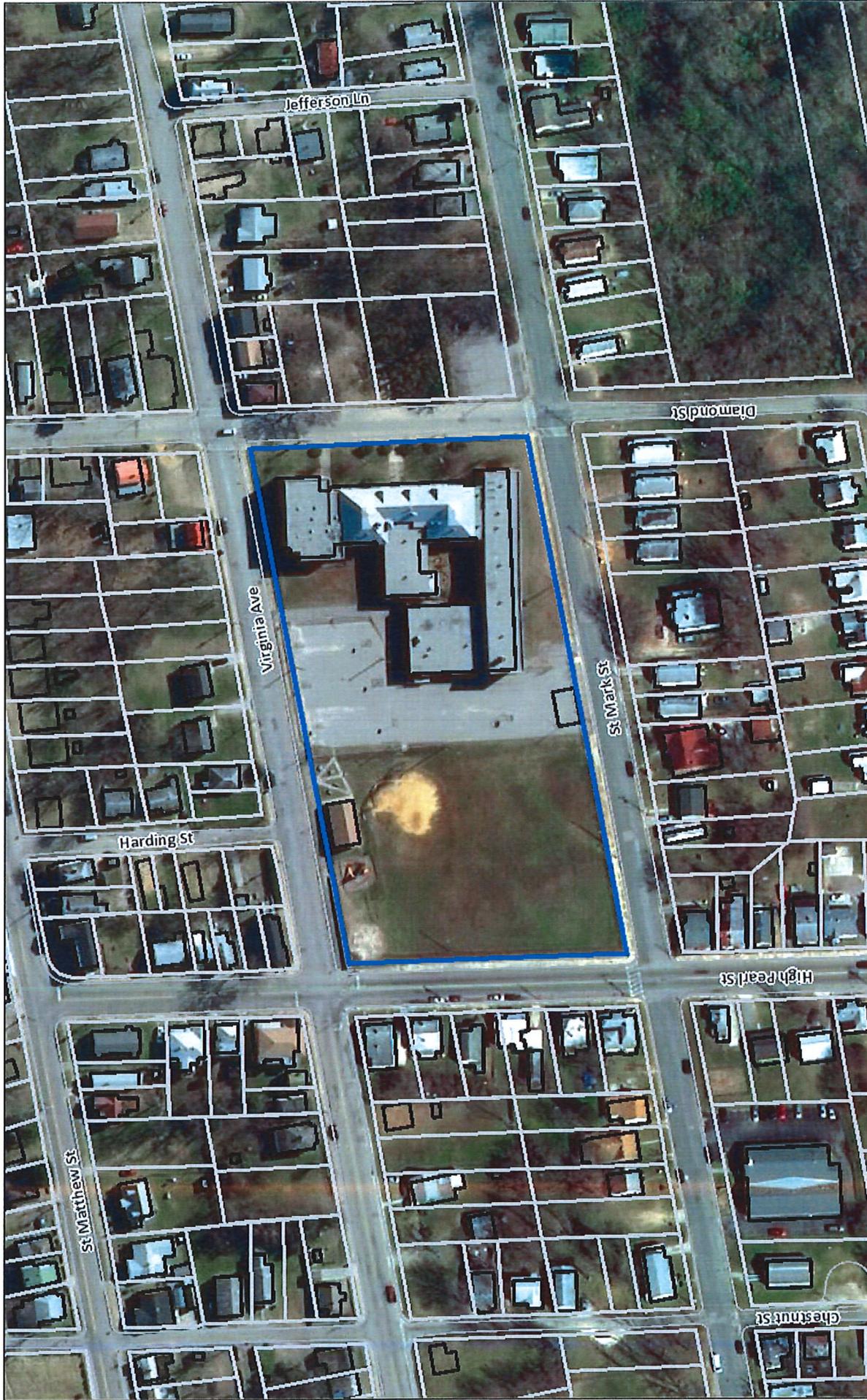
This property contains acres of land mainly classified as CIP with a(n) 2STORY style building, built about 1963 , having exterior and BUILTUP roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), bath(s), half bath(s).

Property Images



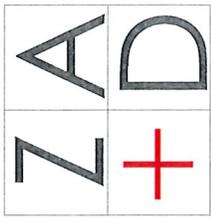
Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

City of Petersburg Property 1000 Diamond St



September 26, 2018

1:2,257
0 0.0175 0.035 0.06 0.12 km
0 0.07 mi
Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community



ZAD design
ZAD interiors
ZAD possi

Redefining the Building Potential

NO.	DESCRIPTION	DATE

CONTRACTOR IS SOLE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE ARCHITECT IS NOT RESPONSIBLE FOR OBTAINING PERMITS OR APPROVALS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.

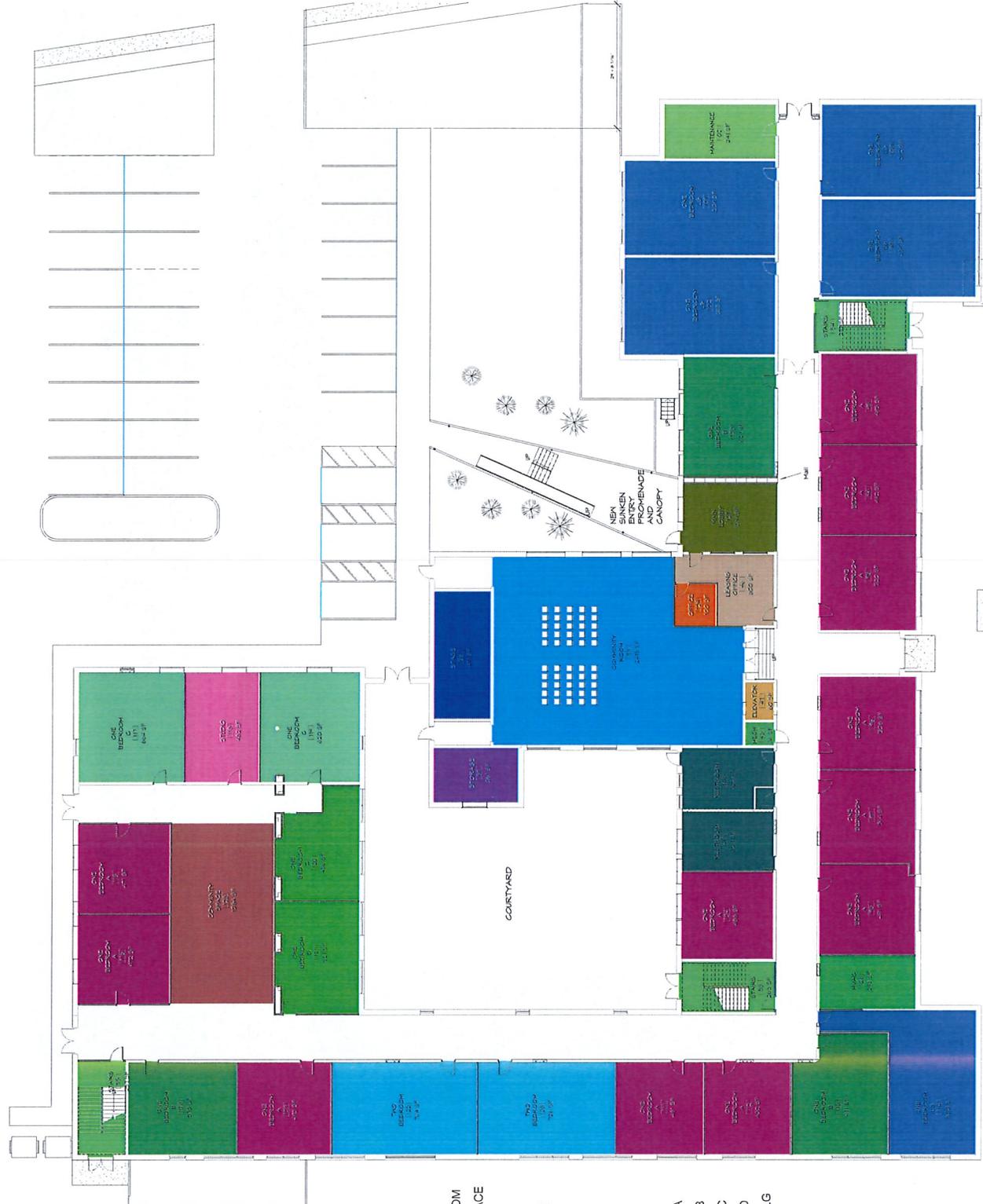
DATE	DESCRIPTION

Petersburg Senior Housing, DRAFT
 PROJECT ADDRESS:
 1000 Diamond Avenue
 Petersburg, VA

SHEET NAME:
 Ground Floor

JOB NUMBER: 20200100
 DRAWING NUMBER:

A-101
 303 WEST PALM BLVD
 FREDERICKSBURG, VA 22401
 P.301.698.0020 F.301.698.0920
 WWW.ZAD-DESIGN.COM



- Room Legend
- COMMUNITY ROOM
- COMMUNITY SPACE
- ELEVATOR
- HVAC
- LEASING OFFICE
- MECH
- MAIN LOBBY
- MAINTENANCE
- RESTROOM
- OFFICE
- ONE BEDROOM A
- ONE BEDROOM B
- ONE BEDROOM C
- ONE BEDROOM D
- ONE BEDROOM LG
- STAGE
- STAIRS
- STORAGE
- STUDIO
- TWO BEDROOM

Level 1
 A-101 SCALE: 3/32" = 1'-0"



City of Petersburg

Department of Planning and Community Development
135 N Union St, Room 304
Petersburg, VA 23803
(804) 733-2308

August 25, 2020

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Dear Owner, Agent or Occupant of each parcel involved; abutting and immediately across the street or road from the property affected:

1000 Diamond St Parcel ID: 044-080006

Notice is hereby given to all interested persons, the City of Petersburg Planning Commission will hold a public hearing on Wednesday, September 2, 2020, beginning at 6:00 p.m. live streamed to hear the following case:

2020-REZ-04: Request for the Planning Commission to consider rezoning the property at 1000 Diamond Street, formerly known as Virginia Avenue Elementary School, Parcel ID: 044-080006 from R-2, Single Family Residence District to PUD, Planned Unit Development District to allow for a mixed used development that will include multi-family residential targeted to Seniors and Military.

Information and related material concerning this request may be examined on the Planning Commission Website: <http://www.petersburgva.gov/119/Planning-Commission>, or by contacting the Department of Planning and Community Development at (804) 733-2308. The Department is open Monday – Friday, 8:30 a.m. to 5:00 p.m.

All interested persons shall have the opportunity to be heard at said public hearing. The public is encouraged to submit comments through electronic means. Comments may be sent by email to pcd@petersburg-va.org or by postal mail to Department of Planning and Community Development, 135 N Union St, Petersburg, VA 23803. Citizens are encouraged to submit comments by 10:00 a.m. June 2, 2020 to ensure they can be provided to the Planning Commission for their consideration prior to the hearing.

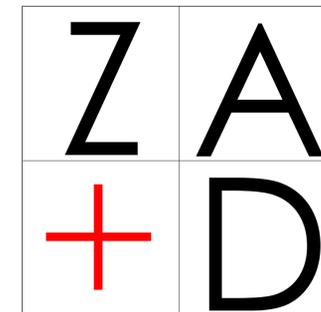
Should you have any questions about this correspondence, or if you need additional information or assistance regarding this matter, please contact the Department of Planning and Community Development at (804) 733-2308 or via email at pcd@petersburg-va.org.

Sincerely,

A handwritten signature in black ink that reads "Reginald Tabor". The signature is written in a cursive, flowing style.

Reginald Tabor
Interim Director

PAR_ID	Owners	MAIL2	MAIL3
031320024	BUFFORD CLINTON W DEBORAH C	20816 SHAKER DR	ETTRICK VA 23803
031350013	JONSON KEITH JR	920 DIAMOND ST	PETERSBURG VA 23805
031350015	PEGRAM CURTIS	211 VIRGINIA AVE	PETERSBURG VA 23803
031350016	THOMAS JAMES EDWARD	1652 W WASHINGTON ST	PETERSBURG VA 23803-2854
031350017	PETG REDEV & HSING AUTHORITY	PO BOX 311	PETERSBURG VA 23804
031350019	HASKINS MICHAEL D EMILLE C	14119 WOODLAND HILL DR	COLONIAL HEIGHTS VA 23834
031350020	HASKINS MICHAEL D EMILEE C	14419 WOODLAND HILL DR	COLONIAL HEIGHTS VA 23834
031350021	CLARKE RONNIE J	243 VIRGINIA AVE	PETERSBURG VA 23803
031350022	REID CECIL G WALTER A	193 ORCHARD DRIVE	CARY NC 27518-2776
044010002	CHAPMAN WILLIAM C	921 HIGH PEARL ST	PETERSBURG VA 23803
044010003	CHAPMAN WILLIAM C	921 HIGH PEARL ST	PETERSBURG VA 23803
044020003	DUGGER ZELDA TUCKER	922 HIGH PEARL ST	PETERSBURG VA 23803
044070005	WILKINS ROBERT C	1016 HIGH PEARL ST	PETERSBURG VA 23803
044070007	EPH 320 PROPERTIES LLC	1012 HIGH PEARL ST	PETERSBURG VA 23803
044070009	CITY OF PETERSBURG	135 N. Union St	Petersburg VA 23803
044090001	SILVA MARCUS V	4832 CEDAR BRANCH CT	GLEN ALLEN VA 23060-6135
044090002	JAMES TRAVON C	150 VIRGINIA AVE	PETERSBURG VA 23803
044090003	VIRGINIA COMMONWEALTH BANK	PO BOX 1777	PETERSBURG VA 23805
044090016	CITY OF PETERSBURG	135 N. Union St	Petersburg VA 23803
044090018	BRIGGS ALEXANDER: ESTATE	5010 LEVINDALE RD	BALTIMORE MD 21215
044100034	CITY OF PETERSBURG	135 N. Union St	Petersburg VA 23803
044110001	GOODE WILLIAM SR ANNIE B	1101 HIGH PEARL ST	PETERSBURG VA 23803
044110002	BUTCHER PERCY LEE	250 ST MARK ST	PETERSBURG VA 23803
044110003	BARBER ERIC R ELSIE C	811 DIAMOND ST	PETERSBURG VA 23803
044110004	YANCEY EARL L JR & VIRNISHIA YANCEY	604 QUAIL CROSSINGS LN	COLONIAL HEIGHTS VA 23834
044110005	BURROW MICHELLE RENEE	234 ST MARK ST	PETERSBURG VA 23803
044110006	PHILLIPS MARY	7017 MAPLE LEAF LN	PRINCE GEORGE VA 23875
044110007	BARCLIFF SHERMAN JE & CLOTTIE	222 ST MARK ST	PETERSBURG VA 23803
044110008	WHITE SHAUNDRICK	4122 BOLLINGER DR	CHESTERFIELD VA 23803
044110009	ADIH THOMAS E F & SHAWNTELLE N SA	101 A QUEEN ANNE DR	HOPEWELL VA 23860
044110010	ATLANTIC COAST HOUSES LLC	2914 AVENUE I	BROOKLYN NY 11210
044110011	ALABBAD MOHAMMED A A	2414 DRIFTWOOD RD	N CHESTERFIELD VA 23235
044110027	GOODE ANNIE B	1101 HIGH PEARL ST	PETERSBURG VA 23803
002010001	CFS GROUP DISPOSAL & RECYCLING SEF	333-B INDUSTRIAL DR	PETERSBURG VA 23803



ZA+D design
ZA+D interiors
ZA+D passiv
 Redefining the Building Potential

PRINTS ISSUED		
NO.	DESCRIPTION	DATE

ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COORDINATION OF ALL DIMENSIONS. ALL REQUIRED PERMITS SHALL BE ACQUIRED PRIOR TO COMMENCEMENT OF WORK. ARCHITECT HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF ZAVOS ARCHITECTURE + DESIGN, LLC. NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING SAID WRITTEN PERMISSION AND CONSENT.

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QUALITY CONTROL REVIEW		
SD REVIEWER INITIALS	_____	DATE: _____
DD REVIEWER INITIALS	_____	DATE: _____
CD REVIEWER INITIALS	_____	DATE: _____

Petersburg Senior Housing, DRAFT

PROJECT ADDRESS:
 1000 Diamond Avenue
 Petersburg, VA

SHEET NAME:
 Ground Floor

JOB NUMBER: 20209.00

DRAWING NUMBER:

A-101

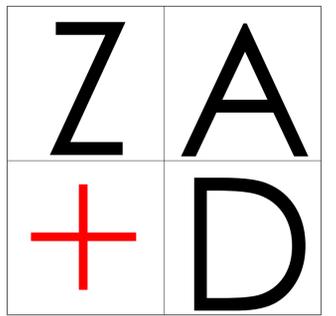
323 WEST PATRICK ST.
 FREDERICK, MD 21701
 P.301.698.0020 F.301.698.0920
www.za-d.com



Room Legend

- COMMUNITY ROOM
- ELEVATOR
- HVAC
- MECH
- MAIN LOBBY
- MAINTENANCE
- RESTROOM
- OFFICE
- ONE BEDROOM
- ONE BEDROOM LG
- STAGE
- STAIRS
- STORAGE
- TWO BEDROOM

1 Level 1
 A-101 SCALE: 3/32" = 1'-0"

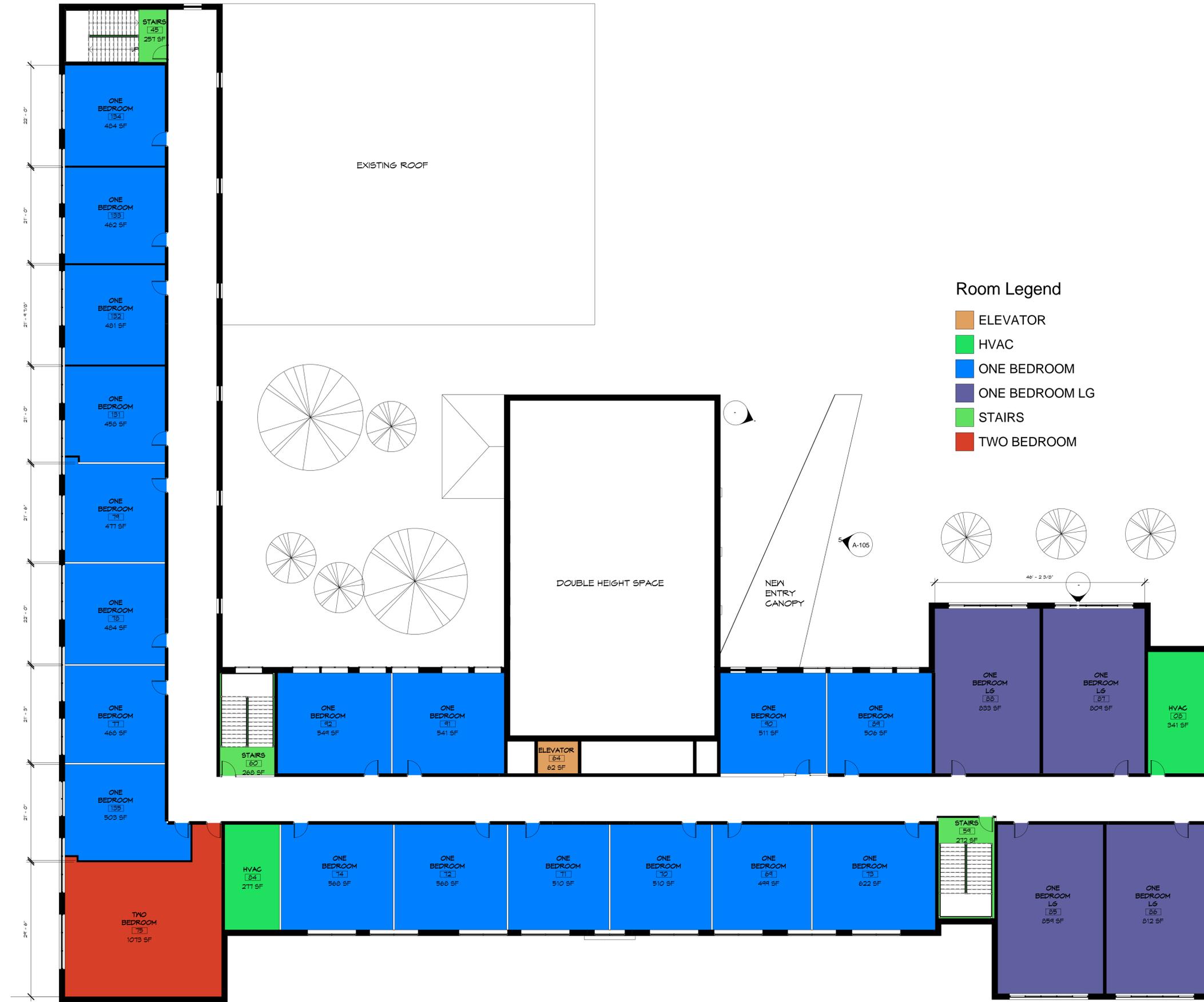


ZA+D design
ZA+D interiors
ZA+D passiv
Redefining the Building Potential

PRINTS ISSUED		
NO.	DESCRIPTION	DATE

Room Legend

- ELEVATOR
- HVAC
- ONE BEDROOM
- ONE BEDROOM LG
- STAIRS
- TWO BEDROOM



1 Level 2
 A-102 SCALE: 3/32" = 1'-0"

ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COORDINATION OF ALL DIMENSIONS. ALL REQUIRED PERMITS SHALL BE ACQUIRED PRIOR TO COMMENCEMENT OF WORK. ARCHITECT HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF ZAVOS ARCHITECTURE + DESIGN, LLC. NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING SAID WRITTEN PERMISSION AND CONSENT.

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QUALITY CONTROL REVIEW

SD REVIEWER INITIALS _____ DATE: _____
 DD REVIEWER INITIALS _____ DATE: _____
 CD REVIEWER INITIALS _____ DATE: _____

Petersburg Senior Housing, DRAFT

PROJECT ADDRESS:
 1000 Diamond Avenue
 Petersburg, VA

SHEET NAME:
 2nd FLOOR

JOB NUMBER: 20209.00
 DRAWING NUMBER:

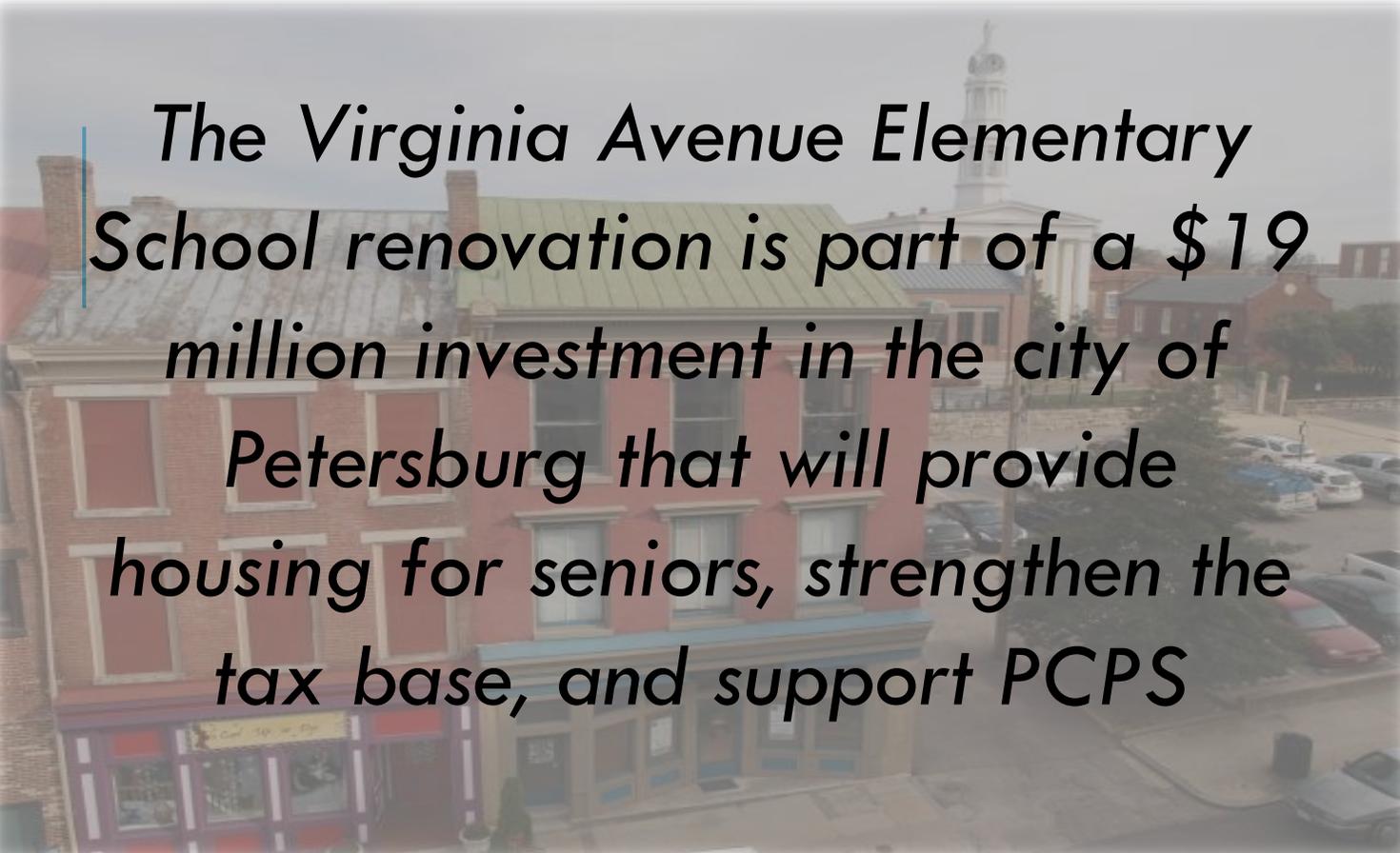
A-102

323 WEST PATRICK ST.
 FREDERICK, MD 21701
 P.301.698.0020 F.301.698.0920
www.za-d.com



VIRGINIA AVENUE ELEMENTARY SCHOOL PLANNED UNIT DEVELOPMENT
PETERSBURG CITY COUNCIL HEARING, OCTOBER 6, 2020
PETERSBURG, VA

**Strengthening community for
working families and seniors
PB Petersburg Owner LLC**



The Virginia Avenue Elementary School renovation is part of a \$19 million investment in the city of Petersburg that will provide housing for seniors, strengthen the tax base, and support PCPS

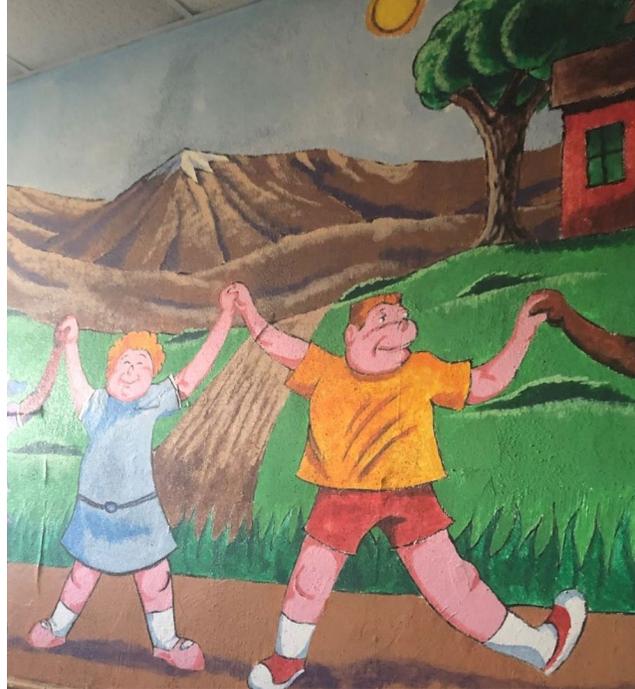
VIRGINIA AVENUE ELEMENTARY SCHOOL AND NEARBY SITES REDEVELOPMENT

110 Homes:

- *Virginia Avenue Elementary School:*
 - 50 1BR and 2BR senior/veteran apartments
 - Community center & recreational amenities
 - Property management offices
- *Nearby Sites*
 - 45 3BR and 4 BR single family homes

MOU with PCPS: up to \$700,000* to support Petersburg schools

* Assumes 45 single family homes at \$10,000 per certificate of occupancy, and 50 apartments at \$5,000 per certificate of occupancy.



REZONING PROPOSAL: FROM R2 TO PUD

April 2020 Petersburg City Council Approval Resolution Conditions:

- No challenge to current assessment for 3 years
- 2BRs not to exceed 50% of units
- Adherence to PB Petersburg April 2020 commitments:
 - Up to \$250K to PCPS --5K per issued certificate of occupancy through MOU
 - Community space and amenities
 - Historic preservation
 - Housing for seniors

February 2020 Community Meeting:

- Neighbors would like to reestablish the building as a community anchor
- Create a gathering space that acknowledges the school's vital history in the community
- Provide housing for seniors
- New recreational amenities for the neighborhood





REDEVELOPMENT OF THE SCHOOL REQUIRES PUD ZONING

Redevelopment of the school would not be possible without rezoning.

School sits within an R2 area – which only accommodates single family homes up to 2 stories on 5,000 sq ft lots.

PUD designation would accommodate the proposed mixed use:

- 50 residential units for seniors
- Space available for community use
- Space for social gatherings
- Outdoor recreational amenities



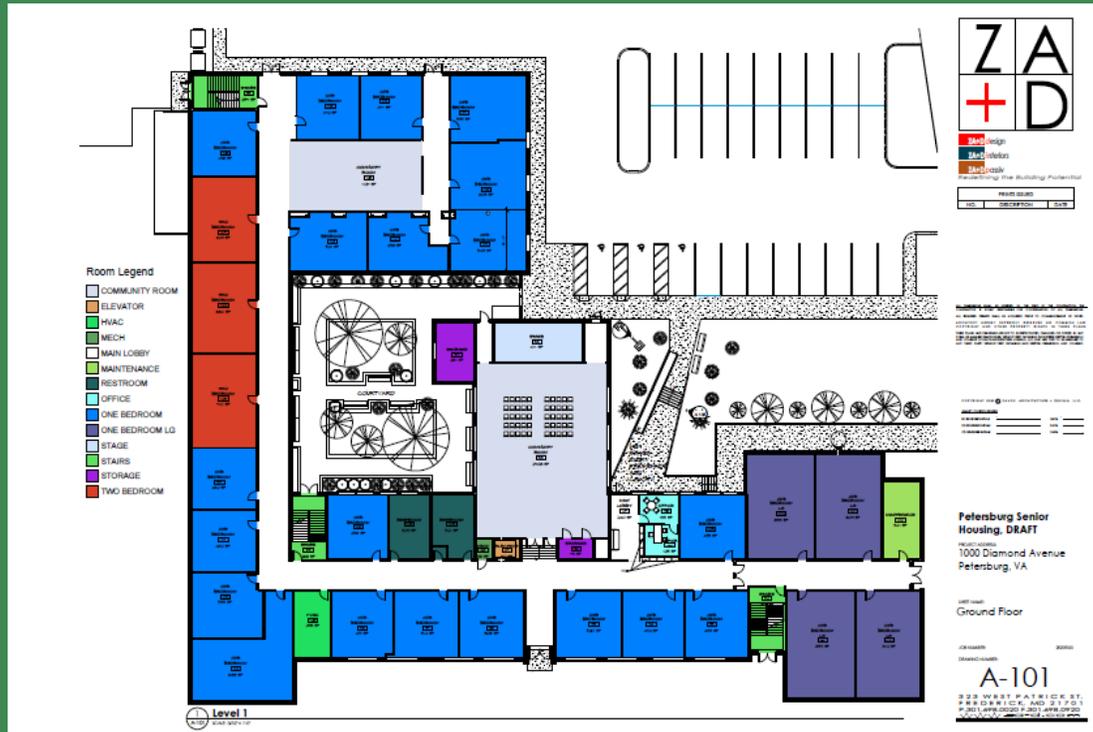
VIRGINIA AVE. ELEMENTARY SCHOOL: *PROPOSED USE*

School will be transformed into:

- ~50 new residences
- ~\$750 - ~\$950 per month
- Neighborhood serving community center: office and meeting space.
- Property management office for apartments and scattered site homes
- Outdoor recreational amenities, --turf fields and playgrounds
- Project will maintain historic character of the building

DRAFT FLOOR PLANS:

2nd Floor: 2 BRs, large and small 1 BRs



1st Floor: 2 BRs, large and small 1 BRs, community rooms and stage, management offices.



9/2/2020 PLANNING COMMISSION MEETING: UNANIMOUS APPROVAL. *CONDITIONS & FOLLOW UP:*

Follow Ups:

Security: Within 30 days of taking title:

- Fencing around the property
- Windows boarded.
- Regular Security patrols.

Development Timeline:

- Nov '20 – May '21: Design and Permitting
- Q2 '21 Construction finance closing
- Q2/Q3 '21 Construction begins
- Q3 '22: Project completion

Planning Commission Conditions:

1. Design of redevelopment conform with prelim site plan.
2. Appropriate landscaping around parking lots and entrance.
3. Landscaping to maximize coverage and reduce any potential visual impacts
4. Compliance with all signage criteria per applicable zoning regs
5. Maintain the parking lot in a manner which will minimize its aesthetic and visual impact.
6. Each parking space is properly delineated with paint or plastic stripping
7. Two (2) spaces per every two (2) bedroom units;
Public Space – One (1) space for every 200 sq ft



EQUITY PLUS: *EXAMPLE OF A SIMILAR DEVELOPMENT*

Equity Plus redeveloped a similar site in Washington, DC: Maycroft Apartments

- *64 apartments*
- *Daycare center*
- *Teen center for afterschool activities*

WARD 5 REDEVELOPMENT INITIATIVE: PB PETERSBURG OWNER LLC IS A PARTNERSHIP OF THREE FIRMS



Avram Fechter, Equity Plus: EquityPlus is a veteran co-owned business, working with investors and project developers to structure, underwrite, close, develop, and manage tax-advantaged development projects across the country. EquityPlus has closed over \$800 million in NMTTC/HTC/LIHTC financing.

- Contact: (202)236-4402 afechter@equityplusllc.com



Matt Summers, President Street Development: President Street Development is a service-disabled veteran owned real estate company focused on developing high-quality neighborhoods in the Mid-Atlantic. President Street Development has projects underway in VA, MD, NC, and SC.

- Contact: (910)964-7947 Msummers@AMSservicesllc.com



Tom Heinemann, MH Advisors: MH Advisors developed modernized criteria on the aesthetics, build quality, and energy efficiency of higher-end manufactured homes for clients. MH Advisors is a partner on multiple single-family manufactured home developments in MD and VA.

- Contact: (202)276-0455 Tom@HeinemannConsulting.com



QUESTIONS?





City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager
Lionel Lyons, Deputy City Manager of Development

FROM: Reginald Tabor

RE: **A public hearing and City Council consideration of a petition for a Special Use Permit for the property at 1300 E Washington Street.**

PURPOSE: For the City Council to hold a public hearing to receive public comment and to consider a petition for a Special Use Permit for the property at 1300 E Washington Street.

REASON: To comply with legal requirements to hold a public hearing and receive public comment prior to consideration of a petition for a Special Use Permit.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and considers a petition for a Special Use Permit for the property at 1300 E Washington Street.

BACKGROUND: The Petersburg Planning Commission held a public hearing and considered a petition from Mark Spector Properties, Inc. (agent) for David L. Snead, (Seller) and Robert H. Warthan, (Buyer) for a Special Use Permit pursuant to Article 23, Section 4(22) of the Zoning Ordinance to operate a stand-alone used vehicle sales not associated with a new vehicle dealership, subject to certain terms and conditions at 1300 East Washington St., T.P. 005-090002. The property is currently zoned M-1, Light Industrial District. In addition, the applicant has is requesting a secondary Special Use Permit pursuant to Article 23, Section 4(23) of the Zoning Ordinance to operate a stand-alone vehicle repair shop not associated with a new-vehicle dealership, subject to certain terms and conditions at the same business location addressed as 1300 E Washington Street, T.P. 005-090002, zoned M-1, Light Industrial District. The current Comprehensive Plan 2000 suggests that the area is suitable for commercial/industrial uses.

The proposed use is the same as the existing use, and the petition is submitted by a prospective new owner of the property.

The Planning Commission unanimously approved a motion to recommend City Council approval of the petition.

The City Council voted during the September 15, 2020 City Council meeting to schedule a public hearing

regarding this matter during the October 6, 2020 City Council meeting.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Tax revenue associated with the property and the proposed uses.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Commissioner of the Revenue, City Assessor, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 1006_2020SUP1300EWashingtonStreetCityCouncil
2. 1006_2020CaseReportDocuments1300EWashingtonSt

TO: Mayor and Members of the City Council
FROM: Reginald Tabor, Interim Planning Director and Sandra A Robinson, Zoning Administrator
SUBJECT: **2020 SUP-02 and 2020-SUP-03**
Tax Map Parcel 005-090002
1300 E Washington Street, Petersburg, VA. 23803 (US 36)

A petition from Mark Spector Properties, Inc. (agent) for David L. Snead, (Seller) and Robert H. Warthan, (Buyer) for a Special Use Permit pursuant to Article 23, Section 4(22) of the Zoning Ordinance to operate a stand-alone used vehicle sales not associated with a new vehicle dealership, subject to certain terms and conditions at 1300 East Washington St., T.P. 005-090002. The property is currently zoned M-1, Light Industrial District. In addition, the applicant has is requesting a secondary Special Use Permit pursuant to Article 23, Section 4(23) of the Zoning Ordinance to operate a stand-alone vehicle repair shop not associated with a new-vehicle dealership, subject to certain terms and conditions at the same business location addressed as 1300 E Washington Street, T.P. 005-090002, zoned M-1, Light Industrial District. The current Comprehensive Plan 2000 suggests that the area is suitable for commercial/industrial uses.

APPLICANT: Mark B. Spector, agent Spector Properties, Inc.

DATE: Delivery to the Planning Department on July 27, 2020 approved during the September 2, 2020 meeting of the Planning Commission, for consideration during the October 6, 2020 City Council Meeting.

I. APPLICANT'S PROPOSAL

The applicant desires to be allowed to operate a used car lot and vehicle auto repair establishment at the subject property as provided under Article 23, Section 4(22) and (23) of the Zoning Ordinance, on a 0.906 acre parcel along the south side of East Washington Street (US 36), addressed as 1300 East Washington Street, Petersburg, Virginia 23803, also identified as Tax Parcel 005-090002. The subject property has approximately one hundred fifty-seven (157.00) feet of frontage on the south side of East Washington Street. (See attached plat dated March 7, 1996). The subject property is zoned M-1, Light Industrial District and the Comprehensive Plan 2000 suggests that the property is suitable for commercial/industrial uses. The proposed uses requested, if permitted, will be controlled by zoning conditions and ordinance standards.

The parking lot is entirely paved and there is a partial tree line buffer along the west side of the property and a cinderblock wall w/fencing along the top along the rear of the property for security purposes. The property has no vegetative areas with the exception to the entrance along the right-of-way.

It is the request of the applicant/owner to reuse the existing structure to accommodate a used car lot and vehicle repair shop for the preservation and enjoyment of a substantial property right.

Occupancy of the building has not been achievable under the existing zoning regulations and prolonged vacancy will make it a challenge to maintain the structure and will put it at risk of deterioration.

The building will not need to be converted as the building and property has been utilized for the requested purpose since the 1960's. The Zoning Ordinance was amended May 1, 2001, by ordinance 01-Ord-23 to require a Special Use Permit for stand-alone vehicle repair uses as per Article 23 of the Zoning Ordinance. Among the delineated uses included with stand-alone vehicle repair in Article 23, Section 4 (23) is general automobile repair shops, truck repair shops, transmission repair shops, car washing and detailing operations, and similar facilities, such to be permitted within the B-2 and M-1 zoning districts only. Also, Article 23, Section 4(22) Stand-alone used vehicle sales not associated with a new-vehicle dealership or not located upon the same parcel as such new-vehicle dealership, if located upon parcels of less than one acre in area, such to be permitted within the B-2, and M-1 zoning districts only. In addition, the above-referenced uses are permitted with a Special Use Permit only in the B-2, General Commercial Districts and the M-1, Light Industrial Districts.

II. CHARACTER OF THE AREA

The subject property is immediately adjacent to and surrounded by other automotive operations along the East Washington Street corridor those establishments being Youngs Automotive & Repair, the Norfolk Southern Rail yard on north side, Business/Professional offices on the west, Storage Sheds & Garage sales, Used Car Lot with auto repair further west and Woods Automotive. On the far east side is old Dominion/Virginia Power vacant building and an Automotive Sales/Parts/Service establishment and small used car dealership.

- III. RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** As per Article 23 of the Zoning Ordinance, a Special Use Permit may be requested in seeking to operate a business enumerated per Article 23 at an appropriate location when supported by the property owner(s). A favorable Planning Commission recommendation may be referred to the City Council and the Council may grant approval when the public health, safety, moral and general welfare will not be adversely affected, and provided that necessary safeguards will be provided to protect surrounding property, persons and neighborhood values.

IV. PUBLIC INPUT:

As of the writing of this report, staff has received no telephone calls, emails or letters in support or in opposition to the request.

V. FINDINGS AND STAFF ANALYSIS:

The City's Comprehensive Plan 2000 designates the area for commercial/ Light Industrial uses.

The requested uses are applicable uses as enumerated in Article 23, Section 4(22) and (23) of the Zoning Ordinance.

There appears to be adequate parking to meet the requirements of the Zoning Ordinance for on-site parking per, Article 19, Off-Street Parking Regulations.

No outside storage of materials is permitted under this approval.

No vehicle parking is to be permitted on or to protrude into East Washington Street Right-of-Way.

Should the use of the premises be abandoned for a period of twenty-four (24) consecutive months, the Special Use Permit shall become null and void.

The site shall be properly lite and lighting directed in a downward and inward position, signage and parking configuration shall be reviewed and approved by the appropriate departments prior to occupancy. Parking spaces shall be properly delineated with paint or plastic stripping which shall provide a permanent delineation between spaces.

Signs shall be limited to wall-mounted signs that have a combined size of not more than 150 square feet, and no more than one (1) free-standing sign with a maximum size of 50 square feet. No new free-standing sign shall be established without removal of any existing free-standing sign(s).

No general vehicle repair business shall be operated on the subject premises.

Staff approves of the Special Use Permit Conditions, submitted, signed and dated by the Buyer, Robert H. Warthan, on 7-21-2020 with exception to item #11. Any new owner of the property must themselves apply for the Special Use Permit in order to ensure that the party will be undertaking the same or like endeavor and that their operation will remain in compliance under said Zoning stipulations. The Special Use Permit will not run with the land if the property is sold or transferred. Permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of Federal, State or local regulations.

VI. EXHIBITS

Tax Parcel Map Extract

Zoning Map Extract

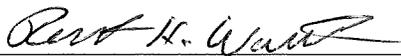
Applicants Petition

Public Notification Information

Special Use Permit Conditions
1300 E. Washington Street, Petersburg, VA 23803
Tax Parcel #005-09-0002

Conditions for Special Use Permit Petition presented by Robert H. Warthan for establishment and operation of a stand-alone vehicle servicing and repair facility along with the sale of used vehicles at property address of 1300 E Washington Street, Petersburg, VA.

1. The lot is currently paved and no portions have existing grass or landscaping areas. Therefore, no landscape plan is being presented. No vehicle parking is to be permitted or to protrude into the East Washington Street right-of-way.
2. Currently, the only fencing that exists is in the rear portion of the subject property for security, which is behind the building. No additional fencing is currently desired in the front of the building.
3. The petitioner will submit a sign plan to the Department of Planning and Community Development for its review and approval. Re-use of the existing pole sign is desired and encouraged. Any new free standing sign shall not exceed 15' in height and shall be permitted only upon the removal of the existing pole sign structure.
4. Any vehicle not capable of operation or which does not bear a current Virginia inspection sticker, shall be kept within the enclosed building or rear fenced portion of the subject property behind the building so as not to be visible from East Washington Street.
5. No inoperable vehicles may be retained on the subject property unless work to repair such vehicles is in progress. Use of this property for storing inoperable vehicles is prohibited.
6. In no case shall the business be operated as a scrap or junkyard. No outside storage, to include but not limited to, vehicle components, metal scrap, plastic materials, glass, used or waste tires, is permitted.
7. Collection and deposition of engine fluids must be done in accordance with local, state, and federal standards, regulations, or laws.
8. Any site lighting shall be directed downward and inward.
9. The petitioner must provide at least five (5) off-street parking spaces for customers and one (1) for each employee with spaces to be marked appropriately for these uses.
10. Other requirements may be imposed as deemed necessary to provide for the protection of surrounding property, persons and neighborhood values.
11. The special use permit shall run with the land upon the sale or other transefer of the business from the petitioner.
12. Violation of the conditions attached to this special use permit may be cause for permit revocation.


Robert H. Warthan

7-21-2020
Date

Property Record Card - Petersburg, VA

General Property Data

Parcel ID **005-090002** Account Number
 Prior Parcel ID -- Property Location **1300 WASHINGTON ST**
 Property Owner **SNEAD DAVID L** Property Use
 Mailing Address **1300 E WASHINGTON ST** Most Recent Sale Date **3/18/2014**
 City **PETERSBURG** Legal Reference **2014-0573**
 Mailing State **VA** Grantor **GROVE PROPERTIES OF PETERSBURG**
 Parcel/Zoning **M-1** Zip **23803** Sale Price **275,000**
 Land Area **acres**

Current Property Assessment

Card 1 Value Building Value **164,600** Xtra Features Value **0** Land Value **98,000** Total Value **262,600**

Building Description

Building Style **Service Gar** Flooring Type **CARPET**
 # of Living Units **0** Basement Floor **N/A**
 Year Built **1962** Heating Type **WOOD**
 Building Grade **AVERAGE** Heating Fuel **N/A**
 Building Condition **N/A** Air Conditioning
 Finished Area (SF) # of Bsmt Garages **0**
 Number Rooms **0** # of Full Baths
 # of 3/4 Baths # of Other Fixtures

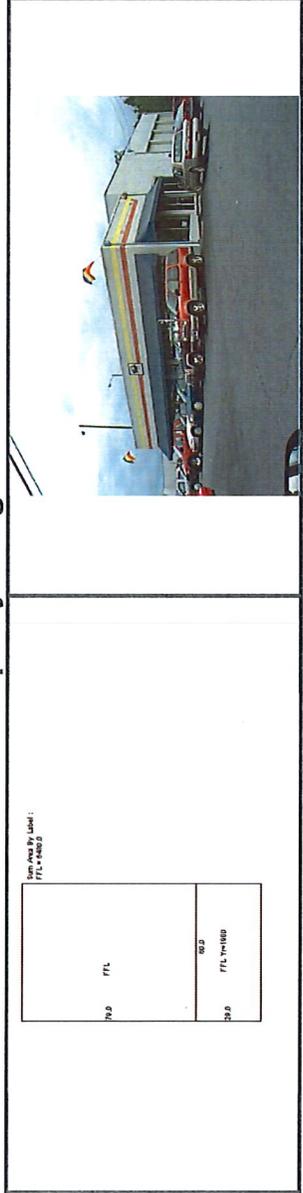
Legal Description

0.906 ACRES

Narrative Description of Property

This property contains acres of land mainly classified as with a(n) Service Gar style building, built about 1962, having BLOCK exterior and BUILTUP roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), bath(s), half bath(s).

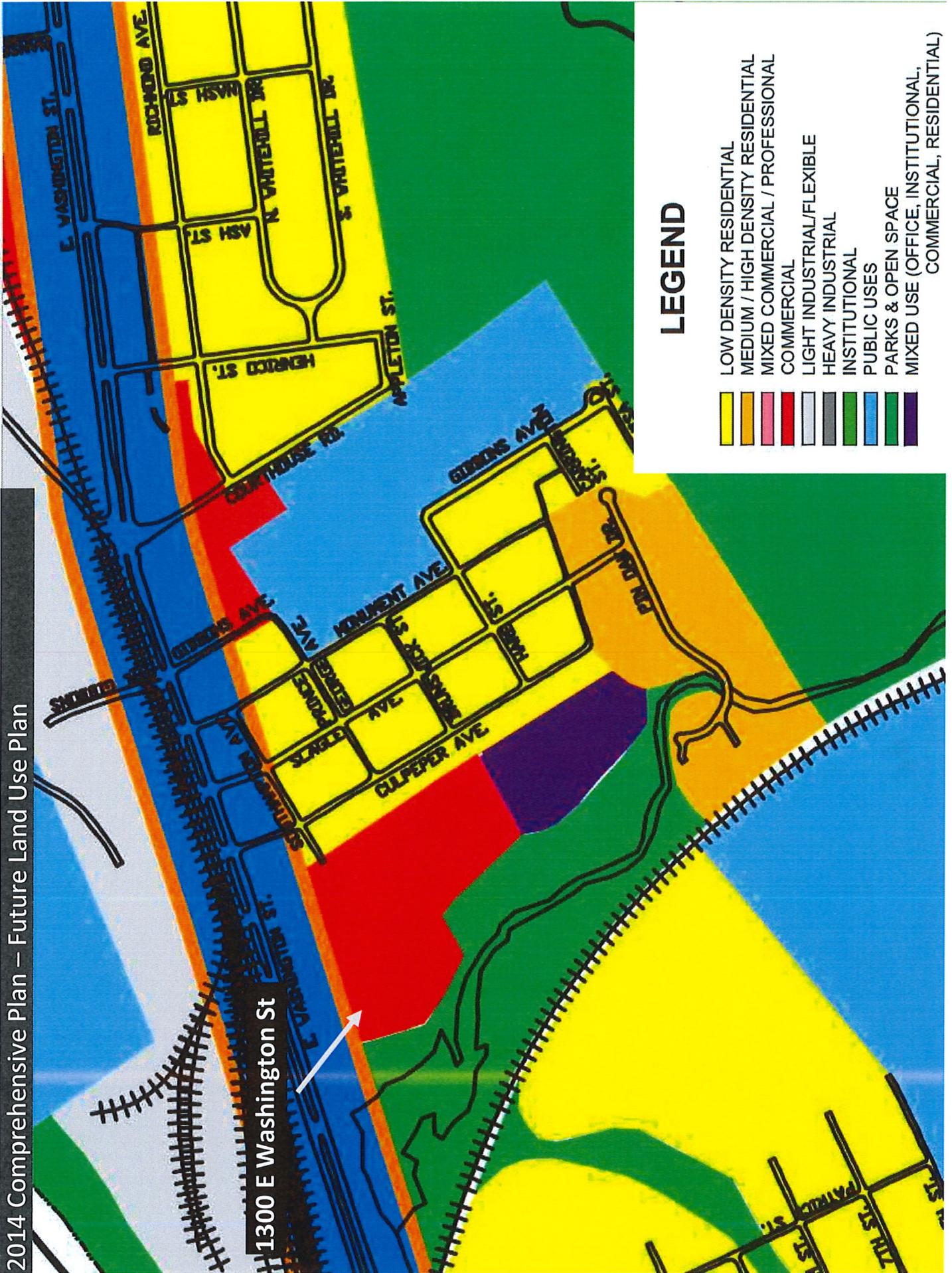
Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Zoning Map





LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM / HIGH DENSITY RESIDENTIAL
- MIXED COMMERCIAL / PROFESSIONAL
- COMMERCIAL
- LIGHT INDUSTRIAL/FLEXIBLE
- HEAVY INDUSTRIAL
- INSTITUTIONAL
- PUBLIC USES
- PARKS & OPEN SPACE
- MIXED USE (OFFICE, INSTITUTIONAL, COMMERCIAL, RESIDENTIAL)



City of Petersburg

Department of Planning and Community Development

PROCEDURES FOR PETITION FOR REZONINGS OR SPECIAL USE PERMITS

1. Applicant files petition in triplicate (3 sets) with the Petersburg Planning Department, City Hall, Room 304, Petersburg, Virginia 23803. **Filing fee for Petitions for Rezoning or Special Use Permits are \$1,500.** Checks, Money Order, and/or cash are to accompany the application (*Checks or money orders made payable to the City of Petersburg*). A Plat of the property must accompany the petition.
2. Planning Department Staff refers the petition to Planning Commission. Planning staff shall advertise twice during a fourteen day period, holds a public hearing, and makes recommendations to City Council.
3. City Council schedules a public hearing and advertises twice during a fourteen day period.
4. City Council renders final decision to approve or disapprove petitions.

PLEASE NOTE: THE REZONING OR SPECIAL USE PERMIT PROCESS TAKES APPROXIMATELY THREE MONTHS

CASE NUMBER _____

Applicant: _____

PETITION FOR REZONING OR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING (CITY HALL, THIRD FLOOR, ROOM 304) WITH THE FILING FEE: \$1,500 (CHECK/MONEY ORDER/CASH) AT THE TIME OF SUBMITTAL

A. Property Information

1. Mark B. Specter, agent for David L. Snead (Seller) and Robert H. Warthan (Buyer), do hereby petition to rezone the following described properties from zoning district n/a to zoning district n/a to permit a vehicle repair shop and used car lot (special use permit).

2. Legal Description: (Use attachment if necessary) - Identify proposed Use
0.906 acres and improvements known as 1300 East Washington Street. See attached survey.

3. Tax Parcel Identification Number(s):	Map	Block	Lot
	005	09	0002

4. Current Street Address(es): - (if assigned) 1300 East Washington Street

5. Approximate Area: _____ sq. ft. 0.906 acres

6. Public Street Frontage 156.83 ft.

7. A boundary plat of this property outlining the area to be rezoned shall be attached to this petition.

8. The following deed restrictions may affect the use of this property:

n/a

9. Brief:

Said deed restrictions will expire on : n/a

B. JUSTIFICATION FOR REZONING

1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (A detailed statement of reasons why the proposed rezoning should be granted).

City Zoning Ordinance requires a Special Use Permit for a vehicle repair shop and used car lot. We feel the Special Use Permit should be granted because even in the 1960's this property was used as a car dealership and repair shop and the Planning Commission along with City Council have already approved this exact use with conditions in 2014. In addition to already receiving approval for this use on the subject property, the property adjacent to 1300 East Washington Street has also been approved for a vehicle repair shop.

2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

We believe this Special Use Permit will not be detrimental to the city or adjacent property owners. This area is suited for commercial development and repair shops along with car sales are common uses for this corridor. In addition, this facility has been used for the exact same use for numerous years and this is allowing us to bring a new business to the city of Petersburg.

3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

The proposed Special Use Permit is advantageous to the city because it allows a vacant building to once again be utilized, will bring tax revenue to the city along with bringing a new business to the city.

4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

A vehicle repair shop and used car sales requires a Special Use Permit according to the zoning ordinance. As stated above, the subject property is suitable for these uses which have existed at this location since the 1960's.

C. CERTIFICATION:

The undersigned applicant certifies that: (He) (She):

 X (a) Is the owner or lessee or agent specified in writing, for

 X (b) Possesses a proprietary interest in: (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING; and that the foregoing answer and statements herein contained and all other information herewith submitted are in all respects true and correct to the best of (his) (her) knowledge and belief.

APPROVED

Signed: Robert H. Warr
Mailing Address: 2705 LEE ST.
Hopewell VA. 23860

City Attorney

Phone Number: 804-894-2176

TO BE FILED IN TRIPLICATE (3-SETS) IN THE PLANNING DEPARTMENT, CITY HALL

ACTION RECORD

Date Filed (with Planning Department) _____

Date of Planning Commission Public Hearing _____

Planning Commission Action(s) _____

Date of City Council Hearing: _____

City Council Action(s): _____

PETITION FOR ZONING CHANGE

Property Owner(s): Adjacent to Affected Property

NAME(S)

Address(es)

Young & Grace Bang
1318 East Washington Street
Petersburg, VA 23803

Joe Battiston
A Realty Company
600 W. Wythe Street
Petersburg, VA 23803

The Lamar Company, LLC
TLC Properties, Inc.
700 Southlake Boulevard
Richmond, VA 23236

Robert G. & Anita O. Whiting
P.O. Box 305
Sutherland, VA 23885

L.A. SUEFFIELD SUBDIVISION PG. 3 OF 1986
RICHARD A. BRISTOW, C.S. 2AAY 1986

EAST WASHINGTON STREET

EAST BOUND LANE

WEST BOUND LANE

ADJACENTLY
WESLEYA POWER
TA 5-9 (S)
DB 216 PG. 34/
DB 227 PG. 30

ADJACENTLY
SUEFFIELD SUBDIVISION
TA 5-9 (S) 1
DB 422 PG. 94

PLAT OF

0.906 ACRES / IMPROVEMENTS THEREON
KNOWN AS
#1300 E. WASHINGTON STREET
PETERSBURG, VIRGINIA

THIS IS TO CERTIFY THAT ON THE 7 MARCH 1996,
I MADE AN ACCURATE SURVEY OF THE PREMISES
SHOWN HEREON AND THAT THERE ARE NO
EASEMENTS OR ENCROACHMENTS VISIBLE
ON THE GROUND OTHER THAN THOSE SHOWN
HEREON. *Richard E. Sloan*

NOTE: THIS LOT APPEARS TO BE IN F.I.R.A. FLOOD
ZONE C AS SHOWN ON F.I.R.A. COMMUNITY
MAPS, 57012-0002 IS.

NOTE: THIS SURVEY IS SUBJECT TO ANY EASEMENT
OR ENCROACHMENT NOT SHOWN ON THE SURVEY WHICH A TITLE SEARCH MIGHT DISCLOSE.



DFA
Euc

ADJACENTLY
SUEFFIELD SUBDIVISION
TA 5-9 (S) 1
DB 422 PG. 94

VERIFIABLE VERTICAL EASEMENT
FOR ACCESS OF ASPHALT
TO LOT 1.

146.90'

1176.00' E

157.00'

114.27' W

253.64'

156.83'

146.90'

1176.00' E

157.00'

114.27' W

253.64'

156.83'

146.90'

514°24'23"E
CONCRETE WALL ON E

249.36'

400'

0.906 ACRE

156.83'

571°26'16"W

156.83'

146.90'

1176.00' E

157.00'

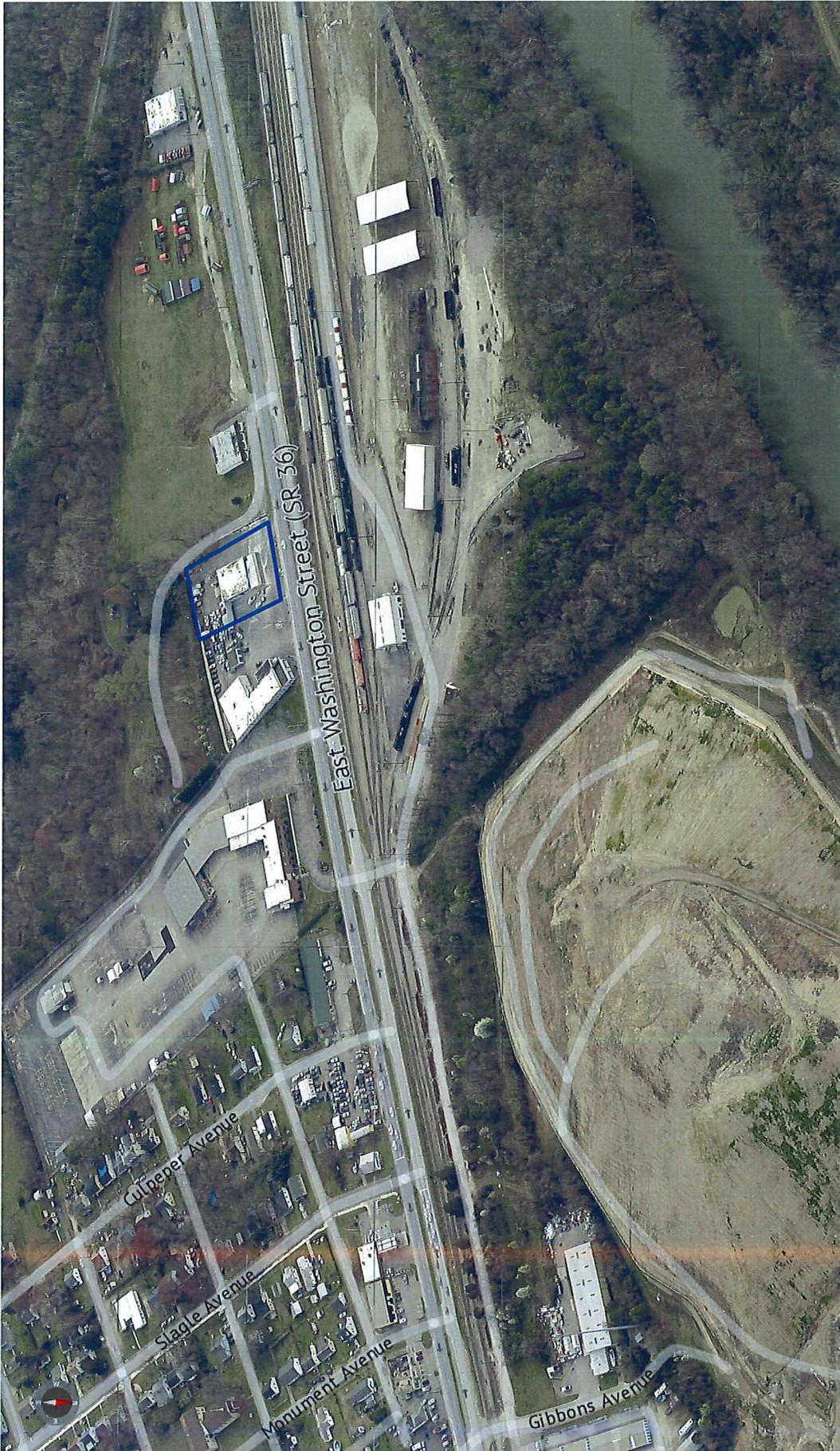
114.27' W

253.64'

156.83'

146.90'

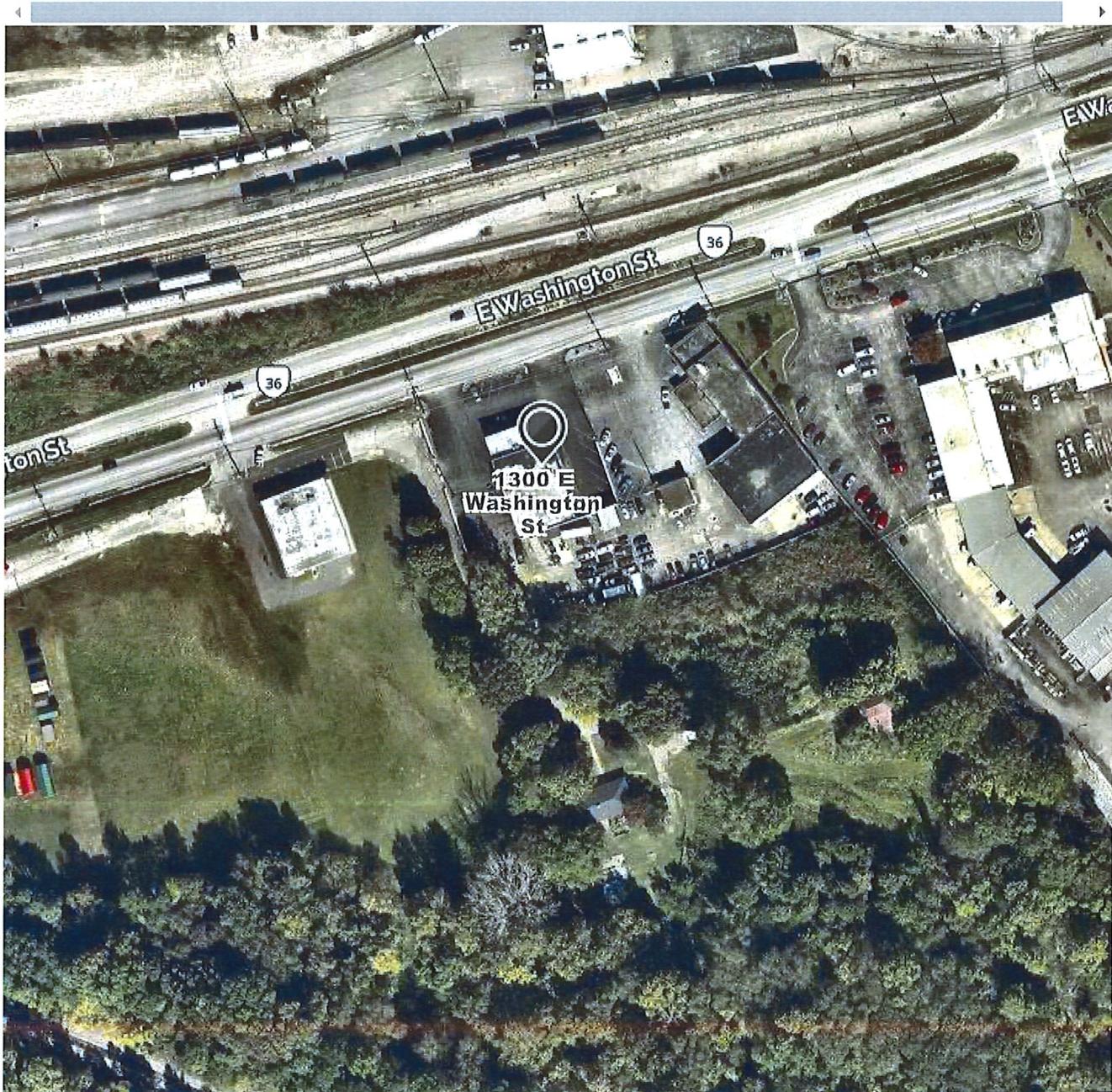
1



1300 E Washington St

Petersburg | VA 23803-3467

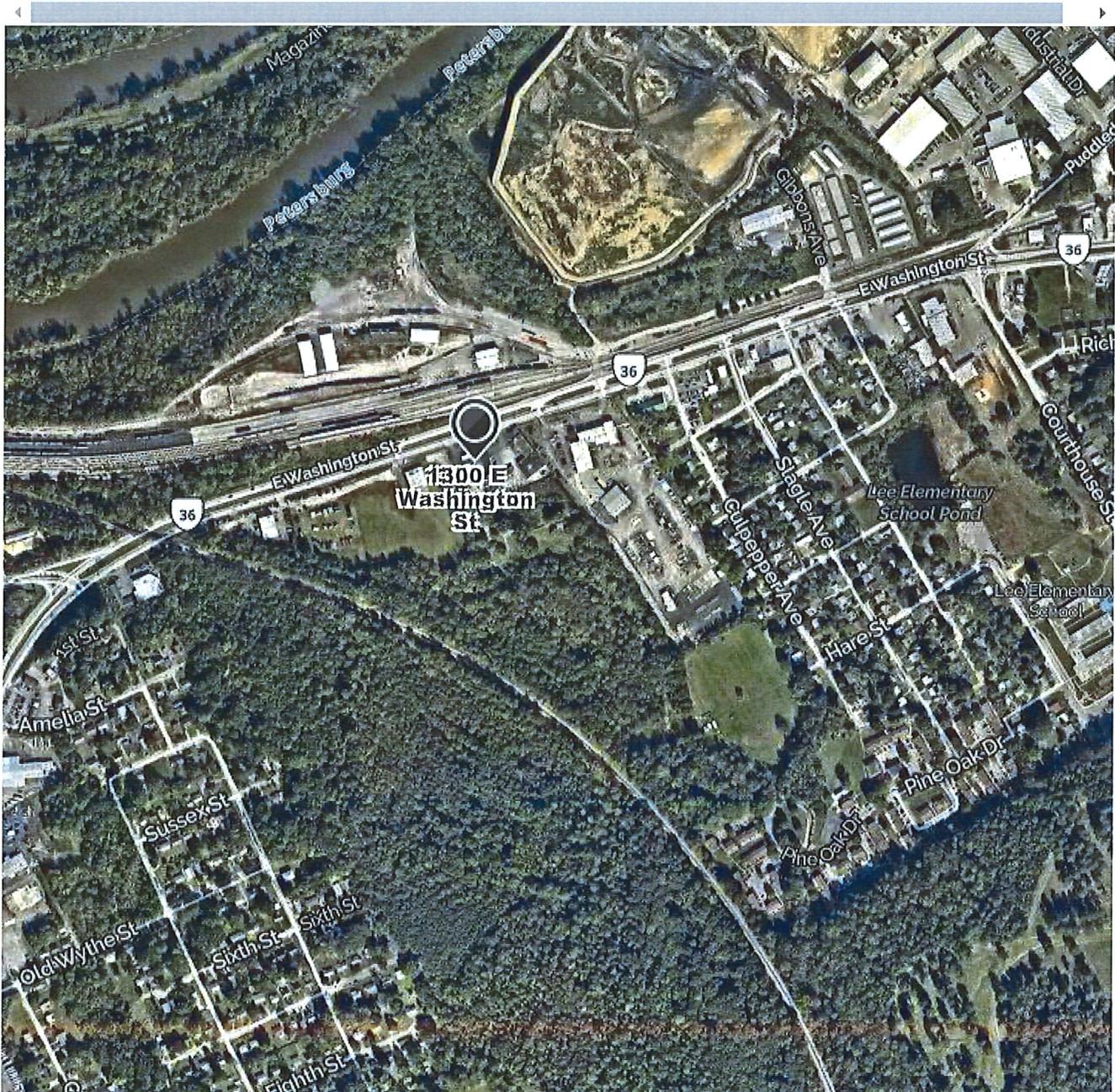
Site showing the East Washington Street Corridor



1300 E Washington St

Petersburg | VA 23803-3467

Site showing the East Washington Street Corridor





City of Petersburg

Department of Planning and Community Development
135 N Union St, Room 304
Petersburg, VA 23803
(804) 733-2308

August 18, 2020

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Dear Owner, Agent or Occupant of each parcel involved; abutting and immediately across the street or road from the property affected:

1300 E Washington St Parcel ID: 005-090002

Notice is hereby given to all interested persons, the City of Petersburg Planning Commission will hold a public hearing on Wednesday, September 2, 2020, beginning at 6:00 p.m. live streamed to hear the following case:

2020-SUP-02: Request of Spector Properties, Inc.,(agent) for David L. Snead (Seller) and Robert H. Warthan (Buyer) for a Special Use Permit pursuant to Article 23, Section 4(22) of the Zoning Ordinance to operate a stand-alone used vehicle sales lot not associated with a new-vehicle dealership, subject to certain terms and conditions at 1300 East Washington St. T.P. 005-09-0002. The property is zoned M-1, Light Industrial District.

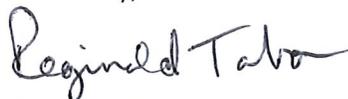
2020-SUP-03: Request of Spector Properties, Inc.,(agent) for David L. Snead (Seller) and Robert H. Warthan (Buyer) for a Special Use Permit pursuant to Article 23, Section 4(23) of the Zoning Ordinance to operate a stand-alone vehicle repair shop not associated with a new-vehicle dealership, subject to certain terms and conditions at 1300 East Washington St. T.P. 005-09-0002. The property is zoned M-1, Light Industrial District.

Information and related material concerning this request may be examined on the Planning Commission Website: <http://www.petersburg-va.org/119/Planning-Commission>, or by contacting the Department of Planning and Community Development at (804) 733-2308. The Department is open Monday – Friday, 8:30 a.m. to 5:00 p.m.

All interested persons shall have the opportunity to be heard at said public hearing. The public is encouraged to submit comments through electronic means. Comments may be sent by email to pcd@petersburg-va.org or by postal mail to Department of Planning and Community Development, 135 N Union St, Petersburg, VA 23803. Citizens are encouraged to submit comments by 10:00 a.m. June 2, 2020 to ensure they can be provided to the Planning Commission for their consideration prior to the hearing.

Should you have any questions about this correspondence, or if you need additional information or assistance regarding this matter, please contact the Department of Planning and Community Development at (804) 733-2308 or via email at pcd@petersburg-va.org.

Sincerely,

A handwritten signature in black ink that reads "Reginald Tabor". The signature is written in a cursive style with a large initial 'R'.

Reginald Tabor
Interim Director

Mailed Adj. 8-25-2020

2020 SUP-02
ROBERT H. WARTHAN
1300 E. WASHINGTON STREET
PETERSBURG, VA 23803
T. P. 005-090002
ZONED: M-1
USE: USED AUTO SALES (CAR LOT)

Robert H. Warthan
2705 Lee Street
Hopewell, VA 23860

Robert H. Warthan
1300 E. Washington Street
Petersburg, VA 23803

David L. Snead
1300 E. Washington Street
Petersburg, VA 23803

A Realty Company, LLC
600 W. Wythe Street
Petersburg, VA 23803

Occupant
1250 E. Washington Street
Petersburg, VA 23803

Bang Young Keun
Bang Grace Okboon
13004 Rockbridge Road
Chester, VA 23831

Sherry I. Rutherford
c/o Bank of McKenney
P. O. Box 370
McKenney, VA 23872

Occupant
1260 E. Washington Street
Petersburg, VA 23803

Occupant
1200 E. Washington Street
Petersburg, VA 23803

Norfolk & Western Railroad Co.
Property Tax Director
8 N. Jefferson Street
Roanoke, VA 24042

Norfolk & Western Railroad Co.
1381 E. Washington Street
Petersburg, VA 23803

Sandra Robinson

From: Debbie Porter
Sent: Wednesday, July 22, 2020 10:40 AM
To: Reginald Tabor
Cc: Sandra Robinson
Subject: Fw: Special Use Permit

From: Debbie Porter <dporter@petersburg-va.org>
Sent: Wednesday, July 22, 2020 9:12 AM
To: Mark Specter <mspecter@specterproperties.com>
Subject: Re: Special Use Permit

Good Morning Mr. Specter,

I, Deborah Porter, Secretary for the Petersburg Department of Planning received a Special Use Permit Application for the location of 1300 E. Washington Street, for the use of a Vehicle Repair Shop and Used Car Lot submitted by Mark B. Specter, Agent on behalf of David L. Snead (Seller) and Robert H. Warthan (Buyer). 7-22-2020.

Enclosed: Application and copy of Cashier's Check # 411803 (\$1,500.00)

Note: Reginald Tabor, Acting Director of Planning/CD, and Sandra A. Robinson may reach out to you and/or the applicant for a virtual discussion prior to the Regularly Scheduled Planning Commission Meeting on September 2, 2020. I will notify you if that is the case. Thank you, and have a great day.

From: Mark Specter <mspecter@specterproperties.com>
Sent: Wednesday, July 22, 2020 8:42 AM
To: Debbie Porter <dporter@petersburg-va.org>
Subject: Special Use Permit

CAUTION: External! - Do not open attachments or click links unless you know the content is safe.

I have attached the Special Use Permit form filled out for the property at 1300 E. Washington Street along with a copy of the check to the city of Petersburg.

Please confirm that you received my email copy and I want to make sure we are on the agenda for Planning Commission in September.

I am mailing you 3 original applications signed by Bobby Warthan and the check today.

Thanks

Motion

To keep Council informed as to matters of importance to Council, I move that Council hereby directs the City Manager to give Council a written report, at Council's first regular meeting of each month, as to the status of the following projects, along with a timetable for completing the project:

1. South Side Depot: Central Pavilion.
2. McKenney Public Library.
3. Jarratt House.
4. St. Andrews Street Bridge.
5. Regional 911 Call Center.
6. Revision of the Comprehensive Plan.
7. CAFR for the period ending June 30, 2020.
8. Ramada Inn.
9. Saving America's Treasures (Exchange Building).
10. Trailways Bus Station.
11. Replacement of existing streetlights with LED bulbs.
12. Written Standard Operating Procedure to prevent the City from issuing building permits allowing passage through historic earthworks the City has agreed to protect.
13. Courthouse replacement or repair.

Such periodic reporting for a particular project is to continue until the project is either completed or abandoned.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Nykesha Jackson

RE: **Consideration of appointment/s to the Planning Commission.**

PURPOSE: To consider appointments to the Planning Commission.

REASON: To appoint new members to the Planning Commission.

RECOMMENDATION: Recommend City Council appoint members to the Planning Commission.

BACKGROUND: The Planning Commission consists of 4 at-large members and 7 members appointed by City Council.

The duties of the Board include, but are not limited to, the following: Promote the orderly development of the City and its environs; serves primarily in an advisory capacity to the City Council in matters pertaining to land use, future development, and capital improvements.

COST TO CITY: None

BUDGETED ITEM: None

REVENUE TO CITY: None

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Planning Commission 2020 updated July 1, 2020

2. Planning Commission - Crystal Johnson

2020 Boards and Commissions

PLANNING COMMISSION					
	Number of members: 11				
TERMS	APPOINTMENTS	WARDS		NEW APPLICANTS	WARDS
5/19/2020 - 09/30/24	Tammy L. Alexander, 110 Liberty Street	Ward 5		Crystal Johnson, 816 Cameron Street	Ward 1
04/28/202-09/30/2024	Marie Vargo, 410 Grove Avenue	Ward 4		Elizabeth M. McCormack, 1566 Brandon Avenue	Ward 3
09/30/16 - 09/30/20		Ward 3		Gerry Rawlinson, 1749 S. Sycamore Street	Ward 3
02/02/2020 - 09/30/24	Thomas S. Hairston, 1201 Halifax Street	Ward 6		Belinda Baugh, 3650 Beechwood Drive	
11/14/06 - 09/30/10		Ward 1		Candace Taylor, 828 Tuckahoe Street	
02/02/2020 - 09/30/24	James Norman, 3201 Hastings Road	Ward 7			
05/19/2020 - 09/30/24	Fenton Bland, 1840 South Westchester	Ward 2			
04/28/202-09/30/2024	Michael Edwards, 409 Grove Avenue	At-Large			
02/02/2020 - 09/30/24	William Irvin, 26 Perry Street	At-Large			
				Nine (9) voting members, one from each of the seven (7) wards and four (2) at large appointed by the City Council; Two (2) non-voting members, Director of Planning, Director of Public Works, ex officio members.	
	AUTHORITY:				
	Code of Virginia, Title 15.1, Chapter 11; City Code, Section 2-156				
	MEETING DATE AND TIME: Monthly, first Wednesday, 6pm at the Petersburg Public Library.			TERMS:	
				Four (4) years	
	STAFF LIAISON:				
	Reginald Tabor, Interim Director of Planning and Community Development (804)733-2312				
	135 North Union Street				
	Petersburg, VA 23803				



**City of Petersburg, Virginia
Boards, Commission, and Authority Application**

(Please type or print clearly)

APPLICATION FOR The Planning Commission
(Board, Commission, or Authority)

June 9, 2020
(Date of Application)

NAME: Johnson Crystal R.
(Last First Middle initial)

HOME ADDRESS: 816 Cameron Street 23803
(Street Apartment # ZIP)

[REDACTED] [REDACTED] 1
(Home Phone #) (Work Phone #) (Ward)

Email Address: [REDACTED]

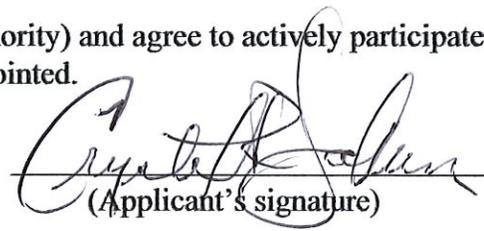
Administrative and Office Specialist – Virginia State University, Cooperative Extension
(Current occupation and place of employment – if retired, indicate former occupation)

Current membership in professional/community organizations: None

Please indicate why you would like to serve: I live in Blandford, in Ward I. I feel a need to take a more responsible role in my community's footprint in the future growth and development of the City of Petersburg.

(Please use reverse side if additional space is needed)

I understand the duties of this (Board, Commission, or Authority) and agree to actively participate and attend the meeting at its scheduled date and time if appointed.



(Applicant's signature)

Note: Please return the completed form to: Clerk of City Council, Room 210, City Hall, Petersburg, Virginia 23803.

This application will be kept on file for one year. Afterwhich, you will be contacted for renewed interest in maintaining your application in an active status.

CITY OF PETERSBURG, VIRGINIA

BOARDS AND COMMISSIONS

Anti-Poverty Commission
Appomattox River Water Authority
Architectural Review Board
Central Virginia Waste Management Authority
Citizenry Committee
Community Development Block Grant (CDBG) Advisory Board
Community Policy & Management Team
Crater District Area agency on Aging
Crater District Local Health Advisory Council
Crater District Regional Building Code and BOCA Fire Code Appeals Board
Crater Planning District Commission
Crater Youth Care Commission (Detention Home)
Criminal Justice Board
District 19 Community Services Board
Eleventh District Juvenile & Domestic Relations Court Services Unit Advisory Council
Economic Development Authority
John Tyler Community College Board of Directories
Planning Commission
Redevelopment & Housing Authority
Riverside Regional Jail Authority
Social Services Advisory Board
South Central Wastewater Treatment Authority
South Centre' Corridor Resource Conservation and Development
Virginia Gateway Region (formerly ABIDCO)



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Requested by Council

FROM: Anthony Williams

RE: **Consideration to adopt the resolution for action to abate unsafe conditions and violations of the Building Code on the property located at 380 E. Washington Street.**

PURPOSE: To direct the Manager to have staff evaluate the property at 380 E. Washington Street and take all necessary action to abate any unsafe conditions and violations of the Building Code which may exist on the property through repair or demolition (as determined appropriate by the Building Official) and to work with the City Attorney with respect to all legal requirements to facilitate this. By the adoption of this Resolution, Council expresses an intention to appropriate all necessary funding for abatement as may be necessary, subject to presentation and consideration by Council, review and approval in accordance with standard budgeting practices.

REASON: The property located at 380 E. Washington Street (old Ramada Inn / Fort Lee Regency) has fallen into substantial disrepair since its closing in year 2012. The City was hopeful that the purchase by a private developer, C.A. Harrison Companies in year 2018 would lead to redevelopment of the property, but instead, the property has languished with continued deterioration causing an eyesore and potential danger at one of the City's major gateways.

Notwithstanding the issuance of Criminal Summonses by the Fire Marshal in January of year 2020 (which have not been served due to the principal being out of state), and the issuance of several rounds of civil penalties against the property (which have been paid by the developer), the property continues to fall further into disrepair.

At the request of City Council at the last meeting on September 15, 2020, a copy of this proposed Resolution was sent to Chris Harrison in advance of its formal presentation to Council at this meeting.

This Resolution will signify Council's identification of the concern, direction to the Manager to have Staff take necessary action, and commitment to fund as needed to resolve the problem.

In the event that the Building Official determines abatement or demolition is necessary, and the owner refuses or fails to timely take action, costs expended in abatement and/or demolition may be recoverable in accordance with applicable provisions of the State Code and/or Virginia Uniform Statewide Building Code.

RECOMMENDATION: Adopt Resolution.

BACKGROUND: The property located at 380 E. Washington Street (old Ramada Inn / Fort Lee Regency) has fallen into substantial disrepair since its closing in year 2012. The City was hopeful that the purchase by a private developer, C.A. Harrison Companies in year 2018 would lead to redevelopment of the property, but instead, the property has languished with continued deterioration causing an eyesore and potential danger at one of the City's major gateways.

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In the event that the Building Official determines abatement or demolition is necessary, and the owner refuses or fails to timely take action, costs expended in abatement and/or demolition may be recoverable in accordance with applicable provisions of the State Code and/or Virginia Uniform Statewide Building Code.

COST TO CITY: UNK.

BUDGETED ITEM: N/A

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: Code Enforcement

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Ramada File
2. resolution

CITY of PETERSBURG

Department of Neighborhood Services
Code Compliance Division
380 E. Washington St. a Timeline



380 E Washington Street

Parcel ID 012-290001

Background:

380 E. Washington St. was an attempt to revitalize a property that has been dormant or declining for several years. Built in 1973, the hotel originally was a Ramada Inn. It has switched names several times, most recently when it converted to Fort Lee Regency in 2010.

The hotel closed in 2012 and was owned by the city, but was sold to C.A. Harrison Companies for \$750,000, the sale was signed March 30, 2018 and closed April 2, 2018. It has since sat dormant.

The original hotel:



1973 – The hotel building at 380 E Washington Street was constructed and opened as a Ramada Inn. The 9-story steel frame building totals 86,985 square feet on a 2.32-acre parcel.

6/4/1998 – The property was purchased by Petersburg Regency, LLC.

2012 – The building closed and ceased operation as a hotel.

6/30/2014 – The City of Petersburg purchased the building in a tax sale for \$176,745, the amount of delinquent taxes owned on the property.

8/6/2015 – The City received a Letter of Intent from CA Harrison Co. to purchase the property for \$500,000.

12/22/2015 – Groundbreaking ceremony held by Chris Harrison and members of council.



12/23/2015 – Officials announced plans to redevelop 380 E. Washington Street as Maryland-based developer C.A. Harrison Companies, LLC was selected to develop the site into a hotel-anchored mixed-use development, complete with apartments, retail and office space and a restaurant. The proposed project budget was between \$20 to \$25 million, and the project was initially projected to be completed in mid-2017.

04/05/2016 – Following a Public Hearing, the City Council adopted 16-Ord-16 the disposition of the properties located at 326, 380 and 400 E. Washington St. further identified as tax parcels 012-330010, 012-290001 and 012-290002.

08/17/2016 – Following a Public Hearing, the City Council adopted 16-Ord-33, to adopt the Tourism Development Plan Developed in conjunction with the Commonwealth of Virginia's Tourism Development Financing Program, to endorse a proposed tourism project (the hotel project at 380 E Washington St proposed by CA Harrison Co.), and to authorize other actions consistent with State Tourism Gap Financing.

9/1/2016 – City awarded \$600,000 loan through the Virginia Industrial Revitalization Fund program for the hotel development project (funding was not used for the project).

8/7/2017 – City executed Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund (VBAF) grant agreement totaling \$350,000, of which \$275,000 was spent to abate lead and asbestos found in the building during an Environmental Assessment conducted by the Developer.

9/23/2017 – City was informed by the Virginia Tourism Corporation that the Tourism Plan was not approved and the requested gap financing for the hotel project would not be available.

04/02/2018 - The property known as 380 E Washington Street was sold to Virginia Hotel Development Group LLC.

05/07/2018 - The C.A. Harrison Companies, LLC applied for the Zone 10 Central Business District Enterprise Zone. Christopher Harrison signed as the applicant and as the owner and noted he is also a Managing Member of the mentioned LLCs.

It was stated on this application that Phase I of development would start in June 2019, and there would be two additional phases to complete this project.

04/16/2019 – Richmond BizSense reported E-Comm, LLC filed suit against C.A. Harrison Companies for non-payment of interior demolition and asbestos remediation. Included in the lawsuit is Commonwealth Architects suing Harrison’s companies for unpaid services related to the project. Renderings of the projected development are below.

From Richmond Bizsense:

“As a Richmond architecture firm keeps up its legal fight against the developer behind a delayed hotel rehab in Petersburg, a second lawsuit likewise alleging nonpayment on the project has been filed by another area business.

E-Com LLC, a Midlothian-based engineering consulting firm, filed suit last month against C.A. Harrison Cos. and other parties involved in the planned redevelopment of the former Ramada Inn along Interstate 95, alleging it is owed the bulk of a \$450,000 contract for interior demolition and asbestos remediation.

The suit, filed March 20 in Petersburg Circuit Court, seeks a judgment of more than \$1 million, further alleging that company principal Chris Harrison and others conspired in a scheme to defraud state agencies that awarded the project grant funds and to damage E-Com’s reputation while benefiting from its work.”



05/08/19 – From the Progress – Index:

“Chris Harrison might have not had too much to say recently about the former Ramada Inn property he owns, but when he showed up at Tuesday’s City Council meeting, councilors were anything but silent with their frustrations about progress on what is perceived as an eyesore on Interstate 95.

The emotions they showed ranged from frustration over lack of communication about the project’s progress to questioning why it fell down the list of Harrison’s priorities. One councilor even noted how the property has become part of the upcoming 16th Senate District Democratic primary.”

10/16/2019 – Code mailed a certified Notice to Secure and an NOV to the Virginia Hotel Development Group LLC. Neither notice received a response.

10/31/2019 – The Fire Marshal hand-delivered an Official Notice to the contractor on site, Richard Miller, ordering the occupant and owner C.A. Harrison Companies LLC, C.A. Harrison to remove loose materials that could endanger life or damage property, and to properly secure the entire building and lot to prevent entry. This order was partially followed.

11/01/2019 – CBS 6 reported on loose materials falling off.

Per CBS 6:

“Petersburg Mayor Sam Parham says he and City Council are tired of the lack of progress in renovating the old Ramada Inn, a shuttered hotel between East Washington and Wythe streets, just west of I-95.

On Thursday, CBS 6 reported Petersburg Fire Department and the Fire Marshal's Office responded to the vacant hotel after a citizen spotted a piece of the hotel dangling. Officials said an estimated 24 feet long by 10 feet wide piece eventually fell in some trees below.

Petersburg Fire Marshal Jim Reid even expressed safety concerns about unsecured pieces on the building.”

12/03/2019 – Code mailed a new certified NOV and posted a copy to the property as a second attempt to make contact and gain compliance. This notice received a response 40 days after posting.

01/07/2020 – The Fire Marshal, with the assistance of the Code Office, took out six criminal summons for Chris A. Harrison.

01/13/2020 – Code received a phone call from Chris Hanna, a business partner of Mr. Harrison. He stated they never received any of the previous notices but did receive the copy left on site and wanted to discuss a plan to bring the property into compliance. Mr. Hanna stated he wanted to develop a plan to bring the hotel into compliance. However, completing all items on the inspection report would not be possible until they began construction.

Shortly after, Mr. Hanna stated he was unable to convince Chris Harrison to make the discussed minimal repairs.

The Progress-Index reported Harrison had lost funding sources for the project and has called out the city for the summonses taken out and its potential to further stall the project.

From the Progress-Index on the same day, 01/13/2020:

“The owner of the former Ramada Inn property has called the city “hypocritical” for issuing summonses against him, saying Petersburg is not advancing progress on the project by singling him out in public as a focal point of blight.

In an interview with The Progress-Index last week, Chris Harrison blamed much of the lack of advancement on the old high-rise building on losing funding sources for the project. While he is confident that he can replace those funding sources, Harrison said publicity generated over the former hotel is not helping matters.”

01/23/2020 – An unofficial quote to demolish the old hotel was sought to weigh all options for compliance. The amount proposed was \$900,000. This was only an estimate and was based on what was viewable from the exterior of the building and previous findings from an inspection several years prior.

From: Stephen McCloud
Sent: Thursday, January 23, 2020 4:10 PM
To: jhines@petersburg-va.org
Subject: Washington St Hotel (Old Ramada Inn)

Howie,

A budget number to demolish and dispose of the Old Ramada Inn located on Washington Street in Petersburg would be \$900,000.00.
Price would vary depending on current condition compared to our last visit a few years ago and how the site would need to be finished.

Let me know if you have any questions or if you would like to schedule a visit to firm up any numbers.

Thanks,

Steve

Stephen V. McCloud
President

02/24/2020 – Code mailed a certified and a standard updated NOV with civil fines to Virginia Hotel Group LLC, Christopher A. Harrison, C.A. Harrison Companies LLC. Thomas Williams signed for the mail and the green card was returned. We also posted the notice to the hotel's property.

04/23/2020 – Code mailed a certified and standard first round of civil fines to Virginia Hotel Group LLC, Christopher A. Harrison, and C.A. Harrison Companies LLC, for \$1000.00. The returned green card was signed by 1626 C19.

05/08/2020 – Economic Development went to Washington DC to meet with Chris Harrison and Chris Hanna and began discussing their options with the Ramada. Hanna requested a moratorium on the civil penalties.

05/11/2020 – After no response or payment, Code mailed a certified and standard second round of civil fines to Virginia Hotel Group LLC, Christopher A. Harrison, and C.A. Harrison Companies LLC, totaling \$2,500.00 due. The Postal Service confirmed delivery on May 14.

05/22/2020 After no response or payment, Code mailed a certified and standard third round of civil fines to Virginia Hotel Group LLC, Christopher A. Harrison, and C.A. Harrison Companies LLC., totaling \$4,000.00 due. The returned green card was signed by Barbara (last name not legible).

6/15/2020 – Code received payment for the current civil penalties, in full. With this payment, it was agreed Harrison would receive 30 days of no civil penalties and in return, he would provide Economic Development with a conceptual plan for market-rate apartments at the old Ramada site by 7/15. This deadline was missed.

7/24/2020 – Harrison continued promising he had plans in the works that were almost complete. Code continued to hold on issuing civil penalties for the moment.

08/03/2020 - Harrison has now refused to send any documents showing he has begun any preliminary planning or made conceptual drawings.

Code was directed to begin civil penalties again.

Code mailed a certified and standard fourth round of civil fines to Virginia Hotel Group LLC, Christopher A. Harrison, and C.A. Harrison Companies LLC., totaling \$1,500.00.

08/13/2020 - After no response or payment, Code mailed a certified and standard fifth round of civil fines to Virginia Hotel Group LLC, Christopher A. Harrison, and C.A. Harrison Companies LLC., totaling \$3,000.00 due.

08/25/2020 - After no response or payment, Code mailed a certified and standard sixth round of civil fines to Virginia Hotel Group LLC, Christopher A. Harrison, and C.A. Harrison Companies LLC., totaling \$4,500.00 due. Code will continue issuing civil fines.

09/11/2020 – The Economic Development Director has reached out to Mr. Harrison by email for any updates relating to the proposed market rate apartments.

“Good afternoon Chris,

I know it's been awhile since our last communication, but I wanted to follow up again to see if you were still interested in creating a market rate apartment building at the Hotel. I still feel it's a good play and would be a great addition to the market.

Please advise this coming week if there is any interest on moving forward.

Best regards,
Carthan.”

Signed:

Bradley Shupp, Property Maintenance Official

Carthan Currin, Economic Development Director

Frank Poulin, Neighborhood Services Director

Kelly Evko, Assistant to the City Manager

John ‘Howie’ Hines, Building Maintenance Official

Reginald Tabor, Interim Director of Planning and Community Development

Cc: Lionel D. Lyons, Deputy City Manager for Development and Operations

RESOLUTION FOR ACTION TO ABATE UNSAFE CONDITIONS AND VIOLATIONS OF THE BUILDING CODE ON THE PROPERTY LOCATED AT 380 E. WASHINGTON STREET

WHEREAS, the Ramada Inn Hotel was originally constructed at 380 E. Washington Street in year 1973; and

WHEREAS, said property existed and thrived for a number of years, changing hands several times, most recently operating as Fort Lee Regency in year 2010; and

WHEREAS, the property ceased to be used in year 2012 and was purchased by the City of Petersburg at a delinquent tax sale in year 2014; and

WHEREAS, a private developer, C.A. Harrison Companies provided the City with a Letter of Intent in year 2015 offering to purchase and redevelop the property; and

WHEREAS, the City worked with the private developer in the ensuing years to facilitate various loans and grants from state and other agencies to aid in the funding of the proposed project; and

WHEREAS, said private developer purchased the building from the City for redevelopment in year 2018; and

WHEREAS, since the purchase of the building, said private developer has not made progress with the development allowing the building to fall into substantial disrepair, with open and missing windows, deteriorating exterior walls, and other substantial issues believed by Council to constitute violations of the City Code, and which endanger the safety of persons who may be in the vicinity of the property; and

WHEREAS, a summary of the property and issues (Exhibit A) has been provided by City Staff and is hereby adopted and incorporated into this Resolution by reference as if set forth fully herein; and

WHEREAS, it is the belief of Council that the City must take immediate action to remedy the conditions of this building by abatement through immediate repair or demolition of the structure.

NOW therefore be it RESOLVED, that the City Manager is hereby directed to have Staff evaluate this property and take all necessary action to abate the conditions on said property through repair or demolition, and to work with the City Attorney with respect to all legal requirements to facilitate this; and

BE IT FURTHER RESOLVED that Council hereby expresses an intention to appropriate all necessary funding for said abatement as may be necessary based upon the estimates and recommendations provided by Staff concerning this matter, which sums shall be presented to Council for consideration, review, and approval in accordance with standard budgeting practices.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 6, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Kim Robinson

RE: **Consideration to adopt the Infectious Disease (COVID-19) Preparedness and Response Plan.**

PURPOSE: To adopt the City of Petersburg Infectious Disease (COVID-19) Preparedness and Response Plan.

REASON: The Commonwealth of Virginia Department of Labor and Industry (DOLI) is requiring localities to adopt an infectious disease preparedness and response plan.

RECOMMENDATION: Staff recommends approval of the Infectious Disease (COVID-19) Preparedness and Response plan.

BACKGROUND: The Virginia Department of Labor and Industry (DOLI) at the direction of Virginia Governor Ralph Northam has developed and implemented the policies set forth in Virginia Code 16 VAC 25-220. This Emergency Temporary Standard for preventing the infectious disease SARS-CoV-2 (otherwise known as COVID-19) is designed to prevent the spread of COVID-19 and protect Virginia's workers. As a result, localities are required to create and formally adopt an infectious disease preparedness and response plan.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Virginia Department of Labor and Industry (DOLI)

AFFECTED AGENCIES: All City departments.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Resolution_COVIDPLAN_20201006

2. COP_COVID-19_ResponseAndInfectiousDiseasePlan_FINALv3

**A RESOLUTION APPROVING THE CITY OF PETERSBURG INFECTIOUS DISEASE
(COVID-19) PREPAREDNESS AND RESPONSE PLAN**

WHEREAS, this is to certify that we have reviewed the City of Petersburg Infectious Disease (COVID-19) Preparedness and Response Plan, and;

WHEREAS, to the best of our knowledge and belief it complies with the Virginia Department of Labor and Industry (DOLI) policies set forth in Virginia Code 16 VAC 25-220; and;

WHEREAS, the plan is consistent with the guidance from the U.S. Department of Labor Occupational Health and Safety Administration publication OSHA 3990-03-2020, Guidance on Preparing Workplaces for COVID-19, and;

WHEREAS, the plan is available on the City of Petersburg website and at City facilities where in-person operations take place during the COVID-19 emergency.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Petersburg hereby approves the Infectious Disease (COVID-19) Preparedness and Response Plan.



City of Petersburg

September 24, 2020

**Infectious Disease (COVID-19)
Preparedness and Response Plan**

Adoption Date:

Revision(s):

Organization Policy

The Virginia Department of Labor and Industry (DOLI) at the direction of Virginia Governor Ralph Northam has developed and implemented the policies set forth in Virginia Code 16 VAC 25-220. This Emergency Temporary Standard for preventing the infectious disease SARS-CoV-2 (otherwise known as COVID-19) is designed to prevent the spread of COVID-19 and protect Virginia's workers. The City of Petersburg is dedicated to ensuring that our employees (full-time, part-time, and temporary) are fully protected, and can return to their families at the conclusion of their shifts. This policy sets forth the measures, policies, assessments, and enforcement measures that the City of Petersburg will utilize to ensure the best possible outcome. Employees failing to abide by the requirements of this policy may receive disciplinary action in conformance with the personnel policies and procedures manual.

Should you have any questions please contact your supervisor or Human Resources to address any questions or concerns that you may have.

Thank you,

Aretha Ferrell-Benavides

City Manager

City of Petersburg

Purpose, Scope, and Applicability

These procedures are designed to control, prevent, and mitigate the spread of SARS-CoV-2, the virus that causes coronavirus 2019 (COVID-19) among employees and citizens.

Exposure Assessment

Exposure Assessments were conducted on all positions in the City of Petersburg. Positions are classified according to the hazards they are potentially exposed to and the job tasks they undertake to ensure compliance with the standard/regulation. (See Appendix A)

Employee Self-Monitoring

Employees shall self-monitor their health checking for symptoms of illness prior to coming to work each day consistent with the Virginia Department of Health's most current guidelines or screening protocol. Employees should ask themselves "Yes" or "No" since my last day of work, have I had any of the following COVID-19 symptoms:

- A fever of 100.4 degrees or above or having a sense of a fever?
- A new cough that cannot be attributed to another health condition?
- New shortness of breath that you cannot attribute to another health condition?
- New chills that you cannot attribute to another health condition or specific activity (such as physical exercise)?
- A new sore throat that you cannot attribute to another health condition?
- New muscle aches that you cannot attribute to another health condition, or that may have been caused by a specific activity (such as physical exercise)?
- A new loss of taste or smell.
- Diarrhea and or Nausea

If you answer is "Yes" to any of the above, you should NOT report to work being sure to utilize the appropriate call out procedure for your department.

If you are at work and experience any of the above, you should immediately isolate yourself, don a face mask/covering, and contact your supervisor.

Employees who are sick should follow the Centers For Disease Control (CDC) Guidelines "What to Do If You Are Sick" <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

Employees Who Receive Positive Serologic (Antibody) Tests

Upon notification of a positive COVID-19 serologic test, an employee should notify the Human Resources Department.

Serologic test results shall not be used to make decisions about returning employees to work who were previously classified as known or suspected COVID-19.

Employees who test positive by serologic testing and were not otherwise previously classified as known or suspected COVID-19 may report to work provided they are not COVID-19 symptomatic and follow general recommendations to prevent infection with SARS-CoV-2 while at work.

There shall be no change of PPE for employees that test positive for SARS-CoV-2 antibodies. Employees that have a positive antibody test shall utilize the same PPE required of other employees without exception.

Employees at Increased Risk for Severe Illness

If an employee has been identified by the Centers for Disease Control (CDC) for being at a higher risk for severe illness and are concerned about your working environment or has questions about how they can work safely in the COVID-19 pandemic, they should contact the Human Resources Department. Conditions that are considered to be high risk can be found on the CDC's website.

<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>

Procedure to Report Illness

If an employee experiences any of the symptoms of COVID-19 and no alternative diagnosis has been made (e.g. tested positive for influenza), they should NOT report to work and follow these steps:

If the employee is at HOME:

- The employee should call out of work to their supervisor according to departmental procedures.
- The employee's supervisor will notify the Human Resources Department.
- The Human Resources Department will contact the employee and determine next steps in conjunction with the City Manager and the Virginia Department of Health, if necessary.

If the employee is at WORK:

- The employee should immediately isolate himself/herself and don a face mask.
- The employee should contact their supervisor.
- If the employee is safe to drive, the supervisor should instruct the employee to leave the premises. If the employee is not safe to drive, the supervisor should contact the employee's emergency contact and arrange for the employee to be transported home. If the employee is critically ill, the supervisor should call 9-1-1.
- The supervisor should contact the Human Resources Department who will contact the employee to determine next steps in conjunction with the City Manager and the Virginia Department of Health, if necessary.

Employees that are ill with symptoms associated with COVID-19 are designated as "suspected COVID-19".

Employees that are “suspected COVID-19” or “COVID-19” that are able and are eligible for Telework may do so upon Department Head and City Manager’s approval.

Notification of positive COVID-19 Test

Employees should notify the Human Resources department if they receive a positive SARS-CoV-2 (COVID-19) test or if a member of their household receives a positive SARS-CoV-2 (COVID-19) test.

Once the City has received notification of a positive COVID-19 test result from a City employee, a contractor/vendor/subcontractor employee, or any other person that has been on a City site within 14 days of receiving a positive COVID-19 test result:

- The City will notify its employees at the same place of employment within 24 hours of discovery of their possible exposure while keeping confidential the identity of the known COVID-19 person in accordance with the Americans with Disabilities Act (ADA) and other applicable Virginia Laws and regulations;
- The City will notify any other employer whose employees were present at the work site or other individual who was present at the worksite of a potential exposure within 24 hours.

Notifications of positive test of members of an employee’s household will not necessitate notification to other employees.

Return To Work

Suspected or known COVID-19 employees may return to work under the following circumstances:

- The employee must have resolution of a fever without the use of fever-reducing medications, and improvement in respiratory symptoms (e.g., cough, shortness of breath), and negative results of an FDA Emergency Use Authorized COVID-19 molecular assay for detection of SARS-CoV-2 RNA from at least two (2) consecutive respiratory specimens collected greater than or equal to twenty-four (24) hours apart (total of two negative specimens).
- If an employee refuses to be tested, then the City will use the symptom-based strategy in conjunction with consultation with appropriate healthcare professionals concerning when an employee will be permitted to return to work. The symptom-based strategy excludes an employee from returning to work until at least three (3) days (72 hours) have passed since recovery defined as resolution of a fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath); and, at least ten (10) days have passed since symptoms first appeared and an appropriate healthcare professional has released them to safely return to work.

Known asymptomatic COVID-19 may return to work under the following conditions:

- The employee must receive negative results of an FDA Emergency Use Authorized COVID-19 molecular assay for detection of SARS-CoV-2 RNA from at least two (2) consecutive respiratory specimens collected greater than or equal to twenty-four (24) hours apart (total of two negative specimens).
- If an employee refuses to be tested, then the City will use the time-based strategy which excludes an employee from returning to work until at least ten (10) days have passed since the date of their first positive COVID-19 diagnostic test assuming they have not subsequently developed symptoms since their positive test and an appropriate healthcare professional has released them to safely return to work. If they develop symptoms, then the symptom-based or test-based strategy shall be used.

Employees that have been isolated due to a known positive or suspected positive COVID-19 diagnosis of a member of their household may return to work when it is safe to do so according to the Virginia Department of Health’s guidelines.

Contractors/Vendors/Sub-Contractors

Employees that are managers of contractors/vendors/subcontractors shall discuss with them the importance of suspected COVID-19 and known COVID-19 contractor, subcontractor or vendor employees staying home and encourage them to develop non-punitive sick leave policies and monitor COVID-19 hazards for their employees.

Employees that are managers of contractors/vendors/subcontractors shall notify them that if they have an employee that has been on a City of Petersburg work site within the previous 14 days of receiving a positive COVID-19 test result they shall notify the City of Petersburg Human Resources department.

Known COVID-19 and suspected COVID-19 subcontractor, contractor, or vendor employees shall not report to or be allowed to remain at a City work site until cleared for return to work.

(See Page 11)

Definitions

Administrative Control: Any procedures which significantly limits daily exposure to COVID-19 related to workplace hazards and job tasks by control or manipulation of the work schedule or manner in which the work is performed. Personal Protective Equipment (PPE) is not considered an administrative control.

Asymptomatic: A person who does not have symptoms.

Close Contact: Any individual within six (6) feet of an infected person for at least fifteen (15) minutes starting from two (2) days before the person became sick until the person was isolated.

Engineering Control: The use of substitution, isolation, ventilation, and equipment modification to reduce exposure to COVID-19 related workplace hazards and job tasks.

Exposure Risk Level: Assessment of the possibility that an employee could be exposed to the hazards associated with COVID-19 disease which are based on risk factors present during the course of employment regardless of location. These have been broken down to “very high”, “high”, “medium”, and “lower”.

- **Very High:** Exposure risk hazards or job tasks are those in places of employment with high potential for employee exposure to known or suspected sources of the COVID-19 including but not limited to specific medical, postmortem, or laboratory procedures.
- **High:** Exposure risk hazards or job tasks are those in places of employment with high potential for employee exposure with known or suspected sources of COVID-19 that are not otherwise classified as “very high”.
- **Medium:** Exposure risk hazards or job tasks that are not otherwise classified as very high or high and require more than minimal occupational contact with other employees or persons who may be infected with but are not known or suspected COVID-19 carriers.
- **Lower:** Exposure risk hazards or job tasks are those not otherwise classified as very high, high, or medium, that do not require contact with person known to be, or suspected of being, or who may be infected with, nor contact with other employees, other persons or the general public except as otherwise provided in this definition.

Face Coverings

Employees shall wear a facial covering when in shared spaces. Shared spaces include any area where more than one employee is present and it is difficult for social distancing to be observed (hallway, copy rooms, restrooms, break rooms, etc.). Any interaction with a citizen requires a facial covering (unless there is a physical barrier). Exceptions to wearing a facial covering may occur where there is a medical reason that an employee should not wear a face covering. Any employee requesting an exception to wearing a facial covering should see the Human Resources Department as medical documentation will be required.

Employee use of cloth face coverings for close contact (inside 6 feet) with co-workers, customers, or other persons is not an acceptable practice to achieve minimal occupational contact. A cloth facial covering is not intended to protect the wearer, but it may prevent the spread of the virus from the wearer to others and is not considered personal protective equipment (PPE).

When working in close contact with others, employees **MUST** wear a facial covering.

Social Distancing

Employees shall observe social distancing guidelines (remaining at least 6 feet apart) at all times. This includes during break times. Employees should not congregate in offices, hallways, break rooms, workstations, time clocks, etc.

Where the nature of an employee's work does not permit social distancing then a facial covering shall be worn by all individuals.

Break Rooms/Common Meal Areas

The space occupancy, minimum physical distancing, hand/washing, and space disinfecting requirements of each break room or common room where employees consume meals will be clearly posted at its entrance. Employees should adhere to these requirements at all times.

Employees shall wash their hands with soap and water or utilize hand sanitizer prior to entering common break rooms.

Employees shall clean and disinfect the area of the break room that they utilized prior to leaving.

Travel & Training

All business travel or meetings outside the City requiring overnight stay should be limited and must be approved by the Department Head and City Manager in writing prior to attendance.

Internal meetings should be conducted via telephone or other technology source if feasible.

Personal travel plans out of the state should be discussed with supervisors and a period of self-isolation may be required prior to returning to work dependent upon the circumstances. Approval to return to work after personal travel without self-isolation should be obtained from the City Manager's office in writing.

Vehicles

If at all possible, multiple employees should not occupy a vehicle for work purposes. If this cannot be avoided, all employees occupying the vehicle shall wear a face mask.

Employees should sanitize the inside of their City vehicle after each use. If an employee utilizes the same vehicle for an entire shift and no other employee utilizes it, then the vehicle may be sanitized at the end of each their shift.

Sanitation

Employees that interact with the general public, contractors and other persons, shall be provided with and immediately use supplies to clean and disinfect surfaces contacted during the interaction where there is potential for exposure to the SARS-CoV-2 virus by themselves or other employees.

Areas in the place of employment where known and suspected COVID-19 employees or other persons accessed or worked shall be disinfected prior to allowing other employees to access the area. This requirement shall not apply if the area(s) in question have been unoccupied for seven (7) or more days.

All common spaces, including bathrooms, frequently touched surfaces and doors shall at a minimum be cleaned and disinfected at the end of each shift.

Where feasible, shared tools and equipment shall be cleaned and disinfected prior to transfer from one employee to another.

Employees shall ensure that only disinfecting chemicals and products are used that are approved by the Environmental Protection Agency (EPA) and listed on List N for use against SARS-CoV-2 and emerging viral pathogens.

Employees should ensure that the manufactures instructions for use of all disinfecting chemicals and products are complied with (e.g. concentration, application method, contact time, PPE, etc.).

Employees shall have easy, frequent access, and permission to use soap and water, and hand sanitizer where feasible for the duration of work. Employees assigned to a workstation where job tasks require frequent interaction inside six (6) feet with other persons shall be provided with hand sanitizer where feasible at their workstation. Mobile crews shall be provided with hand sanitizer where feasible for the duration of work at a work site and shall have transportation immediately available to nearby toilet facilities and handwashing facilities.

Employees shall wash their hands thoroughly with soap and water or utilize hand sanitizer immediately upon entering and prior to exiting a City building/facility. Frequent and proper handwashing and or utilization of hand sanitizer is encouraged throughout the day.

Antidiscrimination

No person shall discharge or in any way discriminate against an employee because the employee has exercised their rights under the safety and health provisions of the STANDARD NAME or Title 40.1 of the Code of Virginia for themselves or others.

No person shall discharge or in any way discriminate against an employee who voluntarily provides and wears their own personal protective equipment (PPE), including, but not limited to a respirator, face mask, face shield, or gloves, if such equipment is not provided by the City, provided that the PPE does not create a greater hazard to the employee, or create a serious hazard for other employees.

No person shall discharge or in any way discriminate against an employee who raises a reasonable concern about infection control related to the SARS-CoV-2 virus and COVID-19 disease to the City, the City 's agent, other employees, or to the public such as through print, online, social or any other media.

Employer Requirements

Employees are encouraged to self-monitor for signs and symptoms of suspected COVID-19 infection. These signs and symptoms may include the following: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. Symptoms may appear in 2 to 14 days after exposure to the virus.

Employees who are experiencing symptoms listed above are encouraged to stay home and notify a supervisor of your absence. On a case-by-case basis, you may be authorized to work remotely. Should the need arise to remain away from work for an extended period of time due to COVID-19, the City of Petersburg sick leave policy allows for: (See Personnel Policies and Procedures Manual, Working Conditions and Benefits, Article VI, Section 6.4.)

Any organizations conducting contracting work with the City of Petersburg is required to impress upon the contractor(s) about the importance of suspected COVID-19 contractors or temporary employees staying home. Known or suspected COVID-19 contractors or temporary workers shall not report to work or be allowed to remain on the job site until cleared to return to work.

To reduce the spread of COVID-19, employees, unless infeasible, will be required to practice physical distancing. When physical distancing is infeasible, employees will be required to ensure the use of a face covering. All employees when occupying a vehicle together for work purposes are required to utilize a face covering. If a facial covering is contrary to an employee's safety or health, a facial covering is not required; however, based on physical distancing, the employee may be required to utilize a face shield or other PPE device to ensure protection.

Employees who are required to interact with customers, contractors, or the general public will be provided with, and must immediately use supplies to clean and disinfect areas where there is potential for exposure to COVID-19. All common areas bathrooms, and other frequently touched surfaces must be cleaned at least at the end of each shift or as determined by enhanced cleaning procedures.

Return to Work

If an employee of the City of Petersburg is suspected or has tested positive for COVID-19, the following guidelines are to be followed:

If an employer (supervisor) is notified of a positive test for one of its own employees, contractors, temporary employees, or other person who was present at the place of employment within the previous fourteen (14) days, the employer shall notify:

- Its own employees at the same place of employment who may have been exposed within twenty-four (24) hours of discovery while keeping confidential the identity of the COVID-19 person in accordance with the Americans with Disabilities Act (ADA) and other applicable laws and regulations.
- Other employers whose employees were present at the work site during the same time period; and the building/facility owner (if different from the employer).

Choose one or both of the strategies below

Employees may return to work based on the time-based strategy implemented by the City of Petersburg. Employees who are suspected or known COVID-19 employees may return to work when (seventy-two) 72 hours have passed since recovery (resolution of fever without the use of fever-reducing medications, and improvement in respiratory symptoms); AND at least ten (10) days have passed since the symptoms first appeared.

Employees may return to work based on the test-based strategy implemented by the City of Petersburg. Employees who are suspected or known COVID-19 employees may return to work when there is a resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms, AND two (2) consecutive negative results from a U.S. Food and Drug Administration Emergency Use COVID-19 test taken at least (twenty-four) 24 hours apart. An employee has the right to refuse the COVID-19 test; however, the employer will then be required to follow the symptom-based strategy.

Training

The City of Petersburg is dedicated to ensuring employee protection. This is done to ensure that employees can return home to their families safely at the conclusion of their shifts. To do that, employees must be effectively trained. Training will be accomplished as prescribed below:

- To all employees initially
- To all employees who lack understanding of the policy
- To all newly hired employees

Training will cover the information as prescribed below:

- COVID-19 signs and symptoms
- Self-monitoring for signs and symptoms
- Employer responsibilities and return to work policy
- Cleaning and disinfecting
- Specific COVID-19 analysis for employee jobs
- The City of Petersburg enforcement policy
- Allow for questions and answers

Responsible Party

The City of Petersburg has developed this policy based on the temporary 16 VAC 25-220 Emergency Temporary Standard developed by the Virginia DOLI. This policy is designed to be in place through January 15, 2021; however, this policy may be continued by the City of Petersburg based on Federal, State, or local guidelines. The City of Petersburg Department/Person (i.e. Human Resources Office) is responsible to ensure the adoption, dissemination, and enforcement of this policy for the safety and health of the employees of the City of Petersburg.

Employee Signature _____

Appendix A

Exposure Assessment-COVID-19

Positions were classified based on the guidance provided in the standard/regulation.

TITLE	LOW	MEDIUM	HIGH	VERY HIGH
Account Clerk II	✓			
Account Clerk III	✓			
Accountant III	✓			
Accountant Supervisor	✓			
Accounting Clerk III	✓			
Accounting Manager	✓			
Administrative Assistant	✓			
Administrative Assistant II	✓			
Administrative Manager	✓			
Administrative Program Assistant	✓			
Administrative Services Manager	✓			
Administrator, CDBG	✓			
Administrator, Human Resources	✓			
Animal Control Assistant		✓		
Animal Control Officer		✓		
Animal Control Warden		✓		
Appraiser	✓			
Assessor	✓			
Assistant Chief Deputy (Circuit Court)	✓			
Assistant City Attorney	✓			
Assistant Director		✓		
Assistant Director, Capital Budgeting	✓			
Assistant Director, Engineer (Utilities)		✓		
Assistant Director, Planning & Development Services	✓			
Assistant Fire Marshal			✓	
Assistant General Manager, Facilities		✓		
Assistant General Manager, Street Operations		✓		
Assistant General Manager, Utilities		✓		
Assistant Golf Course Superintendent		✓		
Assistant Golf Professional		✓		
Assistant Manager, Billing & Collections		✓		
Assistant Purchasing Agent	✓			
Assistant Registrar		✓		
Assistant to the City Manager	✓			
Attorney II	✓			
Attorney III	✓			
Attorney IV	✓			

TITLE	LOW	MEDIUM	HIGH	VERY HIGH
Automotive Services Superintendent (Streets)	✓			
Benefit Program Specialist I/II	✓			
Benefit Program Specialist III	✓			
Budget Analyst	✓			
Building & Property Maintenance Official		✓		
Building Inspector		✓		
Building Maintenance Inspector		✓		
Business License Inspector		✓		
Chief Deputy Commissioner of Revenue	✓			
Chief Meter Reader		✓		
CIP Manager	✓			
Circuit Court Liaison Officer	✓			
City Attorney	✓			
City Clerk	✓			
City Manager	✓			
City Treasurer	✓			
Civil Clerk	✓			
Clerk of Circuit Court	✓			
Commissioner of Revenue	✓			
Commonwealth Attorney	✓			
Community Juvenile Officer		✓		
Computer Systems & Network Manager		✓		
Construction Worker (Cemeteries & Grounds)		✓		
Council Member	✓			
Court Administrator	✓			
Courthouse Camera Monitor (Sheriff)		✓		
Crew Leader		✓		
Crew Leader (Cemeteries & Grounds)		✓		
Crew Supervisor I (Streets)		✓		
Crew Supervisor II (Utilities Operations)		✓		
Crew Supervisor II (Cemeteries & Grounds)		✓		
Crew Supervisor II (Streets)		✓		
Crossing Guard	✓			
Custodial Worker I		✓		
Custodial Worker II		✓		
Customer Service Representative		✓		
Customer Service Utility Representative		✓		
Data Analyst	✓			
Data Entry Operator	✓			
Deputy City Manager, Community Affairs		✓		
Deputy City Manager, Development		✓		

TITLE	LOW	MEDIUM	HIGH	VERY HIGH
Deputy City Manager, Public Safety			✓	
Deputy Clerk	✓			
Deputy Clerk I - Clerk of Circuit Court	✓			
Deputy Clerk I - Commission of Revenue	✓			
Deputy Clerk II - City Treasurer	✓			
Deputy Clerk II - Clerk of Circuit Court	✓			
Deputy Clerk III	✓			
Deputy Clerk IV	✓			
Deputy Director, Mass Transit		✓		
Deputy Fire Chief			✓	
Deputy Fire Marshal			✓	
Deputy Police Chief			✓	
Deputy Sheriff		✓		
Director, Budget & Procurement	✓			
Director, Community Corrections		✓		
Director, Comprehensive Services Act		✓		
Director, Economic Development	✓			
Director, Finance	✓			
Director, General Services		✓		
Director, Human Resources	✓			
Director, Information Technology		✓		
Director, Library Services		✓		
Director, Mass Transit		✓		
Director, Neighborhood Services		✓		
Director, Planning & Development Services	✓			
Director, Recreation & Community Engagement		✓		
Director, Social Services		✓		
Director, Utilities & Capital Projects		✓		
Dispatch (Transit)	✓			
Economic Development Program Coordinator	✓			
Electrical Mechanical Inspector		✓		
Electronics Technician		✓		
Engineer		✓		
Engineering Construction Manager		✓		
Executive Assistant to the City Manager	✓			
Executive Assistant (Recreation & Community Engagement)	✓			
Executive Chef	✓			
Executive Director/Freedom Support Center		✓		
Facility Manager (F/T)		✓		
Facility Maintenance Specialty (Facilities)		✓		

TITLE	LOW	MEDIUM	HIGH	VERY HIGH
Family Services Manager		✓		
Family Services Specialist I		✓		
Family Services Specialist III		✓		
Family Services Supervisor		✓		
Fire Battalion Chief			✓	
Fire Captain			✓	
Fire Chief			✓	
Fire Division Chief			✓	
Fire Marshal/Deputy Chief			✓	
Fire Sergeant			✓	
Firefighter			✓	
Fiscal Assistant III	✓			
Fiscal Coordinator	✓			
Fiscal Manager	✓			
Fraud Investigator II	✓			
General Manager, Facility Management		✓		
General Manager, Engineer		✓		
General Manager, PGA Golf Pro		✓		
General Supervisor I (Cemeteries & Grounds)		✓		
General Supervisor II - (Utilities)		✓		
General Supervisor II (Facilities)		✓		
GIS Analyst	✓			
Golf Course Laborer		✓		
Golf Course Superintendent		✓		
Help Desk Specialist		✓		
Human Resources, Specialist	✓			
Human Services Assistant II	✓			
HVAC Mechanic		✓		
HVAC Technician Supervisor		✓		
Information System Support Specialist (Social Services)	✓			
Information System Support Supervisor (Social Services)	✓			
Information Technology Analyst		✓		
Inventory Clerk	✓			
Investigator/Commonwealth Atty	✓			
Legal Administrative Assistant	✓			
Librarian I		✓		
Library Assistant		✓		
Library Assistant II		✓		
Maintenance Worker I (Grounds)		✓		
Maintenance Worker I (Facilities)		✓		
Maintenance Worker II (Streets)		✓		

TITLE	LOW	MEDIUM	HIGH	VERY HIGH
Manager, Benefit Programs	✓			
Manager, Billing & Collections		✓		
Manager, Economic Development	✓			
Marketing Specialist	✓			
Motor Equipment Operator I (Utilities)	✓			
Motor Equipment Operator II	✓			
Motor Equipment Operator III	✓			
Museum Interpreter		✓		
Neighborhood Services Coordinator		✓		
Network Support Specialist (Social Services)	✓			
New Freedom Operator (F/T)			✓	
Office Assistant I - (Commonwealth Attorney)	✓			
Office Assistant III - (Commonwealth Attorney)	✓			
Operations Manager (Transit)		✓		
Operations Manager (Utilities)	✓			
Paralegal (City Attorney)	✓			
Parking Enforcement Specialist (P/T)			✓	
Payroll & Revenue Specialist [Transit]	✓			
Payroll Coordinator	✓			
Permit Technician		✓		
Planning/Zoning Technician	✓			
Plans Reviewer	✓			
Plumbing Mechanical Inspector		✓		
Police Captain			✓	
Police Lieutenant			✓	
Police Officer			✓	
Police Records Supervisor	✓			
Police Sergeant			✓	
Preservation Planner	✓			
Pretrial/Probation Officer		✓		
Program Coordinator	✓			
Program Manager, PJCCCP			✓	
Property Maintenance Official		✓		
Public Affairs Coordinator		✓		
Pump Station Equipment Mechanic - (Utilities)		✓		
Purchasing Agent	✓			
Purchasing Specialist	✓			
Real Estate Clerk	✓			
Records Clerk (Police)	✓			
Recreation Program Coordinator		✓		
Registrar			✓	

TITLE	LOW	MEDIUM	HIGH	VERY HIGH
Rental Housing Inspector		✓		
Restaurant Manager	✓			
Right of Ways Permits Manager	✓			
Risk Control Coordinator	✓			
Safety/Locator (Utilities)	✓			
Secretary - (Commonwealth Attorney)	✓			
Secretary II (Recreation & Community Engagement)	✓			
Secretary III (Police)	✓			
Security (P/T)		✓		
Security Guard (DSS)/ Facilities Manager I		✓		
Self-Sufficiency Specialist I	✓			
Self-Sufficiency Supervisor	✓			
Senior Traffic Signal/Street Light Technician		✓		
Sheriff		✓		
Sheriff Captain		✓		
Sheriff Corporal		✓		
Sheriff Lt. Col		✓		
Sheriff Major		✓		
Sheriff Sergeant		✓		
Storeroom/Print Shop Clerk		✓		
Stormwater Program Inspector		✓		
Stormwater Program Manager		✓		
Supervisor, Benefit Programs	✓			
Surveillance Officer		✓		
Telecommunication/Receptionist	✓			
Telecommunications Coordinator	✓			
Telecommunicator I	✓			
Telecommunicator II	✓			
Transit Accounts Specialists (F/T)	✓			
Transit Operator (F/T)			✓	
Transit Program Grants Specialist (F/T)		✓		
Transit Supervisor (F/T)			✓	
Victim Witness Advocate		✓		
Victim Witness Assistant Director		✓		
Victim Witness Director		✓		
Victim Witness Program Assistant		✓		
Water Service Technician I		✓		
Zoning Administrator	✓			