City of Petersburg Virginia

www.petersburgva.gov

Special Regular City Council Meeting

September 1, 2020
Live Stream
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**
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**
   a. Responses to City Council Questions (July 21,2020)
9. **Communication/Special Reports**
   a. Informational Update - Revenue Meetings/Revenue Calendar, Neighboring Locality Comparison, Utility Billing Schedule, Collection Rates
   b. A Presentation on the Virginia Department of Historic Resources (DHR) African American Cemetery & Graves Fund Grant Application for People's Memorial Cemetery.
   c. A Presentation on the City's Comprehensive Plan Update.
   d. A Presentation on the City's 2020-2024 HUD Consolidated Plan.
   e. Presentation on Revenue Anticipation Note (RAN)
   f. COVID-19 Update
10. **Consent Agenda (to include minutes of previous meetings):**
   a. Request to schedule a public hearing on or before September 14, 2020. The Continuity of Government Ordinance previously adopted by Council expires on September 14, 2020. This Ordinance replaces the prior ordinance and will extend the emergency operation provisions through March 14, 2021.
   b. ABC License for property at 15 W. Old Street (The Traveling Vine LLC)

c. Consideration of an appropriation for Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, 2nd round - $2,734,818 - 1st Reading

d. Request a public hearing on the Issuance of Revenue Anticipation Notes (RAN)

e. Request to schedule a public hearing to authorize the City Manger to sign a development agreement for the development of vacant properties located at 804-806 Bolling Street, 411 Shore Street, 520 Shore Street, 524 Shore Street, 525 Shore Street, 745 Wilson Street, 747 Wilson Street.

f. Minutes of Special Meeting of May 5, 2020; May 12, 2020; May 19, 2020; June 2, 2020; June 16, 2020; July 7, 2020 and July 21, 2020; and the Special Closed Session Meetings of June 2, 2020; June 16, 2020, and July 7, 2020.

11. Official Public Hearings

a. A Public Hearing to consider the rezoning of the property at 607 High Street, Tax Parcel 010-170017, formerly the site of the High Street United Methodist Church, from R-3, Two-Family Residence district to PUD, Planned Unit Development.

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

14. Items removed from Consent Agenda

15. Unfinished Business

a. A Request to consider an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of City-owned property that includes properties in Ward 5

b. A request to consider an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City -owned property located at 1203 W Washington Street .

16. New Business

a. Consideration of an appropriation for the Virginia Department Emergency Management's Emergency Management Performance Grant (LEMP) in the amount of $10,675.

b. Consider appropriating funds for a Radiological Emergency Preparedness Grant from the Virginia Department of Emergency Management in the amount of $4,199.98.

c. Consideration of re/appointment to the Economic Development Authority.

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

17. **City Manager's Agenda**

18. **Business or reports from the Clerk**

19. **Business or reports from the City Attorney**

20. **Adjournment**

July 21, 2020 City Council Meeting Q&A Follow-Up

August 11, 2020

1. **Q:** What can city administration do to help in distribution of information, safety, and testing of Covid-19 in assisted living, group homes, and nursing home facilities? - Councilmember Cuthbert

   A: Currently, we are unable to follow up with this question due to much uncertainty surrounding the current pandemic.

2. **Q:** Why were perpetual care funds moved to Utah? Who moved it? How much was moved? When will they be moved back? -Councilmember Darin Hill

   A: $1.2 million were moved from the perpetual fund into a bank in Utah. The Treasurer was requested to attend and respond to the corresponding question at the next Council meeting in September.

3. **Q:** Is there anything in place for code compliance for facilities like the Carriage House? Councilmember Treska Wilson-Smith

   A: Code compliance inspections consist of the following various components:
   Building Layout- inspection of exterior dimensions, interior room dimensions, placement of all windows, interior and exterior doors, and stairs. This component also inspects the functionality of each room's intended use.
   Exit Maps: Detailed exit map displayed near bedrooms
   Exit Signs: Exit signs are posted above exterior doors
   Water: Hot water in all bathrooms, washrooms, and kitchens
   Plumbing Fixtures: All plumbing fixtures work as intended and are leak free
   Smoke Detectors: Smoke detectors in all sleeping areas as well as outside of all sleeping areas. Rooms within reasonable distance may share the exterior detectors
   Windows: At least one window in each room, must be able to open fully and easily without the use of keys, tools, or special knowledge.
   Exterior Doors: All exterior doors should open with reasonable ease, with no use of keys, tools, or special knowledge to exit the home.

Interior Doors: All interior doors must be deadbolt, padlock, eye and hook, or similar free.
Fire Extinguisher: Fire extinguisher required in kitchen must be easily reached and up to date,
There should be no health, safety, or welfare concerns.

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Patrice Elliott

RE: **Informational Update - Revenue Meetings/Revenue Calendar, Neighboring Locality Comparison, Utility Billing Schedule, Collection Rates**

PURPOSE: Informational Update

REASON:

Informational Update

RECOMMENDATION: N/A

BACKGROUND:

A cross-functional team meets bi-weekly or every two weeks during a "Revenue Meeting" to discuss activities that impact the major sources of revenue for the City. A subset of this team meets weekly during workgroup meetings to review progress towards accomplishing tasks on the "Revenue Calendar".

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:

Finance
Billing & Collections
Commissioner of Revenue

City Assessor
Public Utilities
Information Technology
Budget & Procurement

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

STAFF: Varies based on agencies listed above

ATTACHMENTS:

1. Revenue Mtg_081320
2. B&C Recommendations & Benchmarking Data - Page 1
3. B&C Recommendations & Benchmarking Data - Page 2
4. Utility Billing Schedule
5. Utility Collections_Detail

Revenue Meeting
August 13, 2020

MEETING AGENDA

- Revenue Calendar (high-level)
  - Detail Work Sessions
    - Occurring weekly via teleconference on Fridays
  - Utility Billing
  - Personal Property – survey update
  - Real Estate – survey update

- Customer Account Billing Inquiries
  - Prince George (Fort Hayes, Johnson Road)
  - Fort Lee
  - Appomattox

- Printing Services (RFP)
  - Evaluate backup for folding/sealing/mailing services
    - Print shop/Mailroom
    - Current Sealer Vendor

- Banking Services
  - Proposal – under evaluation

- Contract Evaluation
    - Collection Agencies (Jason Dunn, TACS, Sands Andersen, Rahman Group)
  - Bankruptcy Assistance
    - Jason Dunn (purchase order issued)

- Tax Sales (Councilman's wants to increase sales/ transfer to Jason Dunn)

- Staffing Updates

(over)

- Round Robin Updates
  - City Manager/Deputy City Manager – Customer Engagement Ctr (CSC)
  - Budget & Procurement
  - City Assessor
  - Commissioner of Revenue
  - Finance, Billing & Collections
  - Information Technology
  - Public Utilities

- Other Discussion Items/Issues

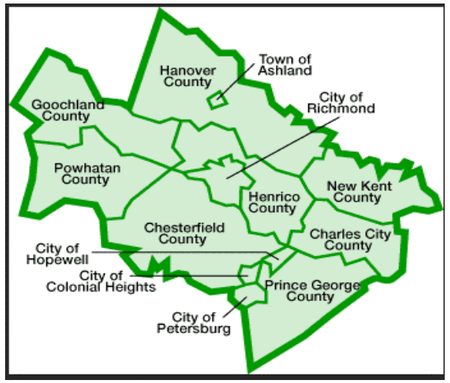
Revenue Meeting
August 13, 2020
Fiscal Management Building
144 N Union Street
Petersburg, VA 23803
10:00 am

List of Invitees/Attendees (16):

☐	Adams	India
☐	Barnes	Andrew
☐	Criss	Shaun
☐	Dunkentell	Moni
☐	Elliott	Patrice
☐	Evans	Monte
☐	Ferrell-Benavides	Aretha
☐	Flowers	Brittany
☐	Floyd	Robert
☐	Gordineer	Brian
☐	Innis	Tangela
☐	Jordan	Stacey
☐	Lyons	Lionel
☐	Mann	Alesha
☐	Sinclair	Janell
☐	Van Voorhees	Gerrit

Potential Billing & Collections Recommendations							
Type	Frequency	Total Individual Accounts (Customers)	Bills Sent Per Frequency (Monthly, Quarterly or Annual)	Current Billing /Collection Date (Baseline)	Recommendation (Finance/B&C)	Recommended Billing/Collection Date (COR)	Justification for Recommendation (Commissioner of Revenue)
Personal Property Tax	Bi Annual	30344 (does not include supplements)	Due Feb 28 & June 10	Feb 28th & June 10	5-Dec	June 5 & Dec 5	1st 6 mos due in the 6 month & last 6 months due in the 12 mo - lining up with our neighboring prorating locality (Dinwiddie)
Tangible Personal Property Tax (Machinery & Tools/ Business Equipment/ Leased Equipment)	Annual	2000	Due June 10	June 10th and June 11 begins interest and penalties	N/A	5-Jun	Only due 1 time a year.
Business License	Annual	1749	Annually	Due March 1st; Interest and penalties begin March 2nd	N/A	N/A	N/A
Real Estate Tax	Quarterly	14244	Quarterly	Sept 30th. Oct 1st interest and Penalty, April 1, July1	November 15 & May 15	N/A	N/A
Meals Tax	Monthly	141	No bill(s) sent due the 20th of each month	N/A	N/A	N/A	N/A
Lodging Tax	Monthly	19	No bill(s) sent due the 20th of each month	N/A	N/A	N/A	N/A
Cigarette Stamps	Monthly	59	No bill(s) sent - amount varies	N/A	N/A	N/A	N/A
Water	Monthly	12,850	Monthly	Bills go out around the 10th of the month (by statue); at least 20 days in advance of the due date; Bills are due the 1st of the month	Bimonthly	N/A	N/A
Admissions	Monthly/When Occur	Varies	Due @ the time of special event - businesses pay the last day of the month	N/A	N/A	N/A	N/A

Notes: How does this effect the G/L and IT/ Treasurer's dept?



City of Peterburg, VA - Benchmarking*

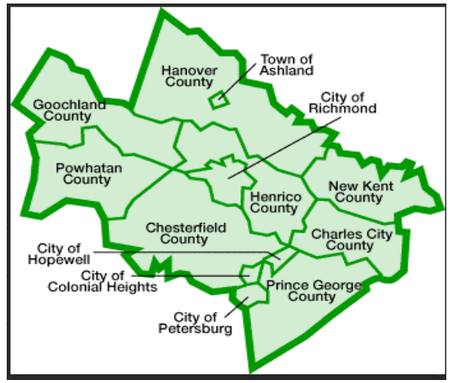
Justification for Recommendation

***Note 1** : Preparer assumes no liability for accuracy of data or maintaing the accuracy of data. Draft prepared for discussion purposes only. Readers are encouraged to research and verify information contained therein to reach additional independent conclusions.*

***Note 2:** Dates proposed are for consideration purposes only and based on current cash flow, RAN obligation, and neighboring localities. Impact of pandemic is unknown and can not be predicted. Proposal may change based on change in cash flow and unexpected impacts of pandemic. Preparer not responsible for any reliance placed on estimates or judgements used during this time of uncertainty. Risk adversion suggest some major changes should be limited in scope during pandemic as a results of very unpredictable impacts.*

	Baseline	Proposed - For Consideration**	Neighboring Localities		
	0	00	1	2	3
	City of Petersburg Finance/Billing & Collections	**City of Petersburg** Finance/Billing & Collections	**Prince George County** Treasurer	**Hopewell** Treasurer	**Charles County** Commissioner of Revenue
Real Estate Due Date					
1st	Sept 30	November 15	December 5	December 5	December 5
2nd	December 31	May 15	June	June 15	June 5
3rd	March 31				
4th	June 30				
Personal Property Due Date					
1st or only billing	Feb 28	December 5	June 5	February 15	December 5
2nd	June 10				
	City of Petersburg Finance/Billing & Collections	**City of Petersburg** Finance/Billing & Collections	**Prince George County** Engineering and Utilities Department	**Hopewell** VA American Water - Separate Entity; WasteWater - 3rd Party	**Charles County** Public Works Department
Utilities (Water) Due Date	1st of month	Bimonthly (by alternating wards 1-7)	Bimonthly (alternating cycles 1 vs 2 by subdivision)		

	Neighboring Localities				
	4	5	6	7	8
	Henrico County Finance/Treasury Division	**City of Richmond** Finance	**Chesterfield County** Treasurer	**Dinwiddie County** Treasurer	**Colonial Heights** Finance
Real Estate Due Date					
1st	December 5	January 14	December 5	December 5	November 15
2nd	June 5	June 14	June 5	June 5	May 15
3rd					
4th					
Personal Property Due Date					
1st or only billing	December 5	June 5	June 5	December 5	December 5
2nd	June 5			June 5	June 5
	Henrico County Public Utilities Department	**City of Richmond** Public Utilities Department	**Chesterfield County** Utilities Department	**Dinwiddie County Water Authority** Separate Entity	**Colonial Heights** Finance
Utilities (Water) Due Date	Bimonthly - 5th of month		Bimonthly		



City of Peterburg, VA - Benchmarking*

Justification for Recommendation

***Note 1** : Preparer assumes no liability for accuracy of data or maintaing the accuracy of data. Draft prepared for discussion purposes only. Readers are encouraged to research and verify information contained therein to reach additional independent conclusions.*

***Note 2:** Dates proposed are for consideration purposes only and based on current cash flow, RAN obligation, and neighboring localities. Impact of pandemic is unknown and can not be predicted. Proposal may change based on change in cash flow and unexpected impacts of pandemic. Preparer not responsible for any reliance placed on estimates or judgements used during this time of uncertainty. Risk adversion suggest some major changes should be limited in scope during pandemic as a results of very unpredictable impacts.*

	Baseline	Proposed - For Consideration**	Neighboring Localities		
	0	00	1	2	3
	City of Petersburg **Finance/Billing & Collections**	**City of Petersburg** **Finance/Billing & Collections**	**Prince George County** **Treasurer**	**Hopewell** **Treasurer**	**Charles City County** **Commissioner of Revenue**
Real Estate Due Date					
1st	Sept 30	November 15	December 5	December 5	December 5
2nd	December 31	May 15	June 5	June 15	June 5
3rd	March 31				
4th	June 30				
Personal Property Due Date					
1st or only billing	Feb 28	December 5	June 5	February 15	December 5
2nd	June 10				
	City of Petersburg **Finance/Billing & Collections**	**City of Petersburg** **Finance/Billing & Collections**	**Prince George County** **Engineering and Utilities Department**	**Hopewell** **VA American Water - Separate Entity;** **WasteWater - 3rd Party**	**Charles County** **Public Works Department**
Utilities (Water) Due Date	1st of month	Bimonthly - 5th of month (by alternating wards 1-7)	Bimonthly (alternating cycles 1 vs 2 by subdivision)		

	Neighboring Localities				
	4	5	6	7	8
	Henrico County **Finance/Treasury Division**	**City of Richmond** **Finance**	**Chesterfield County** **Treasurer**	**Dinwiddie County** **Treasurer**	**Colonial Heights** **Finance**
Real Estate Due Date					
1st	December 5	January 14	December 5	December 5	November 15
2nd	June 5	June 14	June 5	June 5	May 15
3rd					
4th					
Personal Property Due Date					
1st or only billing	December 5	June 5	June 5	December 5	December 5
2nd	June 5			June 5	June 5
	Henrico County **Public Utilities Department**	**City of Richmond** **Public Utilities Department**	**Chesterfield County** **Utilities Department**	**Dinwiddie County Water Authority** **Separate Entity**	**Colonial Heights** **Finance**
Utilities (Water) Due Date	Bimonthly - 5th of month		Bimonthly		

City Announcements

Posted on: July 23, 2020

2020 Utility Billing Schedule

Due to COVID-19, the following utility billing schedule will be implemented for the remainder of the calendar year:

Mail By Date:	Due Date:
July 31	August 21
August 24	September 14
September 14	October 5
October 15	November 5
November 16	December 5
December 15	January 5

Please note that beginning in October 2020, utility bill payments will be due on the 5th of the month and no longer on the 1st of the month.

The City reserves the right to revisit this schedule due to continued and/or unforeseen impacts of COVID-19.

We appreciate the patience of our community as we strive to preserve the safety of both our residents and employees.

⇐ **Previous**
Petersburg is Open for Business! - Small Business Relief Program

Next ⇒
Hydrant Flushing and Inspections

Other News in City Announcements

Tools

RSS

Notify Me

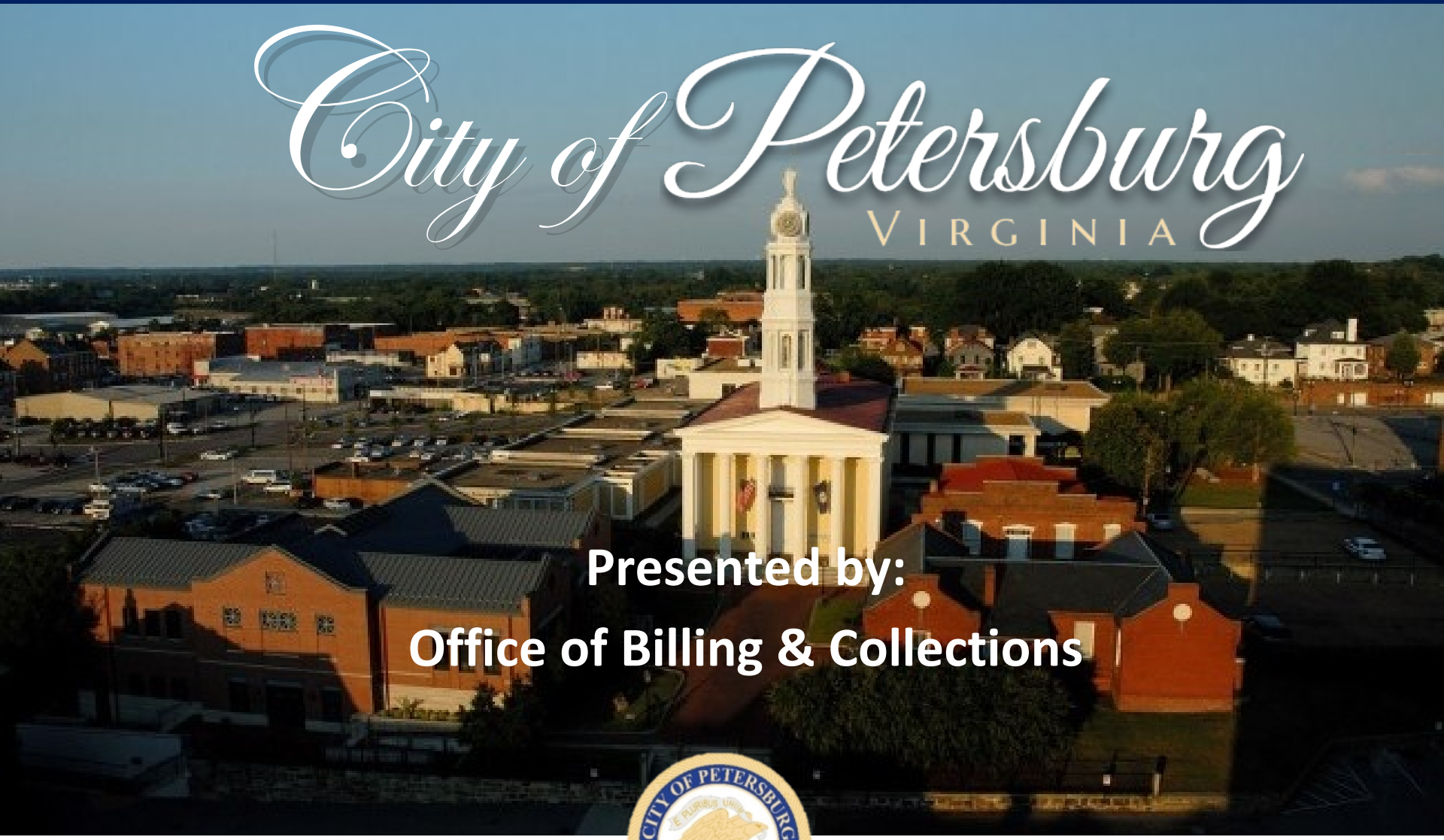
View Archived

Categories

- All Categories
- City Announcements
- Home - Petersburg News
- Home - Whats Happening Spotlight
- Sheriff's Office

Enable Google Translate

Utility Collections



Presented by:

Office of Billing & Collections

Amount Billed vs Amount Collected

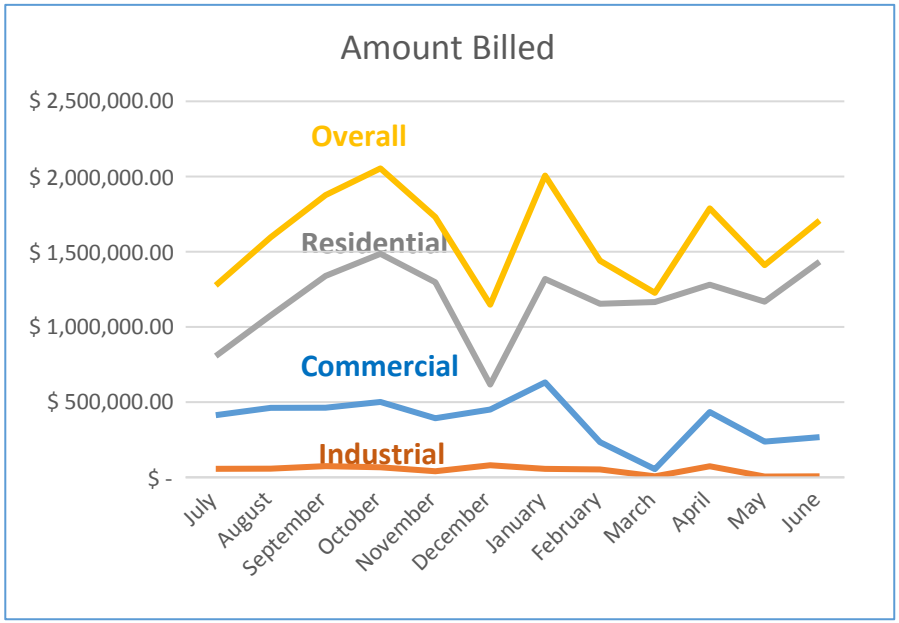
Collections

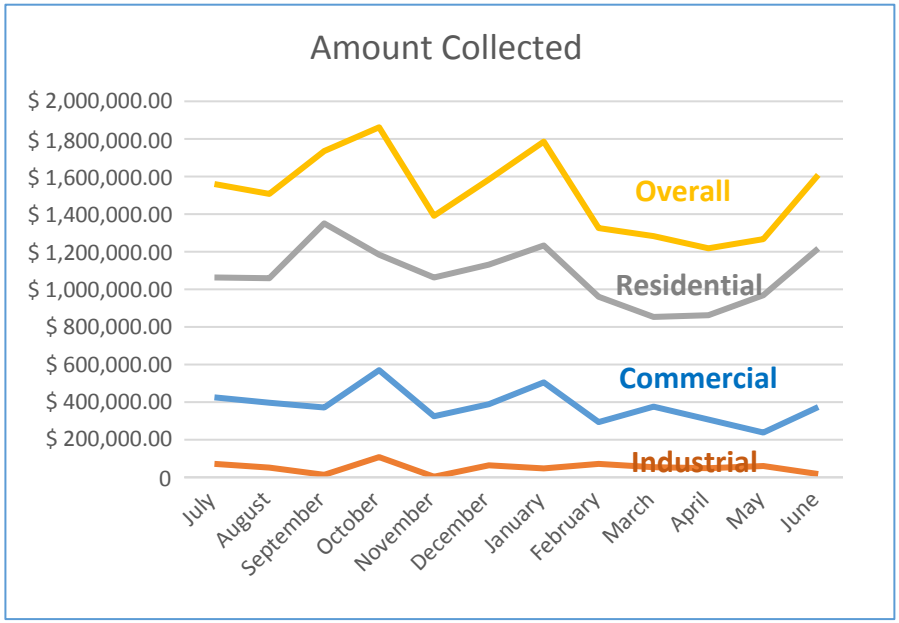
Amount Billed

	July	August	September	October	November	December	January	February	March	April	May	June
Commercial	$ 413,322.78	$ 461,955.28	$ 462,868.49	$ 501,128.69	$ 393,004.65	$ 450,735.28	$ 631,208.29	$ 233,937.55	$ 54,477.37	$ 434,106.38	$ 237,578.33	$ 267,290.65
Industrial	$ 56,618.50	$ 57,600.88	$ 74,455.27	$ 66,760.55	$ 40,425.69	$ 80,256.97	$ 56,295.02	$ 52,408.24	$ 6,654.53	$ 73,572.31	$ 5,270.61	$ 6,646.19
Residental	$ 806,268.26	$ 1,076,253.38	$ 1,339,144.58	$ 1,486,147.67	$ 1,297,086.73	$ 616,967.17	$ 1,318,859.19	$ 1,154,016.75	$ 1,165,530.52	$ 1,280,689.96	$ 1,167,959.24	$ 1,433,506.56
	$ 1,276,209.54	**$ 1,595,809.54**	**$ 1,876,468.34**	**$ 2,054,036.91**	**$ 1,730,517.07**	**$ 1,147,959.42**	**$ 2,006,362.50**	**$ 1,440,362.54**	**$ 1,226,662.42**	**$ 1,788,368.65**	**$ 1,410,808.18**	**$ 1,707,443.40**

Amount Collected

	July	August	September	October	November	December	January	February	March	April	May	June
Commercial	$ 425,364.29	$ 396,779.98	$ 371,419.69	$ 570,019.31	$ 324,874.78	$ 388,949.90	$ 504,973.99	$ 293,811.86	$ 375,973.15	$ 307,288.37	$ 238,241.22	$ 373,881.38
Industrial	$ 71,587.79	$ 51,720.10	$ 13,322.90	$ 107,610.10	$ 3,237.74	$ 63,900.07	$ 47,429.70	$ 71,487.34	$ 53,866.48	$ 48,574.36	$ 60,196.92	$ 17,493.90
Residental	$ 1,063,070.62	$ 1,059,134.96	$ 1,350,732.16	$ 1,184,232.39	$ 1,062,934.68	$ 1,131,457.25	$ 1,233,213.35	$ 960,495.04	$ 853,201.48	$ 862,343.16	$ 968,576.22	$ 1,217,256.29
	$ 1,560,022.70	**$ 1,507,635.04**	**$ 1,735,474.75**	**$ 1,861,861.80**	**$ 1,391,047.20**	**$ 1,584,307.22**	**$ 1,785,617.04**	**$ 1,325,794.24**	**$ 1,283,041.11**	**$ 1,218,205.89**	**$ 1,267,014.36**	**$ 1,608,631.57**





Collection Rate

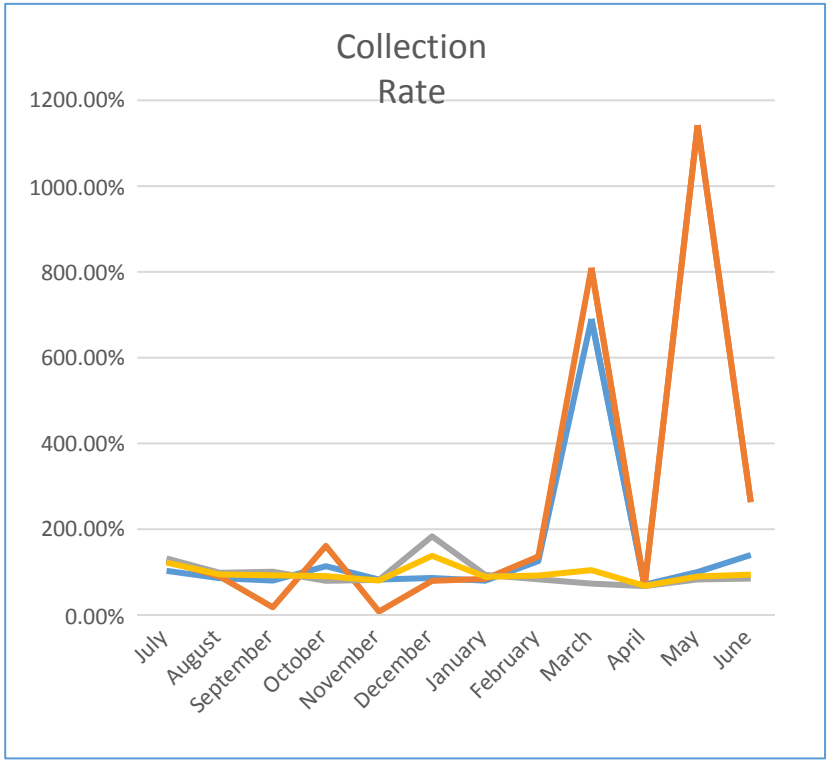
Collection Rates												
	July	August	September	October	November	December	January	February	March	April	May	June
Commercial	102.91%	85.89%	80.24%	113.75%	82.66%	86.29%	80.00%	125.59%	690%	70.79%	100.28%	139.88%
Industrial	126.44%	89.79%	17.89%	161.19%	8.01%	79.62%	84.25%	136.40%	809%	66.02%	1142.12%	263.22%
Residental	131.85%	98.41%	100.87%	79.68%	81.95%	183.39%	93.51%	83.23%	73%	67.33%	82.93%	84.91%
	122.24%	94.47%	92.49%	90.64%	80.38%	138.01%	89.00%	92.05%	104.60%	68.12%	89.81%	94.21%

Industrial

Commercial

Residential

Overall



Annual	Total	Commercial	Industrial	Residential
Billed	$ 19,261,008.51	$ 4,541,613.74	$576,964.76	$ 14,142,430.01
Collected	$ 18,128,652.92	$ 4,571,577.92	$610,427.40	$ 12,946,647.60
Rate	94.12%	100.66%	105.80%	91.54%

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 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, Wayne Crocker

RE: **A Presentation on the Virginia Department of Historic Resources (DHR) African American Cemetery & Graves Fund Grant Application for People's Memorial Cemetery.**

PURPOSE: To provide an update regarding DHR cemetery registration and a grant application submitted for funding to support work in the People's Memorial Cemetery.

REASON: To provide information regarding a State grant program and an application submitted for funding.

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: September 1, 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 Presentation on the City's Comprehensive Plan Update.**

PURPOSE: To provide an update on the status of the Comprehensive Plan Update process, being overseen by the City's Planning Commission.

REASON: To provide the schedule and preliminary information regarding the Comprehensive Plan Update.

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: September 1, 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 Presentation on the City's 2020-2024 HUD Consolidated Plan.**

PURPOSE: To provide information regarding the City's 2020-2024 HUD Consolidated Plan.

REASON: To provide information regarding the City's 2020-2024 HUD Consolidated Plan, development process and schedule.

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: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: **Presentation on Revenue Anticipation Note (RAN)**

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. RAN Council Presentation 082620
2. Petersburg (City of) VA RAN DIscussion Materials_2020.08.26 FINAL

General Obligation Revenue Anticipation Note (RAN)

Aretha Ferrell-Benavides, City Manager
Prepared by: Department of Finance

FY18-FY21 Cash Flow

FY 2018 Actual Cash Flow	
Total Revenues	$ 101,344,658.00
Total Expenditures	$ 102,185,146.00
Ending Balance	***$ (840,488.00)***

FY 2019 Actual Cash Flow	
Total Revenues	$ 109,161,141.00
Total Expenditures	$ 104,341,800.00
Ending Balance	***$ 4,819,341.00***

FY 2020 Actual Cash Flow	
Total Revenues	$ 107,199,588.00
Total Expenditures	$ 103,011,520.00
Ending Balance	***$ 4,188,068.00***

FY 2021 Projected Cash Flow w/ $4.5M RAN	
Total Revenues	$ 104,134,367.00
Total Expenditures	$ 104,091,453.00
Ending Balance	***$ 42,914.00***

FY 2021 Projected Cash Flow w/o RAN	
Total Revenues	$ 99,634,367.00
Total Expenditures	$ 101,628,153.00
Ending Balance	***$ (1,993,786.00)***

This is pure cash position. Revenues reflect cash inflows and Expenditures reflect cash outflows. Full extent of COVID-19 expenditures are unknown. Average monthly cash position may be found on the City's website here: http://www.petersburgva.gov/359/Financial-Reports

Options

City Council may choose one of the following options:

1. Issue RAN for $1M less than prior year's RAN amount of $5,500,000; at $4,500,000

2. Issue RAN for 50% or half of prior year's RAN amount of $5,500,000; at $2,750,000

3. Issue no RAN at all; at $0

Council is encouraged to evaluate these options considering the unknown impacts that COVID-19 will have on our local, state and federal economy.

The Department of Finance will continue to closely monitor cash balances as a RAN may still be needed later this year.

The overall time period to receive a RAN is 60 to 90 days from the date of request.

DAVENPORT & COMPANY

Update on Status of Revenue Anticipation Note

City of Petersburg, Virginia

September 1, 2020

Member NYSE | FINRA | SIPC

Background

- On July 21, 2020, Davenport & Company LLC, as Financial Advisor to the City of Petersburg (the "City") delivered our presentation entitled "Financial Status Report – Focus on City Reserves".

- Our Presentation addressed the following topics:
  - The City's Unassigned Fund Balance (historic and most recent levels);
  - Recommended policy with respect to Fund Balance;
  - Comparative Fund Balance analysis;
  - Credit Rating/GFOA commentary; and
  - Potential Need for and Next steps with respect to undertaking a Revenue Anticipation Note ("RAN") Borrowing in late calendar year 2020 (FY 2021).

Status Update Regarding the RAN

- On August 18, 2020, a meeting was held by City Administration and Staff to discuss the potential next steps for implementing a RAN in FY 2021.

- At the August meeting City Administration and the Department of Finance provided actual cash flows and ending cash balances information for FY 2018, FY 2019 and FY 2020. In addition, projected FY 2021 cash flows and cash balances were also provided.
  - The above cash flow information showed that the City has ended each of the past three fiscal years with cash balances that have been increasing year over year.
  - The City's cash and Unassigned Fund Balance levels are at their strongest point in the past ten years as shown in the FY 2019 CAFR.

- Based on the cash flow information received from the City at the August meeting, we understand the following:
  - The City Administration believes that it is probable that the City will not need a RAN of $5.5 Million (the amount borrowed in last calendar year 2019 for FY 2020);
  - The City may not even need a RAN at all in FY 2021 depending on how revenues are ultimately realized given the pandemic and/or other economic uncertainties of the current economy.

Status Update Regarding the RAN (cont)

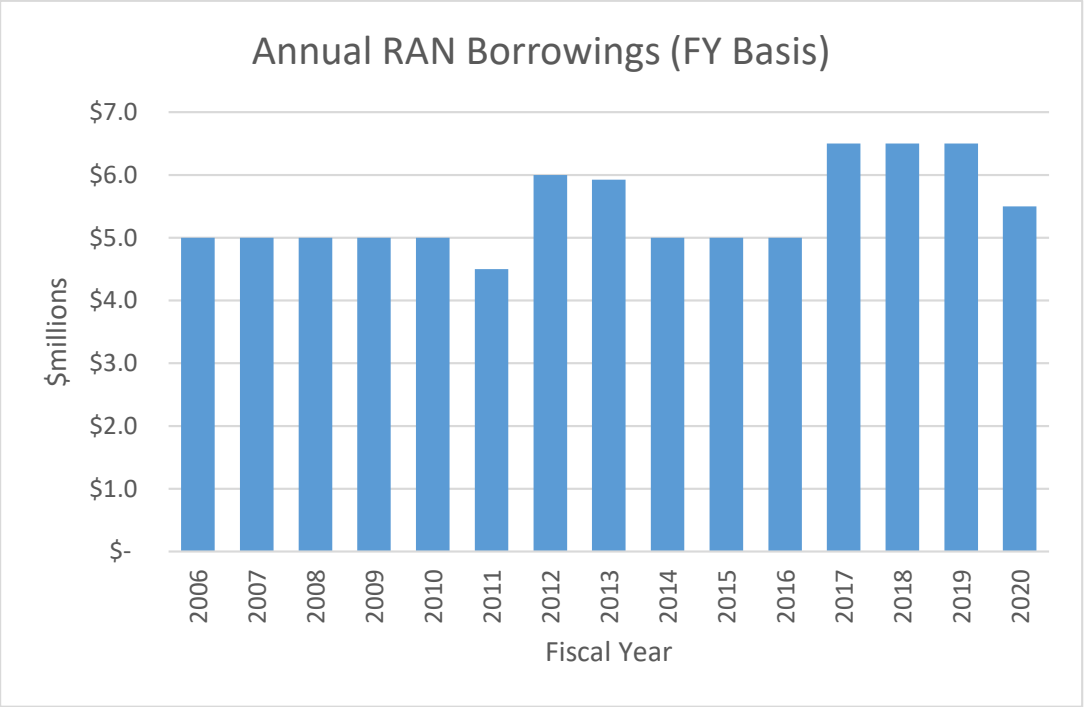
- Based on the foregoing, the City Administration believes that the RAN is not needed for FY 2021 at the current time.
  - However, City Administration will closely monitor cash balances and be ready to alert City Council to the fact that it is possible a RAN may still be necessary later this fall or early winter due to a variety of factors, which may include, but not be limited to:
    - Ongoing economic impact of the Pandemic on local revenues;
    - Deferrals of revenues (e.g. Utility Billings);
    - Cares Act funding;
    - Impact, if any, on revenues received from the Commonwealth.

- Davenport will stay in close contact with the City Administration as it monitors cash flows in the next several months.
  - If internally generated cash flows provide indication that a RAN may be necessary for FY 2021, the City can be in a position to implement a RAN within 60-90 days.

Petersburg RAN History

- Prior to the City's recent build up of Unassigned Fund Balance and Cash in the most recent two fiscal years (e.g. FY2018 and FY2019), the City has historically used RANs to provide sufficient annual cash flow within the fiscal year.

- From FY 2006 to FY 2020, the City has borrowed upwards of $5+ million over the July 1 to June 30 annual fiscal year time period to pay operating expenditures.



Benefits from Avoiding RAN Borrowings

- Eliminating reliance on annual RAN Borrowings enables the City to achieve real savings and benefits as follows:

  - Avoided Cost of Issuance: RANs have cost the City an average of $290,000 per year to issue since 2016.
  - Avoided Interest Expense: RANs have cost the City an average of $185,000 per year in annual interest expense since 2016.
  - Increased interest earnings: The City will benefit from larger operating cash balances that generate real interest income.
  - Greater fund balances: The City will benefit from larger fund balances that provide "rainy day" funds for unexpected circumstances that may arise.
  - Improved Credit Standing: Elimination of the RAN will be further evidence of the City's improved Fund Balances and liquidity – this along with structurally balanced finances will help improve the City's credit in the eyes of investors, potential lenders and the National Credit Rating Agencies.

Disclaimer

The U.S. Securities and Exchange Commission (the "SEC") has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC ("Davenport") has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. An obligated person is an entity other than a municipal entity, such as a not for profit corporation, that has commenced an application or negotiation with an entity to issue municipal securities on its behalf and for which it will provide support. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement.

When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity without regard to its own financial or other interests. Davenport is not a fiduciary when it acts as a registered investment advisor, when advising an obligated person, or when acting as an underwriter, though it is required to deal fairly with such persons,

This material was prepared by public finance, or other non-research personnel of Davenport. This material was not produced by a research analyst, although it may refer to a Davenport research analyst or research report. Unless otherwise indicated, these views (if any) are the author's and may differ from those of the Davenport fixed income or research department or others in the firm. Davenport may perform or seek to perform financial advisory services for the issuers of the securities and instruments mentioned herein.

This material has been prepared for information purposes only and is not a solicitation of any offer to buy or sell any security/instrument or to participate in any trading strategy. Any such offer would be made only after a prospective participant had completed its own independent investigation of the securities, instruments or transactions and received all information it required to make its own investment decision, including, where applicable, a review of any offering circular or memorandum describing such security or instrument. That information would contain material information not contained herein and to which prospective participants are referred. This material is based on public information as of the specified date, and may be stale thereafter. We have no obligation to tell you when information herein may change. We make no representation or warranty with respect to the completeness of this material. Davenport has no obligation to continue to publish information on the securities/instruments mentioned herein. Recipients are required to comply with any legal or contractual restrictions on their purchase, holding, sale, exercise of rights or performance of obligations under any securities/instruments transaction.

The securities/instruments discussed in this material may not be suitable for all investors or issuers. Recipients should seek independent financial advice prior to making any investment decision based on this material. This material does not provide individually tailored investment advice or offer tax, regulatory, accounting or legal advice. Prior to entering into any proposed transaction, recipients should determine, in consultation with their own investment, legal, tax, regulatory and accounting advisors, the economic risks and merits, as well as the legal, tax, regulatory and accounting characteristics and consequences, of the transaction. You should consider this material as only a single factor in making an investment decision.

The value of and income from investments and the cost of borrowing may vary because of changes in interest rates, foreign exchange rates, default rates, prepayment rates, securities/instruments prices, market indexes, operational or financial conditions or companies or other factors. There may be time limitations on the exercise of options or other rights in securities/instruments transactions. Past performance is not necessarily a guide to future performance and estimates of future performance are based on assumptions that may not be realized. Actual events may differ from those assumed and changes to any assumptions may have a material impact on any projections or estimates. Other events not taken into account may occur and may significantly affect the projections or estimates. Certain assumptions may have been made for modeling purposes or to simplify the presentation and/or calculation of any projections or estimates, and Davenport does not represent that any such assumptions will reflect actual future events. Accordingly, there can be no assurance that estimated returns or projections will be realized or that actual returns or performance results will not materially differ from those estimated herein.

This material may not be sold or redistributed without the prior written consent of Davenport. 01.13.14 | RT | RK | DR

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 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: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM: Anthony C. Williams, City Attorney

RE: **Request to schedule a public hearing on or before September 14, 2020. The Continuity of Government Ordinance previously adopted by Council expires on September 14, 2020. This Ordinance replaces the prior ordinance and will extend the emergency operation provisions through March 14, 2021.**

PURPOSE: Request to schedule a public hearing on or before September 14, 2020. The Continuity Of Government Ordinance Previously Adopted By Council Expires On September 14, 2020. This Ordinance Replaces The Prior Ordinance And Will Extend The Emergency Operation Provisions Through March 14, 2021.

REASON: COVID-19 Pandemic

RECOMMENDATION: Adopt Ordinance

BACKGROUND: Council's current Continuity of Government Ordinance expires on September 14, 2020. In order to continue operating under the emergency provisions, Council must schedule a public hearing and 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 date by Council through adoption of a rescission ordinance.

COST TO CITY: $0

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/14/2020

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: ALL

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Supersedes and replaces previously adopted Continuity of Government Ordinances.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. continuity of government ordinance3

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.

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a disaster as defined by Virginia Code Section 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waiver "any state requirement or regulation" as appropriate; and

WHEREAS, on March 14, 2020 the City Manager in her capacity as Director of Emergency Management, made a Declaration of Local Emergency for the City of Petersburg; and

WHEREAS, on March 31, 2020 City Council for the city of Petersburg did CONFIRM and RATIFY said Declaration of Local Emergency made by the City Manager in her capacity as Director of Emergency Management which declaration remains active throughout the entire City of Petersburg; and

WHEREAS, Virginia Code Section 15.2-1413 provides that a locality may, by ordinance, provide a method at variance with general or special laws to assure continuity of government in the event of a disaster for a period not to exceed six months after the conclusion of the disaster; and

WHEREAS, the COVID-19 disaster continues, with state imposed and recommended mask, social distancing, and limited personal contact requirements; and

WHEREAS Virginia Code Section 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his/her absence may upon the declaration of a local emergency "proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements pertaining to performance of public work;" and

WHEREAS, Virginia Code Section 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of City Council may convene solely by electronic means to "address the emergency;" and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act are limited only by a properly claimed exemption provided under that Act or "any other statute;" and

WHEREAS, federal and state guidance from the executive branch has recommended suspension of public and private gatherings of more than ten attendees; and

WHEREAS, the Governor's Executive Order 53 has prohibited public and private gatherings of ten or more persons with limited exceptions; and

WHEREAS, it is the belief of City Council that these limitations are intended in the furtherance of public health, safety, and welfare to prevent the spread of contagion; and

WHEREAS, this Ordinance was previously adopted by Council on March 31, 2020 with an expiration date of sixty-days (May 31, 2020) unless readopted by Council; and

WHEREAS, said Ordinance was re-adopted on May 19, 2020 with an expiration date of September 14, 2020; and

WHEREAS, the COVID-19 disaster continues in effect with state required and recommended mask, social distancing, limited public gathering and personal contact restrictions; and

WHEREAS, it is the belief of Council that due to the continuation of the COVID-19 Pandemic, it is necessary to continue this Ordinance in full force and effect for a period not to exceed six months (this Ordinance will expire on March 14, 2021) unless rescinded earlier by Council.

NOW, THEREFORE BE IT ORDAINED by Council for the City of Petersburg that the regularly scheduled meetings and corresponding agenda items scheduled or proposed to be considered for the duration of the local emergency declaration (not to exceed six (6) months beyond the conclusion of the disaster) by the City Council, Planning Commission, or any other City Board or commission shall be deemed continued and the time limitations for action shall be deemed stayed (frozen) for the duration of the local emergency declaration, not to exceed six (6) months from the conclusion of the disaster, if the City Council, Planning Commission or other board or commission does not take action on the agenda item during the referenced timeframe, including those agenda items for which state or local law requires an affirmative action to be taken within a statutorily-mandated timeframe and the failure to take such action during the statutorily-mandate timeframe shall not be deemed an approval or otherwise prejudice or impact any rights or authority of City Council to fully and fairly consider the item; and

BE IT FURTHER ORDAINED, that notwithstanding the foregoing, City Council, the Planning Commission, and any other City board or commission, may, at their election, conduct previously scheduled meetings or special meetings and act upon scheduled or proposed agenda items before them for the duration of the emergency declaration thereafter, under normal procedures or solely be electronic means in compliance with public notice, access, and other requirements of Virginia Code 2.2-3708.2(A(3) to the extent reasonably practicable, and that City Council, the Planning Commission may in the exercise of reasonable discretion and consideration of the health, safety,

and welfare of the public, place limitations on physical attendance consistent with Executive Orders of the Governor and/or recommendations of the State Health Commissioner; and

BE IT FURTHER ORDAINED, that in the event that a public hearing matter is deemed by the applicable governing body to present a critical government function essential to continuity of government for the duration of the emergency declaration, the public hearing may be conducted by an open public comment period called for during an electronic meeting, in which case, action by the governing body may be continued to a subsequent meeting pending receipt of such comments. Public comments may be received by telephone, electronic communication or written submittal (including but not limited to email) delivered to the City Clerk of designee during the period stated in the call for public comments which comment period shall be a minimum of six (6) calendar days; and

BE IT FURTHER ORDAINED, that any statute, ordinance, or Rule of Council contrary to the provisions of this Ordinance shall be deemed superseded by this Ordinance to the extent permissible by law; and

BE IT FURTHER ORDAINED, that City Council reserves the right by subsequently enacted ordinance to rescind or amend this ordinance.

An emergency is deemed to exist and this Ordinance shall be deemed effective upon the date of adoption and shall automatically terminate on March 14, 2021 unless rescinded prior by Council through subsequently enacted ordinance.

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Kenneth Miller

RE: **ABC License for property at 15 W. Old Street (The Traveling Vine LLC)**

PURPOSE: To receive comments from City Council in regards to the application for an ABC License for property located at 15 W. Old Street.

REASON:

Except for applicants for wine shipper's, beer shipper's, wine and beer shipper's licenses, and delivery permits, the Board shall notify the local governing body of each license application through the county or city attorney or the chief law-enforcement officer of the locality. Local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application

RECOMMENDATION:

Staff recommends City Council to review information on the ABC License Application request and provide comments or questions to the chief law enforcement officer.

BACKGROUND: Attached

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/1/2020

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. Notification Letter for The Traveling Vine

Virginia Alcoholic Beverage Control Authority

Chief Executive Officer
Travis G. Hill

Vice Chair
Maria J. K. Everett

Board of Directors
Gregory F. Holland
Beth G. Hungate-Noland
Mark E. Rubin

August 13, 2020

To Whom It May Concern:

This is to inform you that a retail application has been received from an establishment that is located in your city/county. The following is the basic information pertaining to the application:

License Number: 753568
Company Name: The Traveling Vine LLC
Trade Name: The Traveling Vine
Address, City, State & Zip Code: 15 W Old St, Petersburg, VA 23803-3360
Type of Establishment: Restaurant
Type of License Applied For: Wine and Beer On Premises
Date of Receipt: August 10, 2020

You are receiving this email notification per Code §4.1-230-B, which states:

"Except for applicants for wine shipper's, beer shipper's, wine and beer shipper's licenses, and delivery permits, the Board shall notify the local governing body of each license application through the county or city attorney or the chief law-enforcement officer of the locality. Local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application."

Please feel free to contact our office at (804) 298-3767 if you have any questions, need any further information or wish to file any objections against the above listed application. Please be sure to reference the license number listed above.

Thank you,

Ricky Blanco
License Technician
License Records Management
Retail License Section
(804) 298-3767 - Phone
(804) 213-4592 - Fax
Ricky.Blanco@abc.virginia.gov

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Patrice Elliott

RE: **Consideration of an appropriation for Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, 2nd round - $2,734,818 - 1st Reading**

PURPOSE:

Request the appropriation of funds allocated to the City of Petersburg through the Federal CARES Act as certified by the Mayor, City Manager, and Finance Director by August 10, 2020.

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:

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.

COST TO CITY: None

BUDGETED ITEM: No

REVENUE TO CITY: $2,734,818

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City of Petersburg - Citywide

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, 1st Round – June 16, 2020 (New Business)

REQUIRED CHANGES TO WORK PROGRAMS:

N/A

STAFF:

City Manager (Emergency Manager)
Emergency Coordinators
Deputy City Manager – Community Affairs
Deputy City Manager – Development Services
Deputy City Manager – Public Safety
Finance
Citywide

ATTACHMENTS:

1. Attachment 1 - AN ORDINANCE_2nd round
2. SOF Memo to Localities - 2nd Round - 07_28_20

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

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:	
3-200-******-**** CARES Act of 2020 – COVID 19	$2,734,818.00
Total Revenues	$2,734,818.00

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 but with expenditures no later than December 30, 2020, the following sums for the purposes mentioned:

Previously adopted	$0.00
ADD:	
4-200-******-**** CARES Act of 2020 – COVID 19	$2,734,818.00
Total Expenditures	$2,734,818.00

COMMONWEALTH of VIRGINIA

Aubrey L. Layne, Jr., MBA, CPA
Secretary of Finance

P.O. Box 1475
Richmond, Virginia 23218

July 28, 2020

To: County and City Elected Officials

Delivered Via: Chief Executive Officer, Manager, or Administrator

From: Aubrey L. Layne, Jr.
Secretary of Finance

Subject: Second and Final Allocation of Federal Coronavirus Relief Funds

Overview

On May 12, 2020, I advised you 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. In order to receive the second allocation, localities are required to submit a new certification form and complete an online survey regarding the use of the CRF funds.

As soon as these two documents are fully completed and submitted, the Department of Accounts will initiate the transfer of funds to the local Treasurer. Localities may expect to receive the transfer by the state Comptroller within five business days following confirmation of receipt of these completed documents.

Guidance

It is extremely important for you to know that all of the same conditions that existed for the first round of CRF allocations continue for the second round of allocations. To that end, I encourage you to refer to my May 12, 2020, memorandum and to the federal guidance and frequently asked questions located at: https://home.treasury.gov/policy-issues/cares/state-and-local-governments

This information is routinely updated and has been revised several times since my May 12, 2020, memorandum. Compliance with the federal guidance is your responsibility and failure to do so could result in disallowed expenses requiring you to repay the associated funds to the federal government. As stated previously, if you fail to repay any funds spent for nonqualifying expenses as required by the federal government, the state Comptroller will recover such amounts from future state payments to your locality via the State Aid Intercept Program.

In addition to the revised federal guidance, on July 2, 2020, the U.S. Treasury's Office of the Inspector General issued information related to reporting and audit requirements that had not been published at the time of my original communication to you. Information regarding the audit and reporting requirements can be found at the same link provided above. Further, the State Comptroller's office has subrecipient monitoring responsibilities that will necessitate evaluation and additional correspondence with localities regarding the use of funds.

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.

The federal guidance continues to state that the CRF funds can be used only for the direct costs associated with the response to the COVID-19 pandemic and cannot be used to address revenue shortfalls. State and local government officials have requested that this restriction be lifted or that additional federal funds be provided to address the loss of state and local revenue. To date, no action has been taken by Congress to allow that flexibility or to provide funding for that purpose.

CRF funds should be considered "one time" monies and should not be used for ongoing services and/or base operations. Because the funds must be expended by December 30, localities are advised not to create services with expenses beyond that period. Any expenses beyond December 30, 2020, must be paid entirely by the locality from local funds.

Allocation of CRF Funds to Localities

The remaining fifty (50) percent of the locally-based allocations will be distributed to counties and cities by the Department of Accounts (DOA) after receipt from the locality of a new, signed certification form and after completion of a survey on the locality's actual and planned uses of the CRF funds. This distribution will be made to the local treasurer in the same manner that the first round of funds were distributed within five business days following receipt of the completed documents.

Each locality's allocation will be based on the proportion that the locality's population represents of the statewide total population. Appendix A reflects the population used by U.S. Treasury to allocate CRF funds to the states. This population data is the basis for determining the allocations to each locality.

This table also reflects each locality's share of the remaining distribution based on the population data displayed. Please note that the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

Requirements: Survey on the Use of Funds and Certifications

General

The amounts listed in Appendix A reflect the funds that will be transferred to each locality after:

1. completion of an online survey located at: (NOTE: *the link to this survey will be provided by separate communication later this week*), and
2. receipt of a certification form (Appendix D) from the locality signed by the chief executive officer, the chief financial officer (Treasurer), and the chief elected officer.

Before signing the certification, I recommend that you read and understand the federal guidance and the frequently asked questions contained in Appendix B and Appendix C, respectively. The most recent information on this guidance and the frequently asked questions can be obtained at: https://home.treasury.gov/policy-issues/cares/state-and-local-governments

Please note that the certification statement includes an acknowledgment that you may be required to return funds to the federal government if it is determined that those funds were spent for purposes that do not qualify. Since these funds are being provided to you "up front" rather than on a reimbursement basis, it is important for you to understand that the burden of ensuring that all CRF funds are spent for qualifying purposes falls to the local government.

You are responsible for maintaining all necessary documentation to ensure compliance with the federal requirements. The State Comptroller is responsible for all subrecipient monitoring and may require additional information in the future from each locality to address that responsibility.

If the federal government determines that you have used CRF funds for purposes that do not qualify, you must return those funds to the state promptly so that they may be returned to the federal government. As a condition of receiving CRF funds, you are agreeing that the state can use state aid intercept to recover any funds necessary for expenses that were not for a qualifying purpose or that were unexpended as of December 30, 2020.

For Counties Only

As previously stated, the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

Counties must ensure that an equitable share of the CRF funds it receives are shared with and granted to each town within its jurisdiction. Just as with the funds retained by the county, the funds granted to towns must be spent in accordance with the same requirements and the same documentation must be retained for audit purposes. The county issuing the grant is responsible for the ensuring compliance with each town's documentation requirements and must ensure that the use of the funds meets the requirements set forth by the federal government.

Completion of Survey

The Commonwealth has partnered with Accenture to create a survey to collect data on how each locality has used or plans to use its allocation of CRF funds. The survey instrument, which must be completed online, will be made available later this week by separate communication. This communication will include instructions regarding access to and completion of the survey. For questions about completion of the survey, please contact Jason Saunders, General Government Coordinator, Department of Planning and Budget, at jason.saunders@dpb.virginia.gov.

We are requesting that this survey be completed no later than **5:00pm, Monday, August 10, 2020**, so that we may provide a report on the use of the CRF by locality to the General Assembly when it convenes for a special session beginning on August 18, 2020. For surveys that are not received by this due date, this report will reflect that the survey results were not received from that locality by the requested due date. More importantly, the survey must be completed, along with submission of the certification form, in order to receive the second distribution of CRF funds.

Submission of Certification

The certification in Appendix D contains more specific details on the responsibilities of the local governing body. A fillable .pdf form can be downloaded from the Secretary of Finance's Website under "Recent News" at: http://finance.virginia.gov/

The signed certification form should be submitted no later than **August 10, 2020**, to the Department of Accounts in electronic or hard copy form:

By Email to: GACCT@DOA.Virginia.gov

By US Mail to: Department of Accounts
Attention: Local CRF Certification
PO Box 1971
Richmond, VA 23218-1971

If you have any questions regarding the appropriate use of CRF funds, please refer to the U.S. Treasury Website and guidance. For questions about this process, you may contact my office at (804) 786-1148. If you have technical questions about the certification form or the distribution of

the funds, please contact Melinda Pearson, Director, General Accounting, Department of Accounts, at melinda.pearson@doa.virginia.gov or by phone at 804-225-2376.

Appendix A – Local Allocations

Annual Estimates of the Resident Population for Counties in Virginia: as of July 1, 2019	Statewide Total = 8,535,519	% of Total [1]	Current Allocation Base [2]= $744,691,122
Locality	**Population**		
.Accomack County, Virginia	32,316	0.3786%	$2,819,446
.Albemarle County, Virginia	109,330	1.2809%	$9,538,621
.Alleghany County, Virginia	14,860	0.1741%	$1,296,478
.Amelia County, Virginia	13,145	0.1540%	$1,146,851
.Amherst County, Virginia	31,605	0.3703%	$2,757,414
.Appomattox County, Virginia	15,911	0.1864%	$1,388,173
.Arlington County, Virginia	236,842	2.7748%	$20,663,551
.Augusta County, Virginia	75,558	0.8852%	$6,592,144
.Bath County, Virginia	4,147	0.0486%	$361,810
.Bedford County, Virginia	78,997	0.9255%	$6,892,184
.Bland County, Virginia	6,280	0.0736%	$547,906
.Botetourt County, Virginia	33,419	0.3915%	$2,915,679
.Brunswick County, Virginia	16,231	0.1902%	$1,416,092
.Buchanan County, Virginia	21,004	0.2461%	$1,832,518
.Buckingham County, Virginia	17,148	0.2009%	$1,496,097
.Campbell County, Virginia	54,885	0.6430%	$4,788,505
.Caroline County, Virginia	30,725	0.3600%	$2,680,638
.Carroll County, Virginia	29,791	0.3490%	$2,599,150
.Charles City County, Virginia	6,963	0.0816%	$607,495
.Charlotte County, Virginia	11,880	0.1392%	$1,036,484
.Chesterfield County, Virginia	352,802	4.1333%	$30,780,614
.Clarke County, Virginia	14,619	0.1713%	$1,275,451
.Craig County, Virginia	5,131	0.0601%	$447,660
.Culpeper County, Virginia	52,605	0.6163%	$4,589,583
.Cumberland County, Virginia	9,932	0.1164%	$866,529
.Dickenson County, Virginia	14,318	0.1677%	$1,249,190
.Dinwiddie County, Virginia	28,544	0.3344%	$2,490,354
.Essex County, Virginia	10,953	0.1283%	$955,607
.Fairfax County, Virginia	1,147,532	13.4442%	N/A
.Fauquier County, Virginia	71,222	0.8344%	$6,213,845
.Floyd County, Virginia	15,749	0.1845%	$1,374,040
.Fluvanna County, Virginia	27,270	0.3195%	$2,379,202
.Franklin County, Virginia	56,042	0.6566%	$4,889,448
.Frederick County, Virginia	89,313	1.0464%	$7,792,215
.Giles County, Virginia	16,720	0.1959%	$1,458,756

Appendix A – Local Allocations

.Gloucester County, Virginia	37,348	0.4376%	$3,258,469
.Goochland County, Virginia	23,753	0.2783%	$2,072,358
.Grayson County, Virginia	15,550	0.1822%	$1,356,678
.Greene County, Virginia	19,819	0.2322%	$1,729,131
.Greensville County, Virginia	11,336	0.1328%	$989,022
.Halifax County, Virginia	33,911	0.3973%	$2,958,604
.Hanover County, Virginia	107,766	1.2626%	$9,402,168
.Henrico County, Virginia	330,818	3.8758%	$28,862,595
.Henry County, Virginia	50,557	0.5923%	$4,410,903
.Highland County, Virginia	2,190	0.0257%	$191,069
.Isle of Wight County, Virginia	37,109	0.4348%	$3,237,617
.James City County, Virginia	76,523	0.8965%	$6,676,337
.King and Queen County, Virginia	7,025	0.0823%	$612,904
.King George County, Virginia	26,836	0.3144%	$2,341,338
.King William County, Virginia	17,148	0.2009%	$1,496,097
.Lancaster County, Virginia	10,603	0.1242%	$925,071
.Lee County, Virginia	23,423	0.2744%	$2,043,566
.Loudoun County, Virginia	413,538	4.8449%	$36,079,596
.Louisa County, Virginia	37,591	0.4404%	$3,279,670
.Lunenburg County, Virginia	12,196	0.1429%	$1,064,054
.Madison County, Virginia	13,261	0.1554%	$1,156,971
.Mathews County, Virginia	8,834	0.1035%	$770,732
.Mecklenburg County, Virginia	30,587	0.3583%	$2,668,598
.Middlesex County, Virginia	10,582	0.1240%	$923,239
.Montgomery County, Virginia	98,535	1.1544%	$8,596,799
.Nelson County, Virginia	14,930	0.1749%	$1,302,585
.New Kent County, Virginia	23,091	0.2705%	$2,014,601
.Northampton County, Virginia	11,710	0.1372%	$1,021,652
.Northumberland County, Virginia	12,095	0.1417%	$1,055,242
.Nottoway County, Virginia	15,232	0.1785%	$1,328,933
.Orange County, Virginia	37,051	0.4341%	$3,232,557
.Page County, Virginia	23,902	0.2800%	$2,085,357
.Patrick County, Virginia	17,608	0.2063%	$1,536,230
.Pittsylvania County, Virginia	60,354	0.7071%	$5,265,654
.Powhatan County, Virginia	29,652	0.3474%	$2,587,023
.Prince Edward County, Virginia	22,802	0.2671%	$1,989,387
.Prince George County, Virginia	38,353	0.4493%	$3,346,151
.Prince William County, Virginia	470,335	5.5103%	$41,034,915
.Pulaski County, Virginia	34,027	0.3987%	$2,968,725
.Rappahannock County, Virginia	7,370	0.0863%	$643,004
.Richmond County, Virginia	9,023	0.1057%	$787,222

Appendix A – Local Allocations

.Roanoke County, Virginia	94,186	1.1035%	$8,217,365
.Rockbridge County, Virginia	22,573	0.2645%	$1,969,407
.Rockingham County, Virginia	81,948	0.9601%	$7,149,647
.Russell County, Virginia	26,586	0.3115%	$2,319,526
.Scott County, Virginia	21,566	0.2527%	$1,881,550
.Shenandoah County, Virginia	43,616	0.5110%	$3,805,328
.Smyth County, Virginia	30,104	0.3527%	$2,626,458
.Southampton County, Virginia	17,631	0.2066%	$1,538,237
.Spotsylvania County, Virginia	136,215	1.5959%	$11,884,234
.Stafford County, Virginia	152,882	1.7911%	$13,338,365
.Surry County, Virginia	6,422	0.0752%	$560,295
.Sussex County, Virginia	11,159	0.1307%	$973,580
.Tazewell County, Virginia	40,595	0.4756%	$3,541,757
.Warren County, Virginia	40,164	0.4706%	$3,504,154
.Washington County, Virginia	53,740	0.6296%	$4,688,608
.Westmoreland County, Virginia	18,015	0.2111%	$1,571,739
.Wise County, Virginia	37,383	0.4380%	$3,261,523
.Wythe County, Virginia	28,684	0.3361%	$2,502,568
.York County, Virginia	68,280	0.8000%	$5,957,167
.Alexandria city, Virginia	159,428	1.8678%	$13,909,478
.Bristol city, Virginia	16,762	0.1964%	$1,462,420
.Buena Vista city, Virginia	6,478	0.0759%	$565,181
.Charlottesville city, Virginia	47,266	0.5538%	$4,123,776
.Chesapeake city, Virginia	244,835	2.8684%	$21,360,910
.Colonial Heights city, Virginia	17,370	0.2035%	$1,515,466
.Covington city, Virginia	5,538	0.0649%	$483,169
.Danville city, Virginia	40,044	0.4691%	$3,493,685
.Emporia city, Virginia	5,346	0.0626%	$466,418
.Fairfax city, Virginia	24,019	0.2814%	$2,095,565
.Falls Church city, Virginia	14,617	0.1712%	$1,275,277
.Franklin city, Virginia	7,967	0.0933%	$695,090
.Fredericksburg city, Virginia	29,036	0.3402%	$2,533,279
.Galax city, Virginia	6,347	0.0744%	$553,751
.Hampton city, Virginia	134,510	1.5759%	$11,735,479
.Harrisonburg city, Virginia	53,016	0.6211%	$4,625,442
.Hopewell city, Virginia	22,529	0.2639%	$1,965,568
.Lexington city, Virginia	7,446	0.0872%	$649,635
.Lynchburg city, Virginia	82,168	0.9627%	$7,168,841
.Manassas city, Virginia	41,085	0.4813%	$3,584,508
.Manassas Park city, Virginia	17,478	0.2048%	$1,524,888
.Martinsville city, Virginia	12,554	0.1471%	$1,095,288

Appendix A – Local Allocations

.Newport News city, Virginia	179,225	2.0998%	$15,636,690
.Norfolk city, Virginia	242,742	2.8439%	$21,178,304
.Norton city, Virginia	3,981	0.0466%	$347,327
.Petersburg city, Virginia	31,346	0.3672%	$2,734,818
.Poquoson city, Virginia	12,271	0.1438%	$1,070,597
.Portsmouth city, Virginia	94,398	1.1059%	$8,235,862
.Radford city, Virginia	18,249	0.2138%	$1,592,155
.Richmond city, Virginia	230,436	2.6997%	$20,104,653
.Roanoke city, Virginia	99,143	1.1615%	$8,649,844
.Salem city, Virginia	25,301	0.2964%	$2,207,415
.Staunton city, Virginia	24,932	0.2921%	$2,175,221
.Suffolk city, Virginia	92,108	1.0791%	$8,036,068
.Virginia Beach city, Virginia	449,974	5.2718%	$39,258,497
.Waynesboro city, Virginia	22,630	0.2651%	$1,974,380
.Williamsburg city, Virginia	14,954	0.1752%	$1,304,679
.Winchester city, Virginia	28,078	0.3290%	$2,449,697
Total Funds Distributed (excludes Fairfax County)			**$644,573,383**
Source: U.S. Census Bureau, Population Division			
Release Date: March 2020			

[1] **Note:** Percentages are displayed as rounded numbers, however, the distributions are calculated using the full values.

[2] **Note:** The total allocation base includes Fairfax County in order to correctly calculate the allocation for the remaining localities.

Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

Guidance for State, Territorial, Local, and Tribal Governments
Updated June 30, 2020[1]

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"). The CARES Act established the Coronavirus Relief Fund (the "Fund") and appropriated $150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only 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.[2]

The guidance that follows sets forth the Department of the Treasury's interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred "due to" the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be "necessary." The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the

[1] This version updates the guidance provided under "Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020".
[2] *See* Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The "most recently approved" budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the "covered period"). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID–19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient's usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient's control.

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
    - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
    - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
    - Costs of providing COVID-19 testing, including serological testing.
    - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
    - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
    - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
    - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
    - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
    - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
    - Expenses for public safety measures undertaken in response to COVID-19.
    - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
    - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
    - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
    - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

- Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
- COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
- Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
   - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
   - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
   - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures[3]

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.[4]
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

[3] In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

[4] *See* 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

The content below was provided by the U.S. Department of the Treasury.

Coronavirus Relief Fund
Frequently Asked Questions
Updated as of July 8, 2020

The following answers to frequently asked questions supplement Treasury's Coronavirus Relief Fund ("Fund") Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, ("Guidance").[1] Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

Eligible Expenditures

Are governments required to submit proposed expenditures to Treasury for approval?

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the "substantially dedicated" condition?

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a "substantially different use" for purposes of the Fund eligibility?

Costs incurred for a "substantially different use" include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

Note that a public function does not become a "substantially different use" merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

[1] The Guidance is available at https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf.

May a State receiving a payment transfer funds to a local government?

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

May a unit of local government receiving a Fund payment transfer funds to another unit of government?

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?

No. For example, a county recipient is not required to transfer funds to smaller cities within the county's borders.

Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

Are States permitted to use Fund payments to support state unemployment insurance funds generally?

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

The Guidance states that the Fund may support a "broad range of uses" including payroll expenses for several classes of employees whose services are "substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What are some examples of types of covered employees?

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers' compensation coverage. Is the cost of this expanded workers compensation coverage eligible?

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

May Fund payments be used for COVID-19 public health emergency recovery planning?

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

Are expenses associated with contact tracing eligible?

Yes, expenses associated with contract tracing are eligible.

To what extent may a government use Fund payments to support the operations of private hospitals?

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

May recipients create a "payroll support program" for public employees?

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a "small business," and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

May Fund payments be used to assist impacted property owners with the payment of their property taxes?

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of "hazard pay"?

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

The Guidance provides that ineligible expenditures include "[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency." Is this intended to relate only to public employees?

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers' employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.

Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum $1.25 billion allocation and had one county with a population over 500,000 that received $250 million directly. The State should distribute 45 percent of the $1 billion it received, or $450 million, to local governments within the State with a population of 500,000 or less.

May a State impose restrictions on transfers of funds to local governments?

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the interest expense payable on TANs by the borrower and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

May recipients use Fund payments to provide loans?

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

May funds be used to satisfy non-federal matching requirements under the Stafford Act?

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund's eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA's determination of eligibility under the Stafford Act.

Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to

the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

Questions Related to Administration of Fund Payments

Do governments have to return unspent funds to Treasury?

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

What records must be kept by governments receiving payment?

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

May recipients deposit Fund payments into interest bearing accounts?

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

May governments retain assets purchased with payments from the Fund?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

Are Fund payments to State, territorial, local, and tribal governments considered grants?

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are "other financial assistance" under 2 C.F.R. § 200.40.

Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

Are Fund payments subject to other requirements of the Uniform Guidance?

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?

Yes. The CFDA number assigned to the Fund is 21.019.

If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients' total funding received from the federal government for purposes of the Single Audit Act?

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-

specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend $750,000 or more in federal awards during their fiscal year.

Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.

Appendix D: Certification for Use of Coronavirus Relief Fund

Note: Provided for reference only - download a fillable .pdf copy of this form from the Secretary of Finance's Website under "Recent News" at: http://finance.virginia.gov/

CERTIFICATION for RECEIPT of
CORONAVIRUS RELIEF FUND PAYMENTS
by
[INSERT NAME OF LOCAL GOVERNMENT]

We the undersigned represent **[insert name of local government]** (the locality), and we certify that:

1. we have the authority to request direct payment on behalf of the locality from the Commonwealth of Virginia of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. we understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the locality.
3. the locality 's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
    a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
    b. were not accounted for in the budget most recently approved as of March 27, 2020, for the locality; and
    c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the locality or its grantee(s), must be returned to Commonwealth of Virginia no later than December 30, 2020, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days of December 30, 2020.
5. we understand that the locality will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
7. any CRF funds expended by the locality or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to

invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.

8. as a condition of receiving the CRF funds pursuant to this certification, the locality shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
9. the locality must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.
10. any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
11. any CRF funds received pursuant to this certification will not be used for expenditures for which the locality has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

For counties only

12. an equitable share of CRF funds received pursuant to this certification shall be shared with and granted to each town within its jurisdiction. Such grant(s) shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements required by this certification and shall ensure that the use of the funds meets the requirements set forth in this certification.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: _____	By: _____	By: _____
Signature: _____	Signature: _____	Signature: _____
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Patrice Elliott

RE: **Request a public hearing on the Issuance of Revenue Anticipation Notes (RAN)**

PURPOSE: Schedule a public hearing to receive citizen comment on the authorization to borrow money in an amount not to exceed $4,500,000 as General Obligation Revenue Anticipation Notes.

REASON: Public hearing must be held prior to the issue, sale, and award of the General Obligation Revenue Anticipation Notes.

RECOMMENDATION: To schedule a public hearing for September 15, 2020.

At the conclusion of the public hearing, City Council may choose one of the following options:

Option 1 – Issue RAN for $1M less than prior year's RAN amount of $5,500,000; at **$4,500,000**

Option 2 – Issue RAN for 50% or half of prior year's RAN amount of $5,500,000; at **$2,750,000**

Option 3 – Issue no RAN at all; at **$0**

City Council and Citizens are encouraged to evaluate these options considering the unknown impacts that COVID-19 will have on our local, state, and federal economy.

BACKGROUND:

The City Council must schedule a public hearing for the public to provide comment on the issuance of up to $4,500,000 general obligation revenue anticipation notes of the City in compliance with Section 15.2-2606 of the Virginia Public Finance Act. The City has ongoing cash flow needs to fund current operations for this fiscal year. The City Council has determined that it is necessary and advisable and in the best interest of the City to authorize the borrowing of money in an amount not to exceed $4,500,000 in order to pay expenses expected to be incurred prior to the collection of taxes and revenues of the City for the fiscal year ending June 30, 2021, and that such amount does not exceed the anticipated revenues for such fiscal year.

COST TO CITY: $4,500,000 (plus approximately $200,000-$250,000 bond issuance cost)

BUDGETED ITEM: N/A

REVENUE TO CITY: $4,500,000

CITY COUNCIL HEARING DATE: 9/15/2020

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Finance

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

STAFF:

Patrice S. Elliott, Director of Finance
Stacey M. Jordan, Assistant Director of Finance

ATTACHMENTS:

1. Attachment 1 - 2020 RAN-Notice of Public Hearing_Public Notice Advertisement
2. Cash Flow Summary w-RAN_Composite_FY18-FY21_081820 Draft
3. Copy of FY20-21 Cash Flow Summary w-RAN_081920 WO RAN

NOTICE OF PUBLIC HEARING ON PROPOSED GENERAL OBLIGATION BOND ISSUANCE BY THE CITY OF PETERSBURG, VIRGINIA IN A PRINCIPAL AMOUNT NOT TO EXCEED $4,500,000

Notice is hereby given to all interested persons of a public hearing of the City Council **(the "City Council")** of the City of Petersburg, Virginia **(the "City")**, to be held on Tuesday, September 15, 2020 at 12:00 p.m. virtually, in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the issuance of one or more series of general obligation bonds or notes **(the "Bonds")** of the City in the maximum aggregate principal amount of $4,500,000. The City expects to spend ten percent or more of the total bond proceeds to provide liquidity and cash flow to pay for outstanding and ongoing general operating needs of the City. The Bonds will be secured by the full faith and credit of the City. Persons may appear virtually via telephone or teleconference and present their views at the public hearing. Anyone needing assistance or accommodation under the provisions of the Americans with Disabilities Act should call the office of the Clerk of Council at (804) 733-2323.

NYKESHA JACKSON
CLERK OF COUNCIL
CITY OF PETERSBURG, VIRGINIA

Actual and Projected Cash Flow

Prepared by: Department of Finance, City of Petersburg, Virginia
Source: Bank Statements
Purpose: Complete a cash flow analysis as a necessary requirement for issuance of a revenue anticipation note or RAN

FY 2018 Actual Cash Flow

	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Total
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	
Beginning Balances	7,030,053	8,494,853	4,905,172	3,868,110	8,979,945	5,699,003	4,547,251	5,292,439	3,084,273	2,414,511	3,565,823	2,777,350	
Total Revenues	8,771,572	4,864,541	8,981,054	7,539,091	4,677,195	9,251,067	8,601,849	5,351,819	8,092,923	8,490,717	8,192,356	12,030,474	94,844,658
Plus RAN*				6,500,000									6,500,000
Total Cash Flow Receipts	**8,771,572**	**4,864,541**	**8,981,054**	**14,039,091**	**4,677,195**	**9,251,067**	**8,601,849**	**5,351,819**	**8,092,923**	**8,490,717**	**8,192,356**	**12,030,474**	**101,344,658**
Less **RAN** payments	673,806	673,806	673,806	673,806				1,680,303			1,670,663		6,046,189
Less Expenditures	6,632,966	7,780,415	9,344,310	8,253,450	7,958,138	10,402,819	7,856,661	5,879,683	8,762,685	7,339,406	7,310,166	8,618,258	96,138,957
Total Cash Flow Expenditures	7,306,772	8,454,221	10,018,116	8,927,256	7,958,138	10,402,819	7,856,661	7,559,986	8,762,685	7,339,406	8,980,828	8,618,258	102,185,146
Revenues Over (Under) Expenditures	**1,464,799**	**(3,589,681)**	**(1,037,061)**	**5,111,835**	**(3,280,943)**	**(1,151,751)**	**745,188**	**(2,208,167)**	**(669,761)**	**1,151,311**	**(788,473)**	**3,412,215**	**(840,488)**
Ending Balance	**8,494,853**	**4,905,172**	**3,868,110**	**8,979,945**	**5,699,003**	**4,547,251**	**5,292,439**	**3,084,273**	**2,414,511**	**3,565,823**	**2,777,350**	**6,189,565**	

FY 2019 Actual Cash Flow

	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Total
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	
Beginning Balances	6,189,565	6,615,608	5,107,429	5,514,564	9,581,261	7,378,332	8,735,697	7,597,014	6,009,045	8,893,319	6,622,183	5,523,316	
Total Revenues	10,672,235	7,985,219	8,535,853	6,905,255	5,257,592	10,788,441	7,733,017	6,556,558	10,857,378	7,849,440	7,314,845	12,465,429	102,921,261
Plus RAN*				6,239,880									6,239,880
Total Cash Flow Receipts	**10,672,235**	**7,985,219**	**8,535,853**	**13,145,134**	**5,257,592**	**10,788,441**	**7,733,017**	**6,556,558**	**10,857,378**	**7,849,440**	**7,314,845**	**12,465,429**	**109,161,141**
Less **RAN** payments*		1,670,663	1,655,442					1,673,750			1,673,750		6,673,604
Less Expenditures	10,246,192	7,822,736	6,473,276	9,078,437	7,460,522	9,431,075	8,871,701	6,470,777	7,973,104	10,120,576	6,739,962	6,979,838	97,668,195
Total Cash Flow Expenditures	10,246,192	9,493,398	8,128,718	9,078,437	7,460,522	9,431,075	8,871,701	8,144,527	7,973,104	10,120,576	8,413,712	6,979,838	104,341,800
Revenues Over (Under) Expenditures	**426,043**	**(1,508,179)**	**407,135**	**4,066,697**	**(2,202,929)**	**1,357,366**	**(1,138,684)**	**(1,587,969)**	**2,884,274**	**(2,271,136)**	**(1,098,867)**	**5,485,591**	**4,819,341**
Ending Balance	**6,615,608**	**5,107,429**	**5,514,564**	**9,581,261**	**7,378,332**	**8,735,697**	**7,597,014**	**6,009,045**	**8,893,319**	**6,622,183**	**5,523,316**	**11,008,906**	

FY 2020 Actual Cash Flow

	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Total
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	
Beginning Balances	11,008,906	11,454,578	8,641,720	9,688,699	11,691,536	9,416,104	10,515,912	9,723,189	8,279,575	10,027,489	11,772,866	8,584,595	
Total Revenues	$9,976,306	$6,054,294	$9,198,389	$9,102,669	$6,135,524	$7,395,333	$7,978,132	$7,287,957	$9,527,878	$9,472,649	$5,520,694	$11,516,288	99,166,112
Plus RAN*				5,298,658									5,298,658
Plus Cares Act**												2,734,818	
Total Cash Flow Receipts	**9,976,306**	**6,054,294**	**9,198,389**	**14,401,326**	**6,135,524**	**7,395,333**	**7,978,132**	**7,287,957**	**9,527,878**	**9,472,649**	**5,520,694**	**14,251,106**	**107,199,588**
Less RAN payments*		1,673,750		1,628,816				1,416,067			1,408,000		6,126,633
Less Expenditures	$9,530,634	$7,193,402	$8,151,410	$10,769,673	$8,410,957	$6,295,525	$8,770,855	$7,315,504	$7,779,964	$7,727,271	$7,300,965	$7,638,727	96,884,887
Total Cash Flow Expenditures	9,530,634	8,867,152	8,151,410	12,398,489	8,410,957	6,295,525	8,770,855	8,731,571	7,779,964	7,727,271	8,708,965	7,638,727	103,011,520
Revenues Over (Under) Expenditures	**445,672**	**(2,812,858)**	**1,046,979**	**2,002,837**	**(2,275,433)**	**1,099,809**	**(792,723)**	**(1,443,614)**	**1,747,914**	**1,745,377**	**(3,188,271)**	**6,612,379**	**4,188,068**
Ending Balance	**11,454,578**	**8,641,720**	**9,688,699**	**11,691,536**	**9,416,104**	**10,515,912**	**9,723,189**	**8,279,575**	**10,027,489**	**11,772,866**	**8,584,595**	**15,196,974**	

*The City of Peterburg has issued revenue anticipation notes or RANs for several years to aid in or stablize cash flow due to an unstructured and unprotected fund balance. Funds are being used to fund cash flow and not as new revenue.
Amount is reflected net of issuance costs on the cash inflow or receipt of the RAN and loaded with interest expense for the cash outflow or repayment of the RAN.
** Cares Act 2020 Coronavirus Aid, Relief and Economic Security of 2020

FY 2021 Projected Cash Flow

	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total
	Actual	***Projected***	***Projected***	***Projected***	***Projected***	***Projected***	***Projected***	***Projected***	***Projected***	***Projected***	***Projected***	***Projected***	
Beginning Balances	15,196,974	15,201,589	15,130,819	15,766,990	16,979,412	14,449,335	15,217,180	14,079,226	12,500,126	13,818,193	15,136,166	11,893,378	
Total Revenues	12,207,975	5,748,949	8,734,474	8,643,581	5,826,083	7,022,354	7,575,760	6,920,394	9,047,345	8,994,902	5,242,261	10,935,471	96,899,549
Plus RAN				4,500,000	-								4,500,000
Plus Cares Act**		2,734,818											2,734,818
Total Cash Flow Receipts	**12,207,975**	**8,483,767**	**8,734,474**	**13,143,581**	**5,826,083**	**7,022,354**	**7,575,760**	**6,920,394**	**9,047,345**	**8,994,902**	**5,242,261**	**10,935,471**	**104,134,367**
Less RAN Payment		1,408,000		1,231,650				1,231,650			1,231,650		5,102,950
Less Expenditures	12,203,360	7,146,537	8,098,304	10,699,509	8,356,159	6,254,509	8,713,714	7,267,844	7,729,278	7,676,928	7,253,399	7,588,961	98,988,503
Total Cash Flow Expenditures	12,203,360	8,554,537	8,098,304	11,931,159	8,356,159	6,254,509	8,713,714	8,499,494	7,729,278	7,676,928	8,485,049	7,588,961	104,091,453
Revenues Over (Under) Expenditures	**4,615**	**(70,770)**	**636,170**	**1,212,422**	**(2,530,077)**	**767,845**	**(1,137,953)**	**(1,579,100)**	**1,318,067**	**1,317,973**	**(3,242,788)**	**3,346,510**	**42,914**
Ending Balance	**15,201,589**	**15,130,819**	**15,766,990**	**16,979,412**	**14,449,335**	**15,217,180**	**14,079,226**	**12,500,126**	**13,818,193**	**15,136,166**	**11,893,378**	**15,239,888**	

Discussion Notes/Assumptions/Presumptions:

1. Presumes additional $1M reduction in RAN from $5.5M to $4.5M
2. Does not fully take into consideration reduction in debt payment expected due to RAN reduction or Summer 2019 Bond Refinance
3. Nets impact of 1st round of CARES receipt and disbursement to zero (with the exception of CDBG and Transit CARES)
4. Full extent of COVID-19 expenditures unknown
5. Utility Rate increase impact on cash flow included; impaact of real estate tax assessment value increases not included
6. Excludes VDOT activity for half-the-fiscal year in FY2020 due to new VDOT Streets account established whereby $3.7M transferred to this account
7. Represents pure cash position in general demand bank account. Revenues reflect cash inflows and Expenditures reflect cash outflows. Does not reflect any basis of accounting and does not take into account any accrual of "revenue" back to the June's accounting period.

FY 2020 Actual vs FY 2021 Projected Cash Flow

Prepared by: Department of Finance, City of Petersburg, Virginia
Source: Bank Statements
Purpose: Complete a cash flow analysis as a necessary requirement for issuance of a revenue anticipation note or RAN

FY 2020 Actual Cash Flow

	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Total
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	
Beginning Balances	11,008,906	11,454,578	8,641,720	9,688,699	11,691,536	9,416,104	10,515,912	9,723,189	8,279,575	10,027,489	11,772,866	8,584,595	
Total Revenues	$9,976,306	$6,054,294	$9,198,389	$9,102,669	$6,135,524	$7,395,333	$7,978,132	$7,287,957	$9,527,878	$9,472,649	$5,520,694	$11,516,288	99,166,112
Plus RAN*				5,298,658									5,298,658
Plus Cares Act**												2,734,818	
Total Cash Flow Receipts	**9,976,306**	**6,054,294**	**9,198,389**	**14,401,326**	**6,135,524**	**7,395,333**	**7,978,132**	**7,287,957**	**9,527,878**	**9,472,649**	**5,520,694**	**14,251,106**	**107,199,588**
Less **RAN** payments*		1,673,750		1,628,816				1,416,067			1,408,000		6,126,633
Less Expenditures	$9,530,634	$7,193,402	$8,151,410	$10,769,673	$8,410,957	$6,295,525	$8,770,855	$7,315,504	$7,779,964	$7,727,271	$7,300,965	$7,638,727	96,884,887
Total Cash Flow Expenditures	9,530,634	8,867,152	8,151,410	12,398,489	8,410,957	6,295,525	8,770,855	8,731,571	7,779,964	7,727,271	8,708,965	7,638,727	103,011,520
Revenues Over (Under) Expenditures	**445,672**	**(2,812,858)**	**1,046,979**	**2,002,837**	**(2,275,433)**	**1,099,809**	**(792,723)**	**(1,443,614)**	**1,747,914**	**1,745,377**	**(3,188,271)**	**6,612,379**	**4,188,068**
Ending Balance	**11,454,578**	**8,641,720**	**9,688,699**	**11,691,536**	**9,416,104**	**10,515,912**	**9,723,189**	**8,279,575**	**10,027,489**	**11,772,866**	**8,584,595**	**15,196,974**	

	% Change (excluding RAN)	
	Cash Inflow	Cash Outflows
Jul-19		
Aug-19	-0.39313271	-0.24523364
Sep-19	0.519316658	0.13317876
Oct-19	-0.01040624	0.32120367
Nov-19	-0.32596428	-0.21901468
Dec-19	0.205330343	-0.25150909
Jan-20	0.07880634	0.39318899
Feb-20	-0.08650836	-0.16593035
Mar-20	0.307345441	0.06348973
Apr-20	-0.00579656	-0.00677285
May-20	-0.4171964	-0.05516906
Jun-20	1.086021877	0.04626265

*The City of Peterburg has issued revenue anticipation notes or RANs for several years to aid in or stablize cash flow due to an unstructured and unprotected fund balance. Funds are being used to fund cash flow and not as new revenue.
Amount is reflected net of issuance costs on the cash inflow or receipt of the RAN and loaded with interest expense for the cash outflow or repayment of the RAN.

** Cares Act 2020 Coronavirus Aid, Relief and Economic Security of 2020

FY 2021 Projected Cash Flow

	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total
	Actual	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	
Beginning Balances	15,196,974	15,201,589	15,130,819	15,766,990	12,479,412	9,949,335	10,717,180	9,579,226	9,231,776	10,549,843	11,867,816	9,856,678	
Total Revenues	12,207,975	5,748,949	8,734,474	8,643,581	5,826,083	7,022,354	7,575,760	6,920,394	9,047,345	8,994,902	5,242,261	10,935,471	96,899,549
Plus RAN					-								-
Plus Cares Act**		2,734,818											2,734,818
Total Cash Flow Receipts	**12,207,975**	**8,483,767**	**8,734,474**	**8,643,581**	**5,826,083**	**7,022,354**	**7,575,760**	**6,920,394**	**9,047,345**	**8,994,902**	**5,242,261**	**10,935,471**	**99,634,367**
Less **RAN** Payment		1,408,000		1,231,650									2,639,650
Less Expenditures	12,203,360	7,146,537	8,098,304	10,699,509	8,356,159	6,254,509	8,713,714	7,267,844	7,729,278	7,676,928	7,253,399	7,588,961	98,988,503
Total Cash Flow Expenditures	12,203,360	8,554,537	8,098,304	11,931,159	8,356,159	6,254,509	8,713,714	7,267,844	7,729,278	7,676,928	7,253,399	7,588,961	101,628,153
Revenues Over (Under) Expenditures	**4,615**	**(70,770)**	**636,170**	**(3,287,578)**	**(2,530,077)**	**767,845**	**(1,137,953)**	**(347,450)**	**1,318,067**	**1,317,973**	**(2,011,138)**	**3,346,510**	**(1,993,786)**
Ending Balance	**15,201,589**	**15,130,819**	**15,766,990**	**12,479,412**	**9,949,335**	**10,717,180**	**9,579,226**	**9,231,776**	**10,549,843**	**11,867,816**	**9,856,678**	**13,203,188**	

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Carthan Currin

RE: **Request to schedule a public hearing to authorize the City Manger to sign a development agreement for the development of vacant properties located at 804-806 Bolling Street, 411 Shore Street, 520 Shore Street, 524 Shore Street, 525 Shore Street, 745 Wilson Street, 747 Wilson Street.**

PURPOSE: For the City Council to hold a public hearing on 15 2020 regarding a Proposal to Purchase and Develop City -owned property at 915 West High Street ;901 Halifax Street ;107-109 West Street ;437 -37 A Harrison Street ;804-806 Bolling Street ;411 ,520,524,525,530, 516 -518 Shore Street ;and 725,729, 735, 745,and 747 Wilson Street.

REASON: To hold a public hearing and consider an ordinance that authorizes the City Manger to execute a purchase agreement , and proceed with the sale of City -owned property in accordance with applicable legal requirements .

RECOMMENDATION: It is recommended that the City Council holds a public hearing on September, 2020 , and to execute a Purchase agreement and proceed with the sale of City own property in accordance with applicable legal requirements

BACKGROUND: The City has received a proposal from Ms Shelia Brynum-Coleman to purchase the following City -owned property .

627 North South Street ;915 West High Street;901 Halifax Street ;107-109 West Street ;437 -37A Harrison Street; 804-806 Bolling Street;411 , 520,524, 525,530, 516-518 Shore Street;and 725, 729, 735, 745, AND 747 Wilson Street .JC Bynum Construction LLC will build owner -occupied single -family homes on twelve vacant lots

COST TO CITY: Conveyance of Real Property

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the sale of prpoertyand assocaited 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. Development agreement for Bynum - Coleman

19-ORD-30
Adopted: 5/28/2019

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO DISPOSE OF THE PROPERTIES LOCATED AT 627 (REAR) NORTH SOUTH STREET, 915 WEST HIGH STREET, 901 HALIFAX STREET, 107-109 WEST STREET (SOUTH), 437-37A HARRISON STREET, 804-806 BOLLING STREET; 411, 520, 524,525, 530, 516-518 SHORE STREET, AND 725, 729, 735, 745, AND 747 WILSON STREET

WHEREAS, the City of Petersburg held a public hearing on May 28, 2019, pursuant to notice thereof as required by law to dispose of the publicly-owned properties addressed as the following: **627 (REAR) NORTH SOUTH STREET; 915 WEST HIGH STREET; 901 HALIFAX STREET; 107-109 WEST STREET (SOUTH); 437-37A HARRISON STREET; 804-806 BOLLING STREET; 411, 520,524,525, 530, 516-518 SHORE STREET; AND 725, 729, 735, 745, AND 747 WILSON STREET.**

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Petersburg that it hereby authorizes the City Manager, Aretha Ferrell-Benavides, to dispose of, by sale, the publicly-owned properties addressed as the following: **627 (REAR) NORTH SOUTH STREET; 915 WEST HIGH STREET; 901 HALIFAX STREET; 107-109 WEST STREET (SOUTH); 437-37A HARRISON STREET; 804-806 BOLLING STREET; 411, 520,524,525, 530, 516-518 SHORE STREET; AND 725, 729, 735, 745, AND 747 WILSON STREET.**

BE IT FURTHER ORDAINED, by the City Council of the City of Petersburg, that it hereby authorizes the City Manager, Aretha Ferrell-Benavides, to sign such agreements and documents as are necessary to complete the disposal of the aforementioned property on behalf of the City.

DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF VACANT PROPERTIES AT 804-806 Bolling St, 411 Shore St, 520 Shore St, 524 Shore St, 525 Shore St, 530 Shore St, 516-18 Shore St, 725 Wilson St, 729 Wilson St, 735 Wilson St, 745 Wilson St, 747 Wilson St_____, PETERSBURG, AS RESIDENTIAL DEVELOPMENT

On this 30th day of July, 2020 came the parties, J.C. Bynum Construction, LLC ("Purchaser"), whose business address is _7639 Hull Street Rd, Suite 105. North Chesterfield VA 23235 _____, and the City of Petersburg, VA, a municipal corporation formed and operating under the laws of the Commonwealth of Virginia ("the City), hereinafter collectively referred to as "the Parties," and did enter into this Development Agreement for the development of vacant properties at **804-806 Bolling St, 411 Shore St, 520 Shore St, 524 Shore St, 525 Shore St, 530 Shore St, 516-18 Shore St, 725 Wilson St, 729 Wilson St, 735 Wilson St, 745 Wilson St, 747 Wilson St** _____, Petersburg, as residential development ("the Agreement") to wit:

RECITALS

The Purchaser has presented to Petersburg City Council and the City's Administration "project summary documents" herein attached as (**Exhibit A**) outlining specific information regarding the project that is the subject of this Agreement, and which documents are hereby incorporated into this Agreement as if set forth fully herein.

The project summary documents describe the intentions of The Purchaser with regard to the purchase and development of property located at _**804-806 Bolling St, 411 Shore St, 520 Shore St, 524 Shore St, 525 Shore St, 530 Shore St, 516-18 Shore St, 725 Wilson St, 729 Wilson St, 735 Wilson St, 745 Wilson St, 747 Wilson St** _____ ("the Property"). The requirements of the project summary documents are deemed by the Parties to supplement but not supplant all requirements described in this Agreement and shall be binding upon The Purchaser with regard to the development of the property.

Upon presentation of these documents to the City by The Purchaser, Petersburg City Council did authorize the sale of the Property to The Purchaser contingent upon the execution of this Development Agreement which shall be referenced in the recorded deed for the property and include a reverter requirement for noncompliance with the terms described herein.

AGREEMENT

In consideration of the City's conveyance of the Property to The Purchaser, The Purchaser shall perform the development or the Property strictly in compliance with the project summary documents and in accordance with the following terms:

A. The Purchaser shall be solely responsible for the development of the Property in accordance with the project summary documents, and shall comply with all Code, Zoning, and other legal requirements associated with the development.

B. The Purchaser shall be solely responsible for obtaining all applicable permits and inspections required for the development.

C. The City makes no representations or warranties regarding the property or its development and shall be responsible only for conveyance of the Property as described herein, which is conveyed in "as is' condition with no warranties of title or condition.

D. The period of time described in the project summary documents during which The Purchaser is required to complete the development of the Property shall be known as the "Development Period."

E. The Purchaser shall not be permitted to convey the property during the Development Period. Upon completion of the development of the property, The Purchaser shall notify the City who shall determine compliance and upon making such determination, certify in writing completion of the development in accordance with the project summary documents. A copy of said certification shall be provided to The Purchaser. Upon such certification, this Agreement shall cease to be effective and become null and void.

F. Extensions to the time schedule described in the project summary documents will not be authorized except by the written consent of the City as approved by Petersburg City Council.

G. The failure of The Purchaser to timely comply with all requirements of the project summary documents shall be considered a material breach of this Agreement.

H. Upon material breach of this Agreement, the City shall provide The Purchaser with written Notice describing the breach. Upon receipt of written Notice of Breach, The Purchaser shall have thirty days to cure. The failure to cure the material breach within the thirty-day period shall result in default.

I. All Notices and other correspondence sent pursuant to this Agreement shall be sent to the following persons and addresses:

To The Purchaser:
Sheila Bynum-Coleman
7639 Hull Street Rd, Suite 105
North Chesterfield, VA 23235

To the City:
City Manager (with copy to City Attorney)
135 North Union Street
Petersburg, VA 23803

Notices may be sent via Hand Delivery, Courier, First Class Mail, Certified Mail, Registered Mail or other similar standard business delivery service and shall be effective upon receipt.

J. This Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to The Purchaser. The deed shall include provisions for the reverter described herein.

K. The "original purchase price" for the Property shall be defined as the amount paid by The Purchaser to the City to facilitate the transfer of the property Twelve Hundred and 00/100 dollars ($1,200_____.00).

L. Upon Default by The Purchaser, the City may, at its sole discretion, repay The Purchaser its original purchase price for the property less Twelve Hundred_____ and 00/100 dollars ($1,200_____.00), and record the Notice of Default which shall cause the Property to automatically revert to the City.

M. This Agreement shall be binding upon The Purchaser and successors in interest until such time that the obligations are concluded and the Agreement is declared to be null and void in accordance with the terms described herein.

N. This Agreement shall be construed under the laws of the Commonwealth of Virginia. Any dispute arising from the performance or non-performance of any requirement described herein shall be litigated solely in the Circuit Court for the City of Petersburg, Virginia.

O. If any provision of this document is deemed by a Court to be contrary to applicable law, the remaining terms shall continue in full force and effect.

By signing below, the undersigned parties represent that they have the authority to bind and do hereby bind their respective entity to all terms of this Agreement.

By signing below, the undersigned parties represent that they have the authority to bind and do hereby bind their respective entity to all terms of this Agreement.

Approved as to form:

_____

Anthony C. Williams, City Attorney

CITY OF PETERSBURG, VIRGINIA

By: _____

Aretha Ferrell-Benavaides

COMMONWEALTH OF VIRGINIA
City of Petersburg

On this _____ day of _____, 2020, Aretha Ferrell-Benavaides, City Manager for the City of Petersburg, Virginia, whose identity was confirmed by valid photographic identification, did appear before me, a notary public for the Commonwealth of Virginia, and affix her signature to the foregoing DEVELOPMENT AGREEMENT FOR DEVELOPMENT OF **804-806 Bolling St, 411 Shore St, 520 Shore St, 524 Shore St, 525 Shore St, 530 Shore St, 516-18 Shore St, 725 Wilson St, 729 Wilson St, 735 Wilson St, 745 Wilson St, 747 Wilson St** _____ PETERSBURG, VIRGINIA.

_____

Notary

Notary ID No.: _____

My Commission Expires: / /

_____

By: Rashad Coleman
Sheila Bynum Coleman Sheila Bynum-Coleman

COMMONWEALTH OF VIRGINIA
City of Petersburg

On this 20th day of July, 2020, Rashad Coleman Sheila Bynum Coleman, whose identity was confirmed by valid photographic identification, did appear before me, a notary public for the Commonwealth of Virginia, and affix her signature to the foregoing DEVELOPMENT AGREEMENT FOR DEVELOPMENT OF **AT 804-806 Bolling St, 411 Shore St, 520 Shore St, 524 Shore St, 525 Shore St, 530 Shore St, 516-18 Shore St, 725 Wilson St, 729 Wilson St, 735 Wilson St, 745 Wilson St, 747 Wilson St** _____ PETERSBURG, VIRGINIA.

CAROL BYNUM
COMMONWEALTH OF VIRGINIA
REG. NO. 7386721
NOTARY PUBLIC

Carol M. Bynum
Notary

Notary ID No.: 7386721
My Commission Expires: 04/30/2023

To whom it may concern:

Sheila and Rashad Coleman have been pre-approved for a construction loan for the purpose of building twelve lots in the City of Petersburg. in addition, they have four hundred thousand dollars in liquid funds available to begin the project while they are securing additional commercial funding for their construction company J.C. Bynum Construction.

Sheila and Rashad Coleman are financially stable with financing to complete the construction project.

Should you have any questions pertaining to this matter, feel free to contact me at: (804) 521-2673.

Sincerely,

Kelvin Oliver
President

KORE Mortgage, LLC
7400 Beaufont Springs Drive, Suite 300
Richmond, VA 23225
(804) 521-2673
www.koremortgage.com

Development Plan

I. Scope of the project

J. C. Bynum Construction LLC will build owner-occupied single-family homes on twelve (12) vacant lots. We will have four different models. One home will be built on each individual lot to be sold to the owner occupant.

Selections will include the following options

- 3 or 4 bedrooms
- First floor master
- Granite countertops
- Stainless steel appliances
- Bedroom with a loft
- 2.5 bathrooms
- Each home will have a minimum of 1200 square feet

II. Cost

The total cost to build one 1200 sq. foot home is one hundred and twenty-five thousand dollars ($125,000). This includes start to finish from the permit to the final construction and certificate occupancy.

III. Funding

The project will be funded through lending from a financial institution.

IV. Development Schedule

- The project will begin 90 days from closing on the lots
- Construction will take roughly six months depending on the weather
- The permit process depends on the City of Petersburg
- All homes will be constructed within 24 months of closing

ADT

2519

2020

4630

4120

LETTER OF INTENT

March 2, 2020

J.C. Bynum Construction LLC
7639 Hull Street Road, Suite 105
N. Chesterfield, VA 23235

RE: Bulk Purchase of City owned property;

By this letter, City of Petersburg presents the manner in which it and J.C. Bynum Construction may acquire certain real property from the City of Petersburg 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 of vacant lots and real estate, nevertheless, we execute this letter to evidence our intention to proceed in mutual good faith to complete work required, to purchase the lots and real estate listed below in the amount of five hundred dollars.

I plan to construct single family homes on the property. I plan to sell the homes at the current market rate as owner occupancy. My intended use conforms with the current zoning. According to the City Planning Department (804) 733-2308, the intended use conforms with the City's Comprehensive Development Plan. Plans and designs are not yet available and will be submitted with permit applications.

My purchase price offer is $1000 (one thousand dollars) The total amount I plan to invest in the total housing project prior to receiving a Certificate of Occupancy is $2.5 million . This project benefits the City of Petersburg by adding a city-owned property back on the tax roll, and by adding a new residence to the community on a formerly vacant lot. I am requesting a due diligence period of 120 days for inspection and to identify any issues that will impact the construction of a residence on this property.

I have extensive experience constructing homes throughout Virginia, with over twenty years in the Real Estate and construction industry. I will use equity and bank loans to construct the homes.

I agree to pay a non-refundable deposit totaling 1% of my offer price when my offer is accepted.

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

Tax ID Number	Address
012-070015	857 Bank St E
012-070018	851 Bank St E
031-230009	742 Blick St
031-240016	741 Blick St
012-080016	115 Burch St N
012-080012	105 Burch St N
012-080014	109 Burch St N
012-080015	113 Burch St N
031-040003	436 Byrne St
031-050039	469 Byrne St
029-100038	1205 Farmer St
030-040002	1004 Farmer St
029-080022	1411 Farmer St
011-300024	135 Franklin St
011-300023	137 Franklin St
045-200010	1111 Halifax St
045-200011	1115 Halifax St
031-040057	449 Harding St
031-250038	735 Harrison St
022-350010	334 Harrison St
010-170003	505 High St
024-100005	1230 High St W
024-080016	1119 High St W
023-110001	522 Hinton St
023-110002	516 Hinton St
024-220036	1206 Hinton St
024-220039	1162 Hinton St
011-300019	116 Jefferson St N
011-300017	120 Jefferson St N
022-390008	417 Jefferson St S
022-390009	421 Jefferson St S
045-060002	839-41 Jones St S
030-240011	829 Jones St S
030-200018	803 Jones St S
030-230012	804 Jones St S
030-240014	809 Jones St S
030-200019	751 Jones St S
030-230013	808 Jones St S
023-280005	215 Jones St S
023-270001	206 Jones St S
031-200028	135 Kentucky Ave
031-260036	204 Kentucky Ave
031-260037	202 Kentucky Ave
031-260039	126 Kentucky Ave
031-260022	230 Kentucky Ave Rea

044-100035	105	North Carolina Av
044-200001	52	North Carolina Av
044-110020	249	North Carolina Av
030-250003	604	Shore St
031-390005	408	Shore St
031-380003	328	Shore St
031-380004	322	Shore St
030-260003	524	Shore St
010-150027	351-53	University Blvd
010-150029	357	University Blvd
010-150021	333	University Blvd
010-150025	347	University Blvd
031-320023	151	Virginia Ave
031-350014	201	Virginia Ave
024-220018	1157	Washington St W
024-220019	1203	Washington St W
012-330006	716	Wythe St E
012-260019	715	Wythe St E
	725	Wesley St

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: **Minutes of Special Meeting of May 5, 2020; May 12, 2020; May 19, 2020; June 2, 2020; June 16, 2020; July 7, 2020 and July 21, 2020; and the Special Closed Session Meetings of June 2, 2020; June 16, 2020, and July 7, 2020.**

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. July 7, 2020 Closed Session Meeting Minutes
2. July 7, 2020 Special Regular City Council Meeting Minutes
3. July 21, 2020 Special City Council meeting morning
4. July 21, 2020 Special Regular City Council Meeting Minutes

5. June 2, 2020 Closed Session Meeting Minutes
6. June 2, 2020 Special Regular City Council Meeting Minutes
7. June 16, 2020 Closed Session Meeting Minutes
8. June 16, 2020 Special Regular City Council Meeting Minutes
9. May 5, 2020 Special City Council Meeting Minutes
10. May 12, 2020 Special City Council Meeting Minutes

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, July 7, 2020, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 11:00a.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
Executive Assistant to 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)(1) of the Code of Virginia for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees appointed by the Chief Elected Officials. Specifically including but not limited to the subject of performance, assignment and appointment of the Clerk of Council; and under §2.2-3711(A)(3) of the Code of Virginia for the purpose of discussion or consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically but not limited to the McKenney Library Property.

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 11:03a.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

*Audio available upon request.

DRAFT

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: Myers, Smith-Lee, Hill, Hart and Parham; Absent: Wilson-Smith and Cuthbert

20-R-34 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 12:15 p.m.

3. ADJOURNMENT:

City Council adjourned at 12:16 p.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

DRAFT

*Audio available upon request.

The regular meeting of the Petersburg City Council was held on Tuesday, July 7, 2020, in live stream. Mayor Parham called the meeting to order at 12:17p.m.

1. ROLL CALL:

Present:

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

Absent: Council Member Charles H. Cuthbert, Jr. (stepped out during roll call)
Council Member Treska Wilson-Smith

Present from City Administration:
City Manager Aretha R. Ferrell-Benavides
City Attorney Anthony C. Williams
Executive Assistant to Clerk of Council Tanesha Flowers

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 a closed session.

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.

Mayor Parham stated, "Good Afternoon Everyone. For our Positive Petersburg moment today, I want to recognize our Schools Superintendent, Dr. Maria Pitre-Martin and the great opportunities that are underway with our Petersburg City Public Schools. It was announced this week that a new health clinic, called The Crimson Clinic, will be opening at Petersburg High School in the Fall. The Crimson Clinic will serve as a primary care and behavioral health clinic located on the High School campus. The desire for the clinic is to keep students in school and hopefully work toward lowering the chronic absenteeism rate. This is an incredible opportunity for our Petersburg High School students and parents to have this direct access to health care right in their back yard. I also wanted to mention that The Trustees of The Claude Moore Charitable Foundation have approved a grant of $330,468.00 to fund Petersburg City Public Schools in developing new health and

*Audio available upon request.

DRAFT

medical programs designed to help students be prepared for careers in those fields. This grant is designed to support the Petersburg City Public Schools Diploma Plus Initiative. Under this initiative, students can graduate with a diploma plus a certification in specific career fields. So again, I would like to congratulate Dr. Pitre-Martin and the entire Petersburg City Public Schools team on their continuous accomplishments for the betterment of our students.

7. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

No items for this portion of the agenda.

8. REPORTS/RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Folakemi Osoba, Public Information Period, read comments and responses from previous public information.

1. Can the citizens receive an update on the Jarratt House and South Side Depot?

Jarratt House (update from June 2020):

A second IFB was released to the public on May 15, 2020. An optional pre-bid conference was held on June 15, and bids are due by July 7, with the bid opening date to be July 8, 2020.
Once a contractor's bid is selected, stabilization work should begin by late summer or early fall. Work is expected to be substantially completed within six months.

Southside Depot (update from June 2020):

Construction and Bid Documents for the project are currently being worked on.
The abatement has been advertised. 3 bids came in and it was awarded to WACO. A clarification meeting was held on March 10th, 2020.
A Notice to Proceed meeting was held on Friday, June 26, 2020. The project will begin once all documents have been signed.

9. COMMUNICATIONS/SPECIAL REPORTS:

a. City Manager's Report

Mr. Lyons stated, "Mayor and Members of City Council. If you look in your City Council packet, you have a comprehensive presentation before you in her packet as the City Manager's Report."

Mrs. Benavides stated, "You can read it and if you have any questions, please let me know. Thank you."

b. COVID-19 Report

Ms. Tyus stated, "The COVID-19 update is that we are very happy to announce that the department of health extends his effort to make sure that Petersburg is tested. We are now moving to the mobile testing concept at specific sites. I will not say which one because I do not want to draw specific attention to it. But we will be focusing on one of our larger public housing developments with a mobile operation. So, we are excited that we have expanded testing into that arena. Also, we promised to manage and that we would give you an update on our progress associated with the COVID-19 CDBG funds that you guys so graciously approved at the last council meeting. We have now gotten our official approval letter from the fed that say that they have approved our general concept. We continue to work on the specifics. And we now have a team that is focusing

*Audio available upon request.

DRAFT

on how we use some of those funds to assist our business community. The manager gave us information and we have about 1,700 businesses in the City of Petersburg. So, the funds will not be able to address them all. But we will come back to you with the criteria on using best practices to figure out how to narrow the folks so that the process that we have is useful. We participated with the Chamber of Commerce and gave them the opportunity to say to us what they would focus on if they had an opportunity to use some of those funds. They were quite informative and one of the major things that they highlighted was the ability to do a coordinating marketing campaign. Something that suggest that Petersburg businesses are open for business. So, please look forward to giving you additional information on that. Just like every other part of the country we positive numbers continue to rise we are now over 280 positive cases in Petersburg with seven deaths at this point. We will continue to keep you updated at this point on how those numbers are looking. And that concludes our report."

There was discussion among City Council and staff.

Chief Miller stated, "Good afternoon. We have to check with the health department before we provide information. The health department is not just a place or a social service issue."

c. CAFR Update

Mrs. Benavides stated, "For the sake of time, we received a draft of the CAFR from our auditor's. They are doing the final touches. We are working on our manager's response to the CAFR. And we anticipate presenting it to the council on the 21st. We have our auditor's who will be present to do that presentation. We have also started working on this year's CAFR. We ended out physical year on June 30th and have started the process of working on the next year's CAFR. I think the biggest challenge that you will see in the CAFR is making sure that all of the reconciliation and things have happened. I look forward to sharing with you the CAFR on the 21st."

Ms. Elliott stated, "As the City Manager mentioned, we do have the CAFR in final draft form. We are going through the details as we speak. So, we will be ready to present it at the July 21st council meeting. So, we will be prepared to answer any questions at that time."

Mrs. Benavides stated, "One question that we have for council is because we do have the draft, I think that biggest challenge is getting the management response. But, because it has been delayed, if you are interested in having a shot special meeting. I think that we have a meeting with the school board next week. If you are interested in presenting this to you. My goal was to do the CAFR presentation on it own and then do a press release with the press answering questions about our CAFR immediately following the presentation."

There was discussion among City Council and staff on the scheduling of the meeting.

d. Fire Station Update

Mr. Lyons stated, "As Mr. Gerrit pull this up, you all will have the presentation provided to you. I want you all to know is that we are in a great spot. They have dealt with draining issues and they have cleaned out the kitchen area. They have done tile work including improvements to the French drain. They are moving in the direction that you want them to go. We are dealing with floor issues. They dealt with the mold immediately. Our goal is still on target to have that facility open by mid- August and have it fully staffed by then. As I share with many of you all, they have done an excellent job with this company moving us in the right direction. So, we are very pleased."

Interim Fire Chief, Jim Reid, gave an update and went through the PowerPoint presentation on Fire Station 4.

*Audio available upon request.

DRAFT

There was discussion among City Council and staff.

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

a. A request to schedule a public hearing and to consider an amendment to the Comprehensive Plan, Transportation Element, to add the Bike and Pedestrian Section (Suggested date July 21, 2020)
b. A request to schedule a public hearing for July 21, 2020 on an ordinance to amend Division 2 of Chapter 78 of the Petersburg Code of Ordinances and Section 78-106 of the City Code in Order to Change the Name of "Lee Memorial Park" to " Petersburg Memorial Park". (Suggest date July 21, 2020)
c. A resolution to authorize the City of Petersburg to apply for an Industrial Revitalization Fund Grant in the amount of $600,000 for the Hotel Petersburg Project.
d. A request to schedule a public hearing for an ordinance to amend and re-adopt provisions of Chapter 30 of the Petersburg City Code pertaining to cemeteries and the re-establishment of the Perpetual Care Fund Committee through the adoption of Section 30-2. (Suggested date for the public hearing is July 21, 2020).

Council Member Myers made a motion to approve the consent agenda and to schedule the public hearings for July 21, 2020. The motion was seconded by Council Member Smith-Lee. There was discussion on the motion. The motion was approved on roll call. On roll call vote, voting yes: Myers, Smith-Lee, Hill, Hart and Parham; Abstain: Cuthbert; Absent: Wilson-Smith

11. OFFICIAL PUBLIC HEARINGS:

Mayor Parham stated, "Item 'd' has been stricken from the agenda."

a. A public hearing and consideration of the rezoning request of adjacent parcels at 2045 Squirrel Level Road from A-Agriculture to M-2 Heavy Industrial, and 2100 Defense Road from R-1 Single Family Residential to M-2 Heavy Industrial.

BACKGROUND: The City of Petersburg received a request from the Roslyn Farm Corporation, to rezone property owned by the Corporation, that includes adjacent parcels at 2045 Squirrel Level Road, Parcel #070-050002, from A-Agriculture to M-2 Heavy Industrial, and 2100 Defense Road, Parcel #070-050800, from R-1 Single Family Residential to M-2 Heavy Industrial, to accommodate industrial development.

The property is located adjacent to Inland Container/International Paper at 2233 Wells Road, Parcel #076-020001, zoned M-1, Light Industrial, and across Squirrel Level Road from Four Square Industrial Contractors at 1 Four Square Industrial Dr, parcel #071-070010, zoned M-1.

The property owner stated that an easement along Defense Road would not allow for access to the property on the North boundary, therefore, access to the property would be from Squirrel Level Road, the West boundary.

The City of Petersburg Planning Commission considered the request during the March 4, 2020 Commission meeting, then continued the item.

Staff recommendation included, approval of the rezoning request to the Roslyn Farm Corporation conditioned that the owner/developer at the time of the development review/site plan process, be required to conduct the necessary studies and make the necessary improvement to address system adequacy for utilities, traffic/ transportation and right-of-way for which they may not otherwise be obligated through the by-right

*Audio available upon request.

DRAFT

development process.

In addition, the owner/developer may have to comply with other reasonable conditions that may be necessary for the protection of the community, which may not ordinarily be required through the by-right development process.

The Planning Commission considered the request during the June 3, 2020, Commission meeting and voted to recommend approval of the rezoning, with staff recommendations and the requirement that trees along Defense Road and Halifax Road boundaries be maintained.

RECOMMENDATION: It is recommended that the City Council hold a public hearing and considers the request to rezone adjacent parcels at 2045 Squirrel Road from A-Agriculture to M-2 Heavy Industrial and 2100 Defense Road from R-1 Single Family Residential to M-2 Heavy Industrial.

Reginald Tabor, Interim Director of Planning and Community Development, gave a briefing of the request for rezoning with a PowerPoint presentation.

Nick Walker, Representative from Roslyn Farms, gave comments in regard to the rezoning request.

Mayor Parham opened the floor for public comments.

Marcus Squires, 1701 Monticello Street, stated, “My question is in regard to what kind of industry would be moving onto the site. Thank you.”

Mr. Walker stated, “I can answer that question. We are working with an industry that is interested and they are a logistics business that help out with another logistics business in Dinwiddie. They are a provider for them. They would be looking to do some distribution and some small steel work over on the site. Which is why we need the M-2 usage. That is the only usage that would allow steel. They would not be fabricating anything on site. In my conversation with the company they will be doing all storage on site and distribution on site. Any refabricating would be done inside the building without any noise or significant noise reduction that would disturb the surrounding communities. I have also agreed to work with staff on buffers such as landscaping and burns and other amenities that would minimize any impact to the local community.”

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

Council Member Myers made a motion adopt and change the zoning from A-Agriculture to M-2 Heavy Industrial at 2100 Defense Road. The motion was seconded by Vice Mayor Hart. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Absent: Wilson-Smith

20-ORD-31 AN ORDINANCE TO CHANGE THE ZONING FROM A-AGRICULTURE TO M-2 HEAVY INDUSTRIAL AT 2100 DEFENSE ROAD.

b. A public hearing and consideration of a request for a Special Use Permit to allow the construction of a Telecommunication Tower/Facility on the property of Four Square Construction at 1 Four Square Industrial Drive to provide wireless telephone services.

BACKGROUND: The City of Petersburg received a request for a Special Use Permit from Skyway Towers, LLC, to allow the construction of a Telecommunication Tower/Facility on the property of Four Square Construction at 1 Four Square Industrial Drive to provide wireless telephone services.

*Audio available upon request.

DRAFT

The tower would be located near the West boarder of the property and would be 199 feet in height, constructed of galvanized steel within a 50 feet by 50 feet fenced area on the property.

Staff recommendations include: that the design of the proposed tower and base facilities conform to the submitted preliminary site plan, or to another, clearly specified plan acceptable to the Planning Commission;

That the applicant agrees, in writing to eliminate interference with television, radio, cable television, emergency communications, and telephone transmissions;

That the applicant's employ the landscaping measures described in the application to maximize coverage and reduce any potential visual impacts;

That the applicant agrees to provide for the co-location of a minimum of three (3) additional competing services, or other telecommunication services on the proposed tower.

That the applicant agrees to absolve the City of Petersburg of responsibility for accidents affecting the proposed tower or its operations;

That the applicant agrees to present a contract providing for the removal of the tower and associated facilities in the event of abandonment of the use of the tower for a period of more than ninety (90) days, and that the performance bond adequate to ensure removal of the tower and related facilities be provided to the City;

That the applicant agrees to maintain the tower in a manner which will minimize its aesthetic and visual impact, that applicants shall ensure that the color and visibility of the tower do not change appreciably as the result of corrosion or other factors, and that no advertising or other signs be placed on the tower;

That the applicants agree to provide for annual inspection of the tower, by certified professionals, for structural integrity, and that copies of the reports be provided to the City.

The applicant expressed agreement with the staff recommendations, however they stated that the Code of Virginia has been amended to remove bond requirements.

The City of Petersburg Planning Commission considered the request during the June 3, 2020 Planning Commission meeting. The Planning Commission voted to recommend approval of the request with Staff recommendations.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and considers the request to allow the construction of a Telecommunication Tower/ Facility on the property of Four Square Construction at 1 Four Square Industrial Drive to provide wireless telephone services.

Reginald Tabor, Interim Director of Planning and Community Development, gave an update on the request for a Special Use Permit for property at 1 Four Square Industrial Drive.

William Shewmake, representative of Skyway Towers, stated, "I want to first thank the Planning Department and staff for their hard work on this. They were very helpful in allowing us to come forward in what we think is a very good proposal. Except for the condition relating to the removal bond, which I don't think is allowed under state law, we were in agreement with the proposed conditions. I would note that as you saw in some of the photos this is the ideal site. It is almost 58 acres of undeveloped property. The lead tenant would be T-Mobile. And we have submitted propagation maps. We have provided to you the increased coverage that this will allow. It is part of T-Mobile effort of ongoing effort to establish a 5G network that will greatly serve this

*Audio available upon request.

community. And we have structured the tower in such a way that we can add three other carriers' towers to provide service. We would not as the COVID crisis pandemic has demonstrated that absolute need for wireless is greater than ever before. As more and more people use data, it is almost like it is a highway basically. It is a reason why they call it an information highway. As more data is streaming you need to have more capacity. So, this tower is not only going to increase the coverage so that we can provide to the Petersburg business and residents, but it can also increase the speed in which the data can be sent through on the other nearby towers. As we have noticed more than half of the people now do not have land lines and over 70% of 911 calls now come across on cellphones. So, we would ask that you approve this request and we would be glad to answer any questions you might have. And again, I want to thank your staff in the Planning Department for working with us on this project."

Mayor Parham opened the floor for public comments.

Gerrit VanVoorhees, IT Manager for the City of Petersburg, stated, "Could there be space available to the City for IT Infrastructure if we needed it on that tower?"

Mr. Shewmake stated, "It will be available. We have space and we will certainly be willing to discuss with the City of Petersburg their locating on it. So, we have the capacity if Petersburg is interested in entering an arrangement with Skyway. The only lead tenant that we have now that is absolutely committed is T-Mobile. But at the height that we have we could accommodate that."

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

There was discussion among City Council Members and staff.

Council Member Hill made a motion to approve the ordinance to allow this project to be developed in the City of Petersburg. The motion was seconded by Council Member Smith-Lee. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, and Parham; Absent: Hart and Wilson-Smith

20-ORD-32 AN ORDINANCE TO APPROVE THE SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A TELECOMMUNICATION TOWER/FACILITY ON THE PROPERTY OF FOUR SQUARE CONSTRUCTION AT 1 FOUR SQUARE INDUSTRIAL DRIVE TO PROVIDE WIRELESS TELEPHONE SERVICES.

c. A public hearing on the Revised Mass Transit FY 21 Budget.

BACKGROUND: FTA allocated $25 billion to recipients of urbanized area and rural area formula funds, with $22.7 billion to large and small urban areas and $2.2 billion to rural areas. Funding is provided at a 100-percent federal share, with no local match required, and is available to support capital , operating, and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19. Petersburg Area Transit was awarded $3,581,786 ($300,000 was appropriated in FY20), the remainder will be used in FY21. PAT will use CARES funding to support its operations at 100% and not its usual match grants (per the request of the FTA). The CARES funding was received AFTER the City-Budget submittal and must be amended for Fiscal Year 2021.

RECOMMENDATION: Recommend City Council approve Mass Transit's FY21 Budget.

Stephanie Harris, Deputy Director of Petersburg Area Transit, gave an overview of the Mas Transit's FY21 Budget.

*Audio available upon request.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among City Council and staff.

Council Member Myers made a motion to adopt the recommendation to approve Mass Transit FY21 Budget. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, and Parham; Absent: Wilson-Smith and Hart

d. A public hearing on the Petersburg Redevelopment and Housing Authority Board of Governance.

This item was removed from the agenda during the early part of the meeting.

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.

Linwood Christian, 410 Mistletoe Street, stated, "Good evening Members of City Council and Mr. Mayor. I just have a few things. First, I would like to thank Council Member for the 5th Ward, Mr. Howard Myers along with our Chief, our Deputy Chief and City Manager. Because somebody had seemed to have forgotten that there was some people in this part of the 5th Ward in the Harding Street area that needed some PPE's and sanitizer. But thanks to our City Councilman, the Harding Street Neighborhood Association as well as the Delectable Heights, we were able to obtain some PPE's and sanitizer and give them to some of those person's who are vulnerable in our area. Also, I wanted to know and ask this question because I hear our City Council talk about the Rules of City Council. I wanted to know if we had a change in Vice Mayor. And the reason being is that so many times I hear Mr. Mayor often pass the gavel to the Councilman from the 2nd Ward. But if we are going to stay with protocol, Mr. Hart is still our Vice Mayor. At least I thought. Also, I want to say that something was very disturbing when we saw on Facebook and heard talk of Members of City Council who are running for reelection using the PPE's that came from the state as part of their campaign. I wanted to say that it is kind of troubling. Because we shouldn't be doing things and I do hope that this City Council will address that. Last but not least I was glad to hear that after all this time we acquired Lee Park now we want to see about changing the name. If you are going to change the name that is good. But make sure that you keep it clean. Make sure you keep it as it was when it was under the authority of Mrs. Tami Yerby in Parks and Recreation. Because it makes no sense in changing the name and you still have the same old mess going on there. I also wanted to know why were the benches moved that were on the Union Street side of the bus station. And if it was reason because you didn't want the homeless or whomever sitting there during the COVID-19, I have to say this. Those agencies or so-called homeless advocates that we have and from my dealing with them, they were not worth anything. They did not do a lot of what they were supposed to do. And I have to go back because I still have not gotten a response from the letter that I sent you all addressing some issues dealing with St. Joseph Villa and others. And I am still waiting on that. Because when we looked at how we did our homeless at least from my point of view we did very poorly. And those persons that were in charge from City Administration did not do their part in upholding. And last but not least there needs to be better communication between the City administration. We need to hear more from our health director about what is going on with COVID-19 and

*Audio available upon request.

where the testing sites are. Because it was put out there for or something that I do not know who is supposed to do it, Ms. Darnetta Tyus or district director. Whomever is supposed to do it needs to make sure that it is done right and done in a timely fashion. And needs to make sure that everyone gets that information. In that letter I wrote you, it does not make any sense that I had to go all over Crater Health District before I could find somewhere to get someone in my family tested for the Coronavirus. As well as to find out at the last minute that during that particular time that the testing had been cancelled. You can do that with something as serious as this. Thank you, members of City Council."

Marcus Squires, 1701 Monticello Street, stated, "My first question is in regard to the City. Is the City going to ever establish a government opts committee to be run by council members? And these committees tend to bring oversight to all of the different commissions, authorities and boards which the City Council appoints different people to. To make sure that these boards are help accountable and that they can go over a swat analysis of each board. I know that it would add to your responsibilities, but oversight is something that is needed over these different organizations. You have different organizations like the CDBG Grant Funding Organization and currently it does not have any new members. What is the City going to do with the old Social Services Building? It is sitting and not being put to use. What is the City going to do with the Titmus Optical Building? What is the City going to do with Peabody? In regard to changing the name of Lee Memorial Park, has the City looked at the original Native American name of that site? And in regard to different facilities around the City, we have a lot of out buildings that are sports complexes and other sports events in parks. A lot of these roofs need to be replaced and a lot of these facilities are falling apart. Are the City looking at these parks as well as other areas that we have maintenance and other facilities stored? In regard to the intersection of Sycamore and Fillmore Street, is there a way for the City to paint a crosswalk and have a look at the sign out there. A lot of people are just running across the street. May be let the drivers to know to be aware of what is going on in the intersection. Two people were recently hit by vehicles and died on that site just last year. And in regard to drains in the City, I go on a lot of runs and during some of my runs it rains. And a lot of the drains are actually clogged, and it causes for a ton of run-offs in our City. Who is checking all of these drains to make sure that they are not clogged? And in regard to Brickhouse Run and Lieutenants Run, who in the City is responsible for the maintenance. A lot of these runs are buried under the City and they look like they are about to collapse. That can be a major issue for our City and potential safety hazards. And in regard to the blighted homes I hope that our City will do something about it."

Patrick Ingram, 836 South Gillfield Street, stated, "I wanted to discuss the COVID-19 update. It was stated that we have 280 confirmed cases but, in all actuality, effective today we have 311 confirmed cases. Which is up 32.9% from last week. In regard to the cluster or the hotspot, I am curious in why we don't have information publicly. It should be not be discussed in closed session. We are in the midst of a global pandemic. But specifically, in an alleged epidemic City. So, as long has HPPA and other personal information is not distributed then I think it should be discussed in terms of a City matter. Information can be found updated coronavirus numbers on vdh.virginia.gov/coronavirus. But more specifically in Ward 6 I am troubled that there has been no distribution publicly of PPE. When we look at the northern section of Ward 6 it is definitely on the low end of the spectrum. These are streets such as McKenzie, Hinton, Farmer and the Upper Appomattox. There has been no reports of distribution of PPE. I am wondering why the City Manager but more specifically the City Council Member in Ward 6 has not been visible passing that information out. More specifically as well A.P. Hill Community Center. When we look at that name why are we not discussing name change for A.P. Hill Community Center. More specifically why is A.P. Hill Community Center still down. It is still closed and not open. And I know that Mr. Bishop Johnson was working to get that community center up and running. I am curious on where we stand with that as well. I relinquish the remainder of my time. Thank you."

Michelle Murrills, 131 South Market Street, stated, "FYI the State of Virginia is now in Phase 3. Phase 3 means that we are able to have up to 50 people in a building. And the train station capacity is 272. You can have a large City Council session and we can have up to 136 people inside that building. There are 57 participants on this meeting. Also at the last meeting the City Attorney said that there was a law suit against

*Audio available upon request.

another City Council because someone caught the coronavirus at an in person meeting. I would like to know where that case is and the case number so that we can all follow it. If it is a precedence that all of Virginia would like to know that. Probably quite a bit of the United States as well. Especially to my knowledge there is no way that we can ascertain how and where somebody caught it. You can catch it in multiple ways. The only way that I know that you will be able to win a case like that is to be able to have a test done soon as you walk in showing that you are negative and a test as soon as you walk out saying that you are positive. Also, we need to know more about this coronavirus hotspot that we have here in Petersburg. I am just throwing it out there that no one is talking about it. This is a public health crisis and has nothing to do with HIPPA or anything like that. Like Washington and New York when they had the coronavirus earlier in the year going through retirement homes and what not they immediately had it out there in the public saying immediately where it was and what was going on. If this is truly something that should not have been talked about it should not have been mentioned. Our Governor is the only Governor in the US that hasn't set up a proctor. On a different note I hope that all of you have been able to see the video that we submitted to HGTV. Several of us worked very hard on it and unfortunately, we did not win. But I would like to thank and say that I do appreciate the government officials, including all of you all, that gave your time to help us to try to win. Hopefully, we will be able to use the videos that we have to help advertise that the coronavirus is over. Thank you."

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

Council Member Cuthbert stated, "Thank you Mr. Mayor. Two things, I thank Ms. Kemi for her report given to us at the very beginning of our meeting. I would ask the City Manager, if Ms. Kemi's report could be made available in writing by email to all council members. I think that it would be helpful on a regular basis. Secondly, I have some PPE remaining that I did not distribute. It does no good for it to stay in a box. I want to see it in the hands of the public. I have them at my house. I distributed them at the ward meeting that I had in Pocahontas. I have put an ad in the newspaper, thanks to Ms. Jackson, offering it to the public. And nobody from the public responded. I still have 20 bags of PPE in my office. And if any member of the public would like to have a bag of PPE, I would encourage them to stop by my office. No appointment is necessary, from 10am to 4pm. And it will be one per family. I want to see it put to good use and I hope that whomever in the public finds the need for it stop by my office on Sycamore Street right across the courthouse. Thank you very much."

Council Member Hill stated, "In reference to PPE's, we have been given them, all council members, to distribute throughout our ward. I have gone house to house. I have residents that have called me. I have gone through my neighborhood and given them out and I gave them out at the election polls. But no word did it say vote for Council Member Hill on there. So, you cannot believe everything that is on Facebook. I am still the councilman, so I still have a reputation to give and to exercise. Whatever somebody interpreted then that is on them. I gave them out at my ward meeting, and I covered my ward. I want to thank the members of the staff, City Manager, Deputy City manager's and those who came out to my last ward meeting. We had a great ward meeting and it lasted an hour. I want to thank the public-school system for allowing me to use their parking lot so that we can be socially distant. I know some other council members will be doing the same thing outside where it is safe. We all know that the coronavirus has not left, and it is on the rise and so whatever we do in large numbers should be outside and not inside. So, I just want to thank them for coming out. We gave out PPE's there as well. Everyone was glad to get the information that we talked about. We will probably do another ward meeting at the end of the summer. We have to see how things go. We do not have a new Vice Mayor. We have the same Vice Mayor. But whenever the Vice Mayor is not here the Mayor may pass the gavel to one of use when he leaves out the room. But normally, it is the senior person. But the way that the room is set-up sometimes we are right beside each. Hopefully, that addresses that. Madam City Manager, I want to maybe look at, I know we have issues on things coming out because of the coronavirus as far as buildings. Can we look at a scope on how much it would cost the City of Petersburg on all of the technology to be where it should be. I know that we are working off an old system. But can you look at that to see what it will cost us to get up to the 21st century. I know that it is a lot, but can we start that conversation. Other than that Mr. Mayor and members of council that is all that I have. Thank you."

*Audio available upon request.

Council Member Smith-Lee stated, "I would like everyone to know that on July 28th at 6pm, there will be a Joint Ward meeting with Ward 6 and Ward 7. PPE's will be distributed. This will be on our City webpage and also in the newspaper. Anyone that know of anyone in Ward 6 and 7 that there will be a joint meeting at 6pm in Cool Springs Elementary in the back-parking lot in the back of the school. And you can stay in your car. Also, City Manager I would like to ask you something. Now that there has been a list of 250 people gathering, the youth of the City of Petersburg has been closed in. Is there anything that we can do for them like the last month before school possibly start?"

Mrs. Benavides stated, "My response to that is that we are in a massive surge. Even though that they have listed but in that same conversation are now seeing a mass spread. What they are naming now is that it is hitting a younger audience. In our health indicator, it would be in the best interest of our City to take Phase 3 to heart. Because right now that you see our numbers going up and I wanted to make that we got that update in there. Our numbers are rising, and our numbers are rising as we expected the surge. And so, I am not comfortable with taking the responsibility of bringing a bunch of kids and then possibly taking back something to their parents. And so, I am saddened to say that there is too much of a risk right now. My goal is to keep monitoring the numbers. And soon as we start seeing those numbers go down then we can have a conversation. But right now, in Petersburg those numbers are rising. I just want to say and clarify, I just mentioned to the Mayor, that we talked about how many cases that we have. And when you see online it says 300 cases. There are some cases that have been cleared which means that someone tested positive and they have been taken off the list. So, if you were to say 200 that represents active cases at this time. But that number is going up. Second, I would say that I had a conference call with other City Manager's on yesterday and the discussion is that people are questioning whether you can start school. We are not exempt where we have the proper plan for distancing. Our school district is probably having similar conversations and colleges now are starting to announce that they will not be able to reopen in the fall. So, we need to figure out from a technology standpoint on how to make sure that they have the right internet access. But we will work with Ms. Tyus and Mrs. Yerby to see what we can do to assist them. We also know that what is happening is that once the kids are allowed out and to interact, we are seeing mass spread."

Council Member Myers stated that he does not have any comments at this time.

Vice Mayor Hart stated, "As Councilwoman Smith-Lee stated we will be having a joint meeting at the end of the month at Cool Springs Elementary, the former A.P. Hill Elementary. And we will be passing out PPE equipment. So, please come out and let someone in Ward 6 and 7 know that we will be doing this, and we will go from there. I want to personally say to all council members and City workers is thank you. During my time of need, I appreciate the phone calls, visits, gifts and everything else. So, thank you all. I am doing much better. I have been moving around a bit. Mr. Christian, I am still on council. I am moving a little slow, but I have not stopped working. So, thank you Mr. Christian, you will see me around Petersburg somewhere. I do not plan on being here for the next 20 years but at some point, I will fade away. So, thank you all and I appreciate your support, prayers and everything that you have done in these past six months. I am doing much better. Thank you."

Mayor Parham stated, "We appreciate you and thank you for that. Also, thank you for sticking it in with us. It is a task of council duty. I don't think anyone out there understands how much of a commitment it is. Vice Mayor Hart you have always been committed 100%. And we thank you for your support and having you here. You are looking good and getting better. Keep that up and we will keep the City moving. I just want to add that we have a joint meeting with the school board coming up Thursday, July 16th. It is at 6pm at Petersburg High School. That is next week. And on top of that we have council retreat. Our council retreat is July 20th at Fort Lee like we had last year. It is a one day retreat all day. So, council members mark off your calendar. I just want to go back because we had some discussion on COVID-19. In Petersburg, currently today we have a total of 327 cases. And 210 of those cases are active and 111 have cleared and seven deaths in the City of

*Audio available upon request.

Petersburg. I thank the City Manager for taking the necessary cautions in keeping us safe. I know that it has been a strain. We definitely had a few people in an out due to COVID in our City administration. I ask the public to be patient and bear with us. This is something that does not just affect the City operations but also the family members of our employees that work for the City. So, they are giving it their all and a lot of interactions. Plus, the public, we thank them for their sacrifice to keep Petersburg safe along with our City employees."

14. ITEMS REMOVED FROM CONSENT AGENDA:

*No items for this portion of the agenda.

15. UNFINISHED BUSINESS:

*No items for this portion of the agenda.

16. NEW BUSINESS:

a. Consideration of appointment/s to the Redevelopment and Housing Authority Board.

BACKGROUND: Section 36-11 of the Code of Virginia authorizes the City to create a Redevelopment and Housing Authority with as many as nine (9) members; and City Council has previously formed such an entity through the adoption of Section 38-1 of the Petersburg City Code (such entity hereinafter referred to as Petersburg Redevelopment and Housing Authority (PRHA). The City Code currently provides for seven (7) members on PRHA board.

RECOMMENDATION: The City of Petersburg recommends the City Council accept the nominations for the vacancies to the PRHA board.

Mayor Parham read the background information out loud.

Council Member Cuthbert made a motion to appoint Kim Potts and Trisha Brown to the Petersburg Redevelopment and Housing Authority. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Absent: Wilson-Smith

20-R-34 A RESOLUTION APPOINTING KIM POTTS AND TRISHA BROWN TO THE PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY FOR A TERM ENDING ON SEPTEMBER 30, 2024.

b. An ordinance to authorize the acceptance of an interest in real property located at 137 South Sycamore Street (McKenney Library).

BACKGROUND: The City is the owner of certain located at 137 South Sycamore Street known and hereinafter referred to as the "McKenney Library" and the deed of conveyance of said property contains certain conditions including but not limited to a reverser or right of reversion upon the occurrence of certain events and it is the wish of the City to take reasonable efforts to clear any potential clouds which may exist concerning the title to said property.

RECOMMENDATION: Approve.

Mr. Williams stated, "Just for a point of clarification this is just a first reading. And the motion if council chooses to move forward should be a motion to set it for a public hearing on the 21st."

*Audio available upon request.

DRAFT

Council Member Cuthbert made a motion to set the ordinance for a public hearing on July 21st. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Absent: Wilson-Smith

17. CITY MANAGER'S AGENDA:

Mrs. Benavides stated, "Just a quick note to everyone. Have you have heard, and we have talked about many people talk about the pots of money from COVID-19. There is one that is the CDBG money which we spoke. Ms. Tyus is working on how we are granting those funds. The larger pile of money, what I asked staff to do is to put together a proposal on how we will utilize these funds. The message to each of you is that the concern that this goes into funding that we may receive and have to return. But we are checking and double checking what is allowed for expenditure. I would like to say to each council member and everyone listening is that one area of investment is to create a better method to insure that an individual can not only see but view our council meetings through the electronic system. The system that we are putting forth would allow us to have a live online but via our City's Channel 15 as well as electronic voting. So, this will be a tool and because of COVID-19 and the reality that we still need to social distance it will create a mechanism for those who re interested in seeing our council meeting to be able to do it in a number of fashion. And so, we are excited about this and other items and we will get back more information as times go by. We are looking at this at a holistic standpoint and also very carefully about what are the things that we need to do. Because we realize that COVID-19 is going to come and go as flu season has not hit us yet. Just be patient but I do plan on bringing more information back to you."

Ms. Tyus and Chief Miller stated that there are three facilities that are places of concern and the hotspots. Ms. Tyus stated that the three areas are Battlefield Park Healthcare Center, Fillmore Place and Petersburg Healthcare Center. She stated that the health department is watching them at this point.

There was discussion among City Council and staff.

Council Member Cuthbert suggested that City Council have a Special Called Meeting to meet with the health department representatives to find out what they are doing to stop the spread and update on information regarding the pandemic.

Mrs. Benavides stated that she suggests that they invite Dr. Hart to attend the school board meeting with updated information regarding the COVID-19.

18. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

19. BUSINESS OR REPORTS FROM CITY ATTORNEY:

Council Member Hill stated, "There are two things that I forgot to bring up during my time. Madam City Manager and Police Chief if you could look at these items, I would appreciate it. At the same place right across the street from the School Board Office from South Boulevard there is Save -A-Lot and a lot of different shopping areas. The parking lot in the back of building and one of the tenants is moving out and there is trash all over the place and its starting to be a nuisance. And then I have 12 or 13 tracker trailers that are being parked over there. I know that it is private parking, but I know that it is not a truck stop. So, I need someone to take a look at that and get those tracker trailers moved and get the trash up."

Mayor Parham stated that they are going to circle back up and have a closed session at this point of the meeting.

*Audio available upon request.

DRAFT

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 requiring the provision of legal advice by the City Attorney and matters of actual or probable litigation specifically including but not limited to probable litigation associated with erroneous assessment of real property tax and discussion of provision 2.2-3712(i) of the Code of Virginia and Section 2G of the Rules of Council of the requirements of section 2-5B9 of the Petersburg City Code. And discussion of Chapter 3-13 as it relates to provisions of reports by the Treasurer.

Council Member Myers moved that the City Council go into closed session for the purposes noted by Mayor Parham. The motion was seconded by Council Member Smith-Lee. 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 1:54p.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."

Council Member Myers 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, Myers, Smith-Lee, Hill, Hart and Parham; Absent: Wilson-Smith

20-R-35 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 3:03 p.m.

20. ADJOURNMENT:

City Council adjourned at 3:05 p.m.

*Audio available upon request.

DRAFT

_____
Clerk of City Council

APPROVED:

_____
Mayor

DRAFT

*Audio available upon request.

The Special City Council Meeting of the Petersburg City Council was held on Tuesday, July 21, 2020, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 9:30a.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
Mayor Samuel Parham

Absent: Vice Mayor John A. Hart, Sr.

Present from City Administration:

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

2. CONSIDERATION AND DISCUSSION:

a. Consideration of adoption of the Updated Financial Policy Guidelines by a resolution.

BACKGROUND: This financial policy is a statement of guidelines and goals that will influence the guide the management practice of the City of Petersburg, Virginia. Financial Policy Guidelines that adopted, adhered to, and regularly reviewed are recognized as the cornerstone of sound financial management. These Financial Policy Guidelines were originally adopted in September 2014, and then amended in April 2017. The Foundation of the Financial Policy Guidelines are the same as they have been previously, but since the City of Petersburg has been recovering from the fiscal crisis that it once faced, these Financial Policy Guidelines need to better reflect the fiscal environment that the City of Petersburg faces now and in the future.

RECOMMENDATION: Recommend City Council approve the attached updated Financial Policy Guidelines.

PowerPoint Presentation: http://www.petersburgva.gov/DocumentCenter/View/5406/Petersburg-City-of-VA-Financial-Status-Report---Reserves_20200720-FINAL

Mrs. Benavides stated, “So, Mayor to start out today we are fortunate to have Davenport & Company here to take us through an update. As we are talking about all things finance today, they want to give us an update on our status report. They have also been responsible with helping us to develop our initial finance policies and they have reviewed the policies. So, I am going to, without further, turn it over to them and let them introduce themselves.”

David Rose, representative from Davenport & Company, stated, “My partner Roland Kooch is going to walk you through the presentation. But we are delighted to be here today. We are going to provide a brief background and then we are going to talk about the major center that we are going to focus on which is your unassigned fund balance, which is the reserved. It is there history of where you been and where you are now. Tremendous progress has been made and this is going to be very positive report that you and the citizens are going to see.”

*Audio available upon request.

DRAFT

Roland Kooch, financial advisor from Davenport & Company, gave a briefing of the PowerPoint presentation that was presented.

Key points:

- The City of Petersburg established a series of Financial Policy Guidelines which included the unassigned fund balance levels in 2014.
- Under the current administration the City has had two credit rating upgrades with the goal of more upgrades to come.
- The unassigned fund balance enables the City to earn interest income that helps alleviates pressure on tax rates.
- Over the past three years, the City fiscal health has rebounded, and the levels have improved dramatically.
- Key tenets – Unassigned Fund Balance shall be comprised of liquid cash and investments; allow for a margin of safety against unforeseen expenditures and not be used for annual recurring expenditures, except in the event of unforeseen emergency circumstances.
- After the minimum initial target is reached, the City shall plan to increase unassigned fund balance so that it is not less than 10% of its General Fund and School Component Unit Operating Expenditures.
- The City and Davenport to work towards implementing RAN, including evaluation of cash flow projections and estimated RAN size, with the goal of RAN funding by October 2020.
- Heading into the second half of 2021, with providing a strategic recommendation for capital expenditures and a borrowing strategy with necessary user rates and charges so as to maintain the self-supporting operations of the Utility Enterprise Fund.

There was discussion among City Council Members and Davenport & Company.

Mrs. Benavides stated, “Because of time and I know that we have a number of topics, Mr. Floyd presented to you the financial policy at the prior meeting. What we have done, based on feedback that we have received from council made some adjustments to the policy and made some corrections and spelled out a few things. But what I would like to move forward with is our final portion of it is our new policies have moved basically and some are a 30-day, 60-day, and 90-day reserve. It would give us a spill of where we ae trying to go. And I would caution you and say that as you think of the word 30-day, that is based on the budget at that time. And so, as I budget increase that 30-day increases as well as the 60. Based on where are today we have a budget of $73.33 million dollars. Which represents around $200,926 a day. A 30-day reserved, general fund only, represents $6.03 million. A 60-day is $12 million and a 90-day is $18 million based on today. Our budget currently has a significant reduction that we have made due to COVID. And so what we are asking council to do is approve our adjusted financial policies that reflect a futuristic plan but also a plan taking us forward so that we can not only improve our credit rating but ensure that we have the practices in place to continue what we are doing. And I believe you have a resolution attached for council’s consideration.”

Council Member Myers made a motion to approve by resolution the Financial Policy Guidelines. The motion was seconded by Council Member Hill.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public comments.

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-35 A RESOLUTION APPROVING THE CITY OF PETERSBURG FINANCIAL POLICY

*Audio available upon request.

DRAFT

GUIDELINES.

b. Consideration of a motion to approve an MOU with Historic Petersburg Foundation Regarding Renovation of the Exchange Building.

BACKGROUND: The Historic Petersburg Foundation previously received a grant in the amount of $35,000 to which a matching grant in the amount of $300,000 proposed for use in the renovation of the Exchange Building owned by the City of Petersburg. While the City was not able to commit to a cash match of $50,000, the Manager has indicated that capital improvements to the facility and other non-monetary contributions toward the renovations are included in previously budgeted funds and may be used to satisfy the requirement. Council previously passed a Resolution supporting the renovation and authorized an operational MOU with Preservation Petersburg Task Force. This MOU will allow HPF to proceed with the renovation efforts.

RECOMMENDATION: Approve motion to authorize execution of the MOU.

Council Member Cuthbert made a motion to authorize the City Manager to execute the proposed MOU with the Historic Petersburg Foundation. 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, and Parham; Absent: Hart

c. Presentation of the Final CAFR of FY18-FY19 and consideration of approval.

BACKGROUND: No background information.

RECOMMENDATION: Presentation of Final CAFR of FY18-FY19 and consideration of approval.

PowerPoint presentations:

- http://www.petersburgva.gov/DocumentCenter/View/5410/CAFR_Briefing
- http://www.petersburgva.gov/DocumentCenter/View/5408/CAFR_Presentation
- http://www.petersburgva.gov/DocumentCenter/View/5411/Audit-Status

Mrs. Benavides stated, “I am proud to sit before you today as your City Manager and present you with the much anticipated but well worthwhile FY18-19 CAFR. I have joining me today virtually is Mrs. India Adams-Jacob who has served as our audit manager and worked to coordinate the efforts that got us here today. I also have here to my left, Mr. Robert Floyd, Budget and Procurement Director, that has guided the development and implementation of this budget. We also have Ms. Patrice Elliott. Since joining our team, she has led the organization in a new and positive direction. Online we have Mr. David Myers, audit project manager. He has been driving for us and helping us from behind the scenes to work and do the necessary things that were required to complete this CAFR. And finally, our external auditors, Mr. David Foley, of Robinson, Farmer & Cox, who has assisted us with the CAFR since 2019.”

Key points:

- There are four types of opinion: unmodified, qualified, adverse and disclaimer.
- The City of Petersburg received an overall unmodified opinion on the audit of its financial statements.
- The CAFR presents up to three different types of financial statements as part of the basic financial statement. The types are Governmentwide, statement of net position and statement of activities.

*Audio available upon request.

DRAFT

- The Unassigned fund balance for the General Fund increased from $2,803,522 in 2018 to $8,060,337 in FY19 or by 188%.
- Revenues exceeded expenditures in the General Fund by $5,216,138 or by 7%.
- Statement of cashflows only exist for proprietary fund or business-like activities.
- Recommend adequately trained and independent City staff member perform the inventory count/verification. Also, staff personnel from the Finance Department monitor and review the process.
- Finance will develop a process and implement procedures that require an annual inventory for all City departments to follow. Each City department will be required to document their own monthly and annual process for conducting inventory to include an independent verification by a City staff member not involved in the inventory process.

There was discussion among City Council and staff.

Council Member Hill made a motion accept the CAFR for 2018-2019. The motion was seconded by Council Member Smith-Lee. 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

3. ADJOURNMENT:

City Council adjourned at 11:33 a.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

DRAFT

*Audio available upon request.

The special regular meeting of the Petersburg City Council was held on Tuesday, July 21, 2020, in live stream. Mayor Parham called the meeting to order at 12:06p.m.

1. ROLL CALL:

Present:

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

Absent: None

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:

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 updates 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 and probable litigation specifically including but not limited to the discussion of legal options in relation to the McKenney Public Library, assessment of the City's legal options with respect to its lease of the Petersburg Public Library and discussion concerning of the City's legal option with respect to the continued participation of the chief elected officials and the Crater Regional Workforce Development Board in relation to oversight and management of the Executive Director; and pursuant to §2.2-3711(A)(5) of the Code of Virginia for the discussion of the subject matter of perspective business or industry or expansion of an existing business where no previous announcement has been made to the business or industry's interest in locating or expanding its facilities in the City of Petersburg.

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, Smith-Lee, Myers, Hill, Hart and Parham

City Council entered closed session at 12:08p.m.

*Audio available upon request.

DRAFT

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."

Council Member Cuthbert 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 Wilson-Smith. 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

20-R-36 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 1:51 p.m.

Council Member Cuthbert made a motion to add to the agenda the rescinding of Resolution 19-R-45 for consideration under unfinished business. The motion was seconded by Council Member Wilson-Smith. There was 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

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.

7. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

There are no proclamations or recognitions.

Mayor Parham stated, "Good Afternoon Everyone. For our Positive Petersburg moment today, I want to once again bring light to the phenomenal CAFR results we received for the 2018-2019 fiscal year. I know we've heard a presentation on it and we just completed a press conference, but this news is simply too good to

*Audio available upon request.

not continue sharing. Myself and my fellow council members were all here throughout the financial instability here in Petersburg. We experienced it - both as residents and as council members. We announced today that the FY 2018-2019 CAFR results revealed a positive unassigned fund balance of 8 million 60 thousand, 3 hundred 37 dollars! Again – I have to publicly thank our City Manager, Ms. Aretha Ferrell-Benavides. Our budget director, Mr. Robert Floyd, and our entire administrative team for your dedication and innovative thinking that has pulled Petersburg even beyond just stability, but toward genuine growth for our community.

8. REPORTS/RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Folakemi Osoba, Public Information Period, read comments and responses from previous public information.

1. What are the plans for the Peabody building and former social services building?
   The plans for use for the former social services building and Peabody are still pending.

2. Can a crosswalk be placed at Sycamore and Filmore?
   To begin the process for potentially adding a crosswalk at Sycamore and Fillmore, an application will need to be submitted to the City's engineering division.

9. COMMUNICATIONS/SPECIAL REPORTS:

a. City Manager's Report

Mrs. Benavides stated, "Mayor and Council you have received a copy of my report. Just as a highlight, we have mentioned as far as public safety, one person listed for military deployment. The good news and our next big positive conversation is talking really about our public safety. Our Public Safety Deputy City Manager who also joined the team just three years ago had a goal when he came here in getting our team accredited. We have had individuals on site these past few weeks working on the accreditation. And I am excited as we move forward with the next step and on September 29th, we will have a huge announcement. And that announcement, and I am hoping that you will see more to come from that based on our attempts to have for the first time in the history of Petersburg our police force accredited. But I do want to applaud while I am here Chief Miller and Chief Travis Christian for their effort and commitment and things that they are able to do and how far they are able to take this City. Can we give them a hand? Secondly, another thing is that COVID-19 has presented us with a number of different challenges. One from how we meet to how we communicate. Another challenge has also been in our ability to do our tax auction and how we will come to do this. We were fortunate that as this process has moved on to a new form for doing auctions to include online report. This last auction was very successful, and we anticipate continuing. Many people talk about what are the lessons learned from COVID. And one of the major lessons learned is that we do not have to do business the way that we use to. We have to be creative in what we do and how we do it. I expect to see good things continue. We will work with both Jason Dunn, Sands Anderson, and the Rahman Group to continue to make sure that we are putting our property into the hands of people that want to help to develop Petersburg. You have a number of project updates included in this to include Southside Depot, St. Andrews Bridge, all of which are underway. From a project standpoint, our team has had some struggles and challenges from COVID-19 are continuing to push forward with more to come. Many people ask when are we going to open. And part of what we have done is a modified opening. That means that we have opened Billing and Collections up for residents to have access to that building. As far as other buildings we have not and we continue to remain closed. A part of that reason is that you have heard the announcement over the past week that a number of COVID cases continue to rise. And not only in the state of Virginia but in the United States but specifically in the City of Petersburg. So, until we fell that we are truly out of the major crisis we are not looking to reopen. We will continue to try to be available to our residents for services. We do schedule meetings. We are on mask requirement for individuals entering City facilities, but they must be escorted. We will remain closed. Spring cleaning will continue across

*Audio available upon request.

DRAFT

the City and we will continue to push those efforts forward and we are constantly trying to work with the Department of Health to do pre-screening. But anyone will tell you that contact tracing is the key. I question how we do it and why we do it. At one time internally we realize that it is up to the City of Petersburg to detect itself. The last thing that I have included for you is a memo. Many of you may have noticed online that there is a position, Assistant to the City Manager, that was posted. Some individuals concerned that members of our team were moving and going away. India Adams, who is officially on maternity leave, but she is still going to continue to work and help us move forward with the effort. But we have a special opportunity. AMPAC Chemicals is going to be expanding. As we talk about good news in Petersburg, the number one priority that everyone gave us was economic development. And to do economic development we wanted to do it right. And as we start to meet with them and talk about not only the jobs that would come but we are talking about a construction project. We are talking about improved development. And part of their concern was would the City be capable in providing the support necessary and turn this around quickly. They have federal dollars to build and we have to be ready. And so, one of the things that we have done is relocated a position. And we are calling it Assistant to the City Manager because of the fact that the position has to be able to reach across all the departments to pull things together. This position will not only be working with Reggie from a planner, but the position will also be working with Mr. Lyons focusing on the infrastructure and all the things. Our big commitment to them was that we would have a single project manager responsible for not making this a difficult project for them but helping them to get the green light to make this happen and make this happen fast. And so, what I have before you is just a brief description so that you will be aware of what is happening and where we are going. We are meeting weekly with them. And this is just not with AMPAC, we are talking about other companies looking to relocate to that location in the support. So, this will change the face of Petersburg from an economic development standpoint. I just wanted to give you an update on that and your support in moving forward with this project."

b. COVID-19 Report

Darnetta Tyus, Deputy City Manager, gave a brief report on COVID-19.

Key points:

- There are currently 388 cases currently in the City of Petersburg.
- There will be testing on this Saturday from 9am to 1pm
- Everyone that is interested in helped has been assigned to their areas of assistance.
- The COVID Funds are in the amount of $371,969.00. Another round of funds is coming but the current funds must be spent prior to receiving the next amount of funds.

Proposed Budget spending plan:

Total Grant: $371,969	
Business Grants	$165,000
Contact Tracers	$137,500
Grants Management and Proposal Generation	$70,000
Community Resource Guide	-$5,000 (already spent)
Additional Costs	$4,469

There was discussion among City Council and staff.

Council Member Myers made a motion to approve the spending plan. 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

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

*Audio available upon request.

DRAFT

a. A request to Schedule a Public Hearing to consider the rezoning of the property at 607 High Street, Tax Parcel 010-170017, formerly the site of the High Street United Methodist Church, from R-3, Tow-Family Residence District to PUD, Planned Unit Development.
b. ABC License for property at 2328 E. Washington Street (Stop & Go tore LLC)
c. City Council Meeting Minutes of February 18, 2020 (Closed Session); April 14, 2020 (Closed Session); April 14, 2020 (Special City Council Meeting); April 28, 2020 (Closed Session), and April 28, 2020 (Special City Council Meeting).

Council Member Myers made a motion to approve the consent agenda and to schedule the public hearing for September 1, 2020. The motion was seconded by Council Member Smith-Lee. There was discussion on the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Absent: Wilson-Smith

11. <u>OFFICIAL PUBLIC HEARINGS</u>:

a. A public hearing on an ordinance to Amend Division 2 of Chapter 78 of the Petersburg Code of Ordinances and Section 78-106 of the City Code in Order to Change the Name of "Lee Memorial Park" to "Petersburg Memorial Park".

BACKGROUND: The Mayor has requested that Council consider renaming "Lee Memorial Park" to "Petersburg Memorial Park".

RECOMMENDATION: Adopt the ordinance.

Mayor Parham opened the floor for public comments.

Dr. Kenneth Lewis, 503 Mistletoe Street, stated, "I come to you today to speak for a few minutes about the name change. For any of you who do not know I am the President of the Wilcox Watershed Conservancy. And that Wilcox Watershed Conservancy is City appointed commission created in about the 2003 time period for the express purpose of promoting, reserving and protecting the now named Lee Park and to help make it a great place in the City of Petersburg. While I am the current President of the Wilcox Watershed Conservancy or the WWC, today I just speak as a Petersburg citizen only because we are in between meetings and I have not had time to coordinate with the actual board so I don't presume to speak for or on behalf of the board without getting board permission. However, I do offer the following. I do recommend that this name that was suggested to me by the former board members be considered. That is, I recommend that the current Lee Park be renamed as the Petersburg Historic Park and Nature Sanctuary. And one of the interesting things about Lee Park is that in 1937 time period when the works progress administration, a part of the new deal of President Roosevelt was put in place the City had the opportunity to hire almost 100 black women who came to the park and cut trails and watered flowers and did all of these very interesting things. They planted more than 365,000 plants, 8,000 trees, 37,000 shrubs and over 10 miles of trails. And we have record of that. We have trails and trail signs. We have 6-million-year-old well bone when we were under water. And we have the opportunity to do something right for Petersburg with preserving the current Lee Park by giving it a new name. It is time for a new name. That is the name that I recommend. The Petersburg Historic Park and Nature Sanctuary. And you will be receiving a letter from the Wilcox Watershed Conservancy with more detail. But that is what I have to say. And I ask your consideration for that name. Thank you."

Vice Mayor Hart stated, "First of all I want to thank Dr. Lewis for bringing up that. As I talked to someone else who is in Ward 7 as a suggestion that we put some type of poll on the City's website suggesting names for the name change. And that way we give everyone the opportunity to be involved in it with all suggestions being heard and you can see them as people make their suggestions. By numbers and votes that

*Audio available upon request.

name can be selected."

Marcus Squires, 1701 Monticello Street, "I am speaking today as a citizen and not as one of the directors of the Wilcox Watershed Conservancy. I am glad to see the name changed. But at the same time this City has not maintained this park for decades. You can look at the structures and the roofs are falling in and the baseball fields are not maintained. This last FY2019, council spent $5,000 on meals. Those funds could have been put forward to help facilitate maintenance in these parks. This is in regards to the park and showing the public while the name change is needed there are a lot of other issues that I wish council would take some time and come out to the park and look at these issues. We had someone to steal all of the aluminum off the structures in the park. We really need to maintain our City assets. These are for the people."

Barb Rudolph, 1675 Mt. Vernon Street, "I just want to hardly endorse the recommendation made by Dr. Kenneth Lewis. I think that it is a great name. I think having to call it Petersburg Park is good. I know some people had concerns with the name memorial in there which was the suggested as an alternative for this hearing. And Memorial Park sounds like a cemetery so, I like the Petersburg Historic and Nature Sanctuary very much. Thank you."

Mayor Parham called on Linwood Christian, but he was having technology issues.

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

There was discussion among City Council Members and staff.

Council Member Hill made a motion amend the ordinance to change the name to Petersburg Legends Historic Park and Nature Sanctuary. The motion was seconded by Vice Mayor Hart. There was discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Voting No: Wilson-Smith

Council Member Hill made a motion to approve the ordinance for name change of Lee Park to Petersburg Legends Historic Park and Nature Sanctuary. The motion was seconded by Vice Mayor Hart. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Voting: Wilson-Smith

20-ORD-32 AN ORDINANCE TO AMEND DIVISION 2 OF CHAPTER 78 OF THE PETERSBURG CITY CODE AND SECTION 78-106 OF THE CITY CODE IN ORDER TO CHANGE THE NAME OF "LEE MEMORIAL PARK" TO "PETERSBURG LEGENDS HISTORIC PARK AND NATURE SANCTUARY".

b. A public hearing for an ordinance to amend and re-adopt provisions of Chapter 30 of the Petersburg City Code pertaining to cemeteries and the re-establishment of the Perpetual Care Fund Committee through the adoption of Section 30-2.

BACKGROUND: A perpetual care fund was previously established by the City of Petersburg, Virginia between years 1951 and 1963 for Blandford Cemetery and in furtherance thereof, City Council had previously adopted ordinances in Article VII Section 13-83 et. Seq. to create and operate a board known as the "Sinking Fund Commissioners" to manage and authorize the use and release of said funds for Cemetery maintenance.

RECOMMENDATION: To schedule a public hearing for the July 21, 2020.

Wayne Crocker, Director of the Petersburg Public Library, gave an overview of the request regarding

*Audio available upon request.

the perpetual care fund.

Mayor Parham opened the floor for public comments.

Marcus Squires, 1701 Monticello Street, stated, “My question for you today is in regard to the different kinds of gravestones and plots in the cemetery. Will the City be using any funds to maintain any of the monuments in the graveyard? Thank you.”

Dr. Kenneth Lewis, 503 Mistletoe Street, stated, “I just a question regarding the perpetual care fund. Is there money already in the fund or will monies be put into the fund? Thank you.”

Mr. Crocker stated, “Ms. Tyus and I have been working with the City Treasurer’s Office to get accurate count of how much money is in the account. There is money currently in the perpetual care fund account. And of course, as people continue to purchase plots the perpetual care fee is part of the cost as I just explained.”

There was discussion among City Council and staff on getting information that the account monies being moved to another banking facility.

Seeing no further hands, Mayor Parham closed public comments.

Council Member Wilson-Smith made a motion to approve the ordinance to amend and re-adopt provisions of Chapter 30 of the Petersburg City Code pertaining to cemeteries and the re-establishment of the perpetual care fund committee through the adoption of Section 30-2. The motion was seconded by Council Member Smith-Lee. 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-33 AN ORDINANCE TO AMEND AND RE-ADOPT PROVISIONS OF CHAPTER 30 OF THE PETERSBURG CITY CODE PERTAINING TO CEMETERIES AND THE RE-ESTABLISHMENT OF THE PERPETUAL CARE FUND COMMITTEE THROUGH THE ADOPTION OF SECTION 30-2.

c. A public hearing and consideration of an amendment to the Comprehensive Plan, Transportation Element, to add the Bike and Pedestrian Section.

BACKGROUND: Sports Backers, a nonprofit organization that pursues a goal to transform greater Richmond into the most physically active community in the nation by leading the area in embracing and celebrating an active lifestyle, applied for and received a grant from the Cameron Foundation to develop a Bike/Walk plan for the City of Petersburg.

The Plan was developed over a period of more than one-year. In addition to Sports Backers, Plan development participants included the City of Petersburg Department of Planning, Friends of the Lower Appomattox River (FOLAR), the Petersburg Department of Health and the Crater Planning District. Public engagement occurred and input was received during several public events including a Bike/Walk Talk, the Donamatrix Day, and the Comprehensive Plan Kick Off event. Public input is included in the Plan document.

The developed Plan includes health impact information, Pedestrian and Bicycle Networks, related local and regional Trail efforts, recommended facility types (Buffered Bike Lanes, Bike Walk Streets, Standard bike Lanes, etc.), maintenance, funding opportunities and Implementation.

The Plan was considered by the City of Petersburg Planning Commission during their March 3, 2020 meeting, and they unanimously approved a motion to recommend that the City Council approves the Plan. If approved,

*Audio available upon request.

the Plan will become the Bike and Pedestrian section of the Transportation Element in the City's Comprehensive Plan.

RECOMMENDATION: It is recommended that the City Council schedules a public hearing and considers adoption of the amendment to the Comprehensive Plan, Transportation Element, Bike and Pedestrian Section.

Reginald Tabor, Interim Director of Planning and Community Development, gave a brief overview of the amendment to the Comprehensive Plan, Transportation Element, Bike and Pedestrian Section.

Mayor Parham opened the floor for public comments.

Marcus Squires, 1701 Monticello Street, stated, "I think that this will be an excellent opportunity for the people of Petersburg to get active and to stay active. We were recently rated as one of the unhealthiest communities here in the Commonwealth of Virginia. I hope that the City of Petersburg will follow through with this. And the City of Petersburg will do a wonderful job in reaching out to its citizens and allowing them to know what natural resources are made available to them. Thank you."

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

Council Member Cuthbert made a motion to adopt the proposed ordinance. 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, and Parham; Absent: Hart

20-ORD-34 AN ORDINANCE OF THE CITY OF PETERSBURG CITY COUNCIL AMENDING THE CITY OF PETERSBURG COMPREHENSIVE PLAN TO ADD THE ACTIVE TRANSPORTATION/BIKE WALK SECTION OF THE TRANSPORTATION ELEMENT.

d. A public hearing to authorize the acceptance of an interest in real property located at 137 South Sycamore Street (McKenney Library).

BACKGROUND: The City is the owner of certain property located at 137 South Sycamore Street known and hereinafter referred to as the "McKenney Library" and the deed of conveyance of said property contains certain conditions including but not limited to a reverter or right of reversion upon the occurrence of certain events and it is the wish of the City to take reasonable efforts to clear any potential clouds which may exist concerning the title to said property.

RECOMMENDATION: Approve.

Anthony Williams, City Attorney, gave a brief overview of the resolution for acceptance of an interest in property located at 137 South Sycamore Street.

There was discussion among City Council Members and staff.

Council Member Cuthbert made a motion to amend the proposed ordinance with two changes: 1) In now therefore paragraph reads "Now therefore, be it ordained that City Council does hereby direct the City Manager to take all actions necessary before January 1, 2021, to facilitate and accept said conveyances and further hereby accepts the conveyances on behalf of the City of Petersburg." And that the second modification deletes the last paragraph. The motion is 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, and Parham; Absent: Hart

*Audio available upon request.

DRAFT

Mayor Parham opened the floor for public comments.

Marcus Squires, 1701 Monticello Street, stated, "I hope that one the City does obtain this property and that they include the citizens of Petersburg in the discussion of what will happen to this building. Thank you."

Michelle Murrills, 131 South Market Street, stated, "I am just excited that something is going to happen to this building. I really do appreciate that you guys are doing this. I hope that it means that it will be able to be saved and we will be able to go inside and see really cool parts of it. Thank you."

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

Council Member Cuthbert made a motion to adopt the proposed ordinance with amendments. 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, and Parham; Absent: Hart

20-ORD-35 AN ORDINANCE TO AUTHORIZE THE ACCEPTANCE OF AN INTEREST IN REAL PROPERTY LOCATED AT 137 SOUTH SYCAMORE STREET (MCKENNEY LIBRARY).

12. <u>PUBLIC INFORMATION PERIOD:</u> 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.

Dr. Kenneth Lewis, 503 Mistletoe Street, stated, "I hope that I am not out of order. But I just to make this statement. You all played with some of the words with the naming of the park. I said 'nature' sanctuary not natural."

Mayor Parham stated, "Dr. Lewis. That was an item on the regular docket that we cannot speak on during this public comment period. So, we will skip to the next thing."

Dr. Lewis stated, "Well I will just send you a letter asking you to consider that correction."

Mayor Parham stated, "Dr. Lewis just for the record what was approved was nature. There were some comments on natural but what was approved was nature."

Marcus Squires, 1701 Monticello Street, stated, "My first request or comments would have to be regarding what kind of safeguards are in place for our seniors here in the City. How often do code compliance go out to these group homes or other senior facilities to make sure the seniors are not suffering. I go on daily rides around the City and I interact with all kinds of people. I hear what they are going through. And these people are suffering for months and years in these facilities. Why are we not protecting our people here? My next issue is regarding customer service here in this City. Perhaps it is time that this City look at implementing a new kind of program to teach its employees about customer service. If I am calling for a critical issue about something in the City I should not be belittled when I make a report. These are people's lives that we are trying to help. And in regard to billing, why are we overbilling people? Why are we under billing some people? In

*Audio available upon request.

DRAFT

regard to the amount of money that City Council here in Petersburg is spending. Just in 2019, you spent over $5,000 in meals. This year you approved $3,600 to travel. Why are we not using those monies to hep maintain the assets here in the City? What is the status of the parking deck here in the City? What other smart scale funds are we going to have to utilize when these new biotech parks come here? We are going to have a logistics issue here in this City if we do not start taking this stuff seriously. In order to extract large companies, we have to really market the fact that we can beat your logistic hub on the east coast. We can reach over 50% of the US population from Petersburg within a day. We need to be highlighting that here. In regard to other apartment projects here in the City, you have a lot of different developers coming in promising amenities with the facilities. These seniors are told that they would have a protected courtyard or facility in which they can use in the homes that they live in. One in particular is the Carriage House Apartments. I was talking to a lady and they were promised a courtyard that they can go into and that still has not been developed."

Patrick Ingram, 836 S. Gillfield Drive, stated, "Last week we discussed during the public comment section I spoke on COVID-19 in terms of the increased prevalence from positives. I also questioned about distribution efforts taking place in Ward 6. I did hear at the meeting that the Council Member in ward 2 was taking action in terms of their distribution efforts. However, I would like to know the efforts more in Ward 6. I know that we have a Ward 6 meeting next week and I know that it has been discussed that PPE will be distributed there. However, I think its important for us to understand that transportation to that meeting can be problematic for folks in this community. Whether they are on the lower end of the spectrum, older or they just don't have transportation. So, I think that we have to acknowledge that barrier and create more solutions on distributing that PPE. In closing, I would like to know where distribution took place in Ward 6? I would like to know what areas? If that could happen, we can even have aggravated data. I yield the remainder of my time. Thank you."

13. <u>BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:</u>

Council Member Cuthbert stated, "Thank you Mr. Mayor. Let me ask the City Manager about the Carriage House Apartments. We have all became aware that there is an air conditioning problem down there. Will the City Manager bring us up-to-date on that please?"

Mrs. Benavides stated, "We received information yesterday morning that there were some issues with air conditioning. I contacted Social Services, Police Department, and as well as Neighborhood Services Office. They also noted that the temperatures were rising at that time. Our chief brought police and fire on site. And also, did monitoring. The temperatures in the hallway were at a higher level but in the units were operable. We also took over fans and continued to monitor. Our neighborhood service office did in fact site them based on the increased heat. And throughout the day our staff continued to monitor the situation because it was projected to be a very hot day yesterday. And so, we have also issued other citations this morning."

Chief Miller stated, "We started yesterday just as the City Manager said. She and I spoke yesterday morning around 7am. She directed that we get some resource out there. But that was not the most important piece. They were citated 115 different citations. But it equates to $11,000 for the amount of compliance. The staff there didn't recognize the challenges, but they will be taking action. But the City Manager wanted us to stay on top of it. We will be monitoring today as well. In fact, when I leave here, I will be going back over there."

Council Member Cuthbert stated, "Well that is great Chief and thank you for that report and initiative. I hope that the management hearts are in the right place. But their hands in a budgetary sense are tied by the property owner which is low-income housing real estate out of New York. And it is a good example of how property owners of some low-income housing projects do not have their part in doing what is best for our citizens. At least that is my interpretation. So, I thank you. I think that $11,000 will get the attention of the folks in New York. Thank you very much. Mr. Mayor two other things. I thank Ms. Elliott and Mr. Floyd for what they bring to the table with financial skills and leadership. I thank you also, for the person who recruited them to

*Audio available upon request.

come here. They did not just happen to just find Petersburg, but I believe that our City Manager found them. And I want to thank her for her good judgment. Last thing Madam City Manager on the topic, will you consider please bring the City Council at our first meeting in September a proposal to amend our current practices in charging $75 for a deposit when a utility account is opened if you think that is appropriate. If you do not think that is appropriate, then if you can tell us that as well. I think that this is an issue that all of council need to look at. My sense is that this is a very direct connection with the amount of deposit required for accounts open and the amount of uncollected utility bills that we will end up looking at. If you would bring that recommendation to our first meeting in September I would really appreciate. Thank you."

Council Member Wilson-Smith stated, "I just have a question regarding the incident at the Carriage House. Do we have process where that building and others where code compliance visit prior to a problem occurring? Is there anything that code compliance can go around and checks buildings like that?"

There was discussion among City Council and staff.

Mrs. Benavides stated, "Two weeks ago the City of Hopewell had a very similar development privately owned. And basically, they had a flood. Our transit department assisted in this process and District 19 came in and coordinated the process. Our called our Social Services to help and we literally worked through transit to relocate them from that development to temporary housing. And what they did at that time was put them into a hotel until the issue was resolved at that site. But at that time, Hopewell District 19 took the lead and our transit authority, and our Social Services and their Social Services pulled folks together and relocated the entire apartment building into an alternative location."

Council Member Wilson-Smith stated, "So, Petersburg will basically use the same plan. Thank you."

Council Member Hill stated, "First of all I want to thank the administration for the great work that they have done with our CAFR and working with Davenport in getting up to where we are now. I often say this. If there is light at the end of the tunnel. We have come a mighty long way and we have a way to go. But with the practices that we have put in place and some of the policies that we have done has got us to where we are, and I know that it is taking a team effort. So, I want to thank the City Managers and all the team and all the staff. And thank Councilman Cuthbert in particular. Because his things have always been what is our collection rating. So, if it had not been for council and all of us working together, we would not have been where we are right now. So, I am looking forward to our bond rating increasing very soon. Also, I have a situation, Chief Miller, maybe you ought to look into this. In Oakhurst, people are starting to speed. In particular it is on Centralia Drive. We had a person come around the corner and run directly through somebody's house about two weeks ago. Now they are asking for speed bumps or even stop signs in the neighborhood. Maybe we can kind of look at that. It is a straight stretch when you come in so people tend to speed. But there is a circle in the back park of the neighborhood and people are speeding around that. I have been getting complaints from the residents in that area and there are a lot of children in that area. We hope that nobody get hurt but someone ran straight into someone's home about two weeks ago. I want to thank the staff that worked together to get up the trash by Save-a-lot. Everyone got together and got the trash up. I know we are looking at to see if that is a truck stop now. We have a lot of tracker trailers being parked there. I believe that someone lives in the residence or neighborhood of East Walnut Hill. And I know we have to talk. The chief sent out a text. They are talking to the owners of that and they finally found a place for all of those trailers over there. We spoke about the PPE's being given out. The City is doing their part and we are trying to make sure that everyone is safe and working with the citizens and things of that nature. We are seeing major large crowds. If you have noticed in a lot of the neighborhoods a lot of the basketball hoops are starting to be on the street now. One was laying on the street and we need to get with code compliance on that. A lot of our citizens do not particularly care for it. I just ask that the citizens be patient until this COVID situation is over with and then we will be more aggressive about those things. That ends my comments Mr. Mayor and Members of Council."

*Audio available upon request.

DRAFT

Council Member Smith-Lee stated, "Good evening everyone. Ward 6 and 7 will have a joint meeting at Cool Springs Elementary School in the back-parking lot, 1450 Talley Avenue, Tuesday, July 28, 2020. It will start at 6pm and the time will be 6pm-8pm. John Hart and I are doing a joint meeting as well as the school board members that represent those wards. We will have Adrian Dance and Bernard Lundy. Secondly, Chief, thank you. And City Manager thank you. Because you and I went around. And you saw some of the concerns. Not only that you firsthand saw someone come down Talley Avenue speeding. There was an elderly lady and her two great grandchildren and grandson just walking. If you had not staggered the truck would have come by and I don't know. But I thank you Chief. On West Clara Drive they speed there and Talley Avenue, Custard Street, Farmer Street and Hinton Street. I can always talk to you about those hot spots. So, please continue to do the great job that you do chief. I know that you have been on it. Chief, thank you for the hard work for the police and fire department. We worked hard at St. Stephen's Episcopal Church on Halifax Street feeding the youth in the City of Petersburg. I think two weeks ago we gave out about 70 meals of breakfast and dinner. And I think you for the service that we did at St. Paul's Church on Elm Street. We had a great turn out there feeding seniors and children and anyone that was in need. They were about to get chicken and milk and bread and water. And I appreciate that, and I thank you for your service and all the things that you all are doing."

Council Member Myers stated, "Nothing at this time."

Mayor Parham stated, "I just cannot thank this team enough, Mrs. Benavides and your staff, for the CAFR. You have done something remarkable that people are going to be blown out the water at this news. And its thanks to you and your complete staff. And to Chief Miller and Chief Reid for keeping those departments in budget. And for Lionel Lyons for what you do down there in keeping everyone in their budget. It is a complete team effort in getting there. I can't say it enough that we have the right team at the right time to steer Petersburg in the new direction. To piggyback with that, The CAFR and Davenport presentation when we were talking about the economy. And we have the opportunity here knowing that the finance team is pointing us in the right direction. Now is the time for this council to move forward with the new economy here. And what is going on with AMPAC. Everybody at the table wanted to make sure that Petersburg move quick because the funding is there. And the work that we have to do to deliver on this federal contract and we are looking. And we have a lot of people looking. Thank you chief for what you did for the Doughboy statue. The Doughboy came down and the Doughboy came right back up. My constituents of Ward 3 thank you. Mr. Lyons is working to get the lights up out there. Thank you all for always being fast and on top of things. And that is all the items that I have at this time."

14. <u>ITEMS REMOVED FROM CONSENT AGENDA:</u>

*No items for this portion of the agenda.

15. <u>UNFINISHED BUSINESS:</u>

a. Report to the City Council from the Planning Commission regarding the Proposal to purchase vacant properties for residential development submitted by PB Petersburg Owner LLC.

BACKGROUND: The City Council requested that the Planning Commission consider and report back no five (5) questions regarding a proposal to purchase and develop vacant residential properties.

The questions include:

1. Exactly what is the developer promising to do and how can these promises be made enforceable by the City.
2. The likely fair market value of the houses when construction is completed and also when the house are 15 years old.
3. Whether the developer will be obligated to accept Section 8 housing vouchers as rent payments.

*Audio available upon request.

4. The likely cost of additional municipal services (such as public-school education) and the amount of likely additional revenue (such as real estate taxes0 if the lots are developed as proposed.
5. Whether it would be to the City's advantage to offer these lots for sale by issuing a Request for Proposal, open to all interested potential purchasers.

The Planning Commission considered and discussed the questions with the developers during the July 1, 2020 Planning Commission Meeting. Following a presentation by PB Petersburg Owner LLC, the Planning Commissioners asked several questions. Concerns and Questions included:

Concern about the impact of smaller homes on the neighborhood of larger homes, the use of materials such as vinyl siding and PVC railings and whether those types of materials will sustain the value of the homes. The response was that the homes would be constructed to Fannie Mae and Freddie Mac standards to qualify for 30 year loans, and the quality will need to be maintained to attract renters.

Another question was whether the developers would offer home ownership classes so tenants would purchase the homes when they are available for sale. The response was yes, the developers will offer home ownership classes and that requirement could be included in the Development Agreement.

A question was raised regarding the the home value and the purchase price. The developer responded that they are able to offer the homes for purchase at a cost of $110,000, through amortization, interest and principle payments, as expenses prior to the sale are paid from rent revenue.

A Commissioner stated that the City has previously been burned by developers and that we don't want to get burned again, therefore the project would need to be successful.

A questions was asked about turn around time to clean lots if the purchase is approved. The developer stated that if approved and closed by the first quarter of 2021, the lots would be cleared as the first step. They also stated that a deadline on closing, claw-back provisions and sunset dates could be included in the Development Agreement. Also they stated that they would be expect to be fined if properties are not maintained.

A question was asked about "Coming Soon" signage, and the developers stated that they would be able to install some signage in compliance with City Code.

A Commissioner asked why the developers chose Petersburg? The developers responded that there is untapped potential and the demand for workforce housing in the City is not being met. The culture and History along with it's proximity to the Military base, the Freedom Support Center for Veterans and the developer's personal interest in the Civil War attracted them to Petersburg.

The Planning Commission considered a motion to recommend City Council approval and it was adopted unanimously.

RECOMMENDATION: It is recommended that the City Council accepts this report from the Planning Commission.

Reginald Tabor, Interim Director of Planning and Community Development, gave a brief overview over the information requested for report.

There was discussion among City Council and the developer, Tom Heinnamann.

Council Member Cuthbert made a motion to table acceptance of the report until City Council first

*Audio available upon request.

meeting in September and direct the City Manager to report to council at that time on which of the lots are not buildable.

The motion dies due to lack of second.

There was discussion among City Council Members.

Council Member Myers made a motion to adopt the unanimous decision by the Planning Commission and move forward with the disposal of properties that are listed and negotiated by the City Manager and staff. The motion was seconded by Council Member Smith-Lee. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Voting No: Cuthbert; Absent: Hart

b. Resolution to approve development agreement for Virginia Avenue School Property.

BACKGROUND: Purchase agreement for the sale of Virginia Avenue School and surrounding properties requires the developer to submit a development agreement which must be approved by City Council.

RECOMMENDATION: Approve resolution.

Council Member Myers made a motion to adopt the resolution for the development agreement for Virginia Avenue School property. The motion was seconded by Council Member Hill. There was discussion among City Council Members. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Hill and Parham; Voting No: Cuthbert; Absent: Smith-Lee and Hart

20-R-37 A RESOLUTION TO APPROVE DEVELOPMENT AGREEMENT FOR VIRGINIA AVENUE SCHOOL PROPERTY.

c. Discussion and consideration of rescinding resolution making Crater District Workforce Board Executive Director an employee of the City of Petersburg.

Council Member Cuthbert made a motion to rescind resolution 19-R-45 passed in 2019 and eliminate position of the Executive Director of the Workforce Board as a City of Petersburg employee effective July 31, 2020. The motion was seconded by Council Member Hill. There was discussion among City Council Members. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill and Parham; Absent: Smith-Lee and Hart

16. <u>NEW BUSINESS:</u>

a. Consideration of an appropriation of the Edward Byrne JAG Grant - $26,753

BACKGROUND: The Edward Byrne JAG Grant is an annual grant awarded to local Police agencies for various enforcement projects. Petersburg has applied for funding and the Department of Justice has accepted the application and awarded funding in the amount of $26,753. There is no local match to these funds.

RECOMMENDATION: Recommend that Council accept and appropriate the grant fund to be spent in FY 2020-2021.

Captain Gregory Geist gave a brief overview of request.

*Audio available upon request.

DRAFT

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

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, Smith-Lee, Hill, Hart and Parham; Absent: Hart and Myers

20-ORD-36 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 IN THE AMOUNT OF $26,753.

b. Virginia Foundation for Health Youth Grant - $30,000

BACKGROUND: This is the third year the City has received a grant from the Virginia Foundation for Healthy Youth. Grants in previous years were utilized to formulate and strengthen a team of stakeholders and experts representing local farmers' markets, gardening, nutrition, education, literacy, and culinary skills. These stakeholders proved capable of leveraging local resources to best fill gaps in services related to access to healthy food.

RECOMMENDATION: Approve.

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

Mayor Parham opened the floor for public comment.

Marcus Squires, 1701 Monticello Street, stated, "Would there be anyway that we can use that grant Community Garden at our local school here in the City of Petersburg so that children are not only learning what these vegetables and fruits look like but also learning to grow them."

Mr. Crocker stated that they are still working with the schools.

A representative from Community Garden spoke in regards with having an MOU with the schools.

Seeing no further 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, and Parham; Absent: Hart

20-ORD-37 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021, FOR THE VIRGINIA FOUNDATION FOR HEALTH YOUTH GRANTS FOR PETERSBURG.

c. Consideration of a resolution to support two (2) Virginia Department of Transportation (VDOT) Smart Scale funding applications for trail projects.

BACKGROUND: The City of Petersburg and the Crater PDC/Tri-Cities MPO, with support from the Friends of the Lower Appomattox River (FOLAR), are currently submitting full applications for funding through

*Audio available upon request.

DRAFT

VDOT Smart Scale for the two projects.

Smart Scale funds are provided 100%. No match funds are required.

1. Appomattox River Trail from Squaw Alley [at Patton Park] to I-95

   This is a 2.0 mile section of the Appomattox River Trail with an alignment from the Squaw Alley entrance to Patton Park, along Grove Avenue, through historic Old Towne Petersburg continuing to I-95, with a bike-pedestrian bridge terminating at the existing north shore Appomattox River Trail. The funded project would Include construction of a shared use path, trailhead, renovation of sidewalk, Union Train Station parking lot, street calming measures, and a new bike/pedestrian bridge.

   The funding request is $6.5 million. The City of Petersburg is the lead applicant and both the City of Colonial Heights and Chesterfield County are the coordinating partner jurisdictions.

2. Ashland-to-Petersburg Trail, River Rd through VSU to Patton Park & ART (Appomattox River Trail).

   This project is the southern portion of a multi-use trail that traverses multiple jurisdictions between the City of Petersburg and the Town of Ashland. It includes the section from River Rd through VSU to Patton Park with a connection to the Appomattox River Trail (ART) and it includes three bridges.

   The funding request is $8 million. The Crater Planning District Commission (CPDC)–MPO is the lead applicant and will administer/manage the project if awarded. Additional coordinating partners are VSU, Chesterfield County, the City of Petersburg with Colonial Heights included for the added spur connection.

   Following is the Smart Scale Application and Award Schedule

   March 2, 2020
   Mandatory pre-application intake period opens.

   April 3, 2020
   Submission deadline for pre-applications. Pre-applications must be submitted by 5 p.m.

   April 3 - June 1, 2020
   Pre-applications screening review, conducted by VDOT/DRPT staff. At close of pre-application screening, applicants will know which pre-applications can advance. No access to the pre-application OR the full application will be available to the applicants.

   June 9, 2020
   Full application period opens.

   Aug. 3, 2020
   Submission deadline for full applications. Full applications must be submitted by 5 p.m.

   January 2021
   Release of project prioritization and base allocation scenario. Presentation to the CTB.

   January 2021 - June 2021
   CTB member meetings, public meetings, funding scenario review. CTB approves SYIP in June 2021.

*Audio available upon request.

DRAFT

Both projects received pre-application screening and are permitted to advance to full application submittal.

RECOMMENDATION: It is recommended that the City Council approves the resolution supporting the Smart Scale application for the Appomattox River Trail project, and the Ashland to Petersburg Trail.

Reginald Tabor, Interim Director of Planning and Community Development, gave a brief overview.

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

Mayor Parham opened the floor for public comment.

Marcus Squires, 1701 Monticello Street, stated, "My question for Mr. Tabor would be in regard to how many smart scale projects is our City able to apply for each year. There are a lot of different needs based on our development plan and for what we want to see this City group into as a logistic hub. And if we cannot focus on developing our interstate on and off grant than we will be left behind. I think that this is a great thing to do. But we need to make sure that we are a logistic hub on the east coast. Thank you."

Seeing no further 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; Absent: Hart

20-R-38 A RESOLUTION OF THE CITY OF PETERSBURG CITY COUNCIL SUPPORTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SMART SCALE APPLICATIONS FOR TWO (2) TRAIL PROJECTS IN AND AROUND THE CITY OF PETERSBURG.

d. Consideration of a Resolution to accept a gift from the Friends of the Lower Appomattox River (FOLAR) that includes a paved section of the Appomattox River Trail (ART) from University Boulevard, West to the Battersea Bridges.

BACKGROUND: Friends of the Lower Appomattox River (FOLAR) proposed to provide 100% of project cost and management that includes 1/3 -mile Paving of Existing Trail from University Blvd to Battersea Bridges, an Entrance-Trailhead improvement. The Project is guided by the Appomattox River Trail Master Plan Resolution of Support previously adopted by the City Council, and the Memorandum of Understanding between City of Petersburg and FOLAR to work together on development of the Trail.

Funding is immediately available that is dedicated to Trail improvements in Petersburg. Project cost is estimated at approximately $180,000.

RECOMMENDATION: Approve.

Reginald Tabor, Interim Director of Planning and Community Development, gave a briefing of the request of approval.

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

*Audio available upon request.

Mayor Parham opened the floor for public comment.

Marcus Squires, 1701 Monticello Street, stated, “Who will be maintaining the trail after we accept the funds and the trail is put into place.?”

Mayor Parham stated, “Mr. Tabor, FOLAR will be maintaining like the do the others correct?”

Mr. Tabor stated, “They will be constructing it and they will be a partnership with regard with maintaining it.”

Seeing no further 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; Absent: Hart

20-R-39 A RESOLUTION OF THE CITY OF PETERSBURG CITY COUNCIL ACCETPING A GIFT FROM THE FRIENDS OF THE LOWER APPOMATTOX RIVER (FOLAR) THAT INCLUDES A PAVED SECTION OF THE APPOMATTOX RIVER TRAIL (ART).

e. Consideration of a Resolution to adopt the Petersburg Area Transit Public Transportation Agency Safety Plan.

BACKGROUND: The Virginia Statewide Public Transportation Agency Plan (PTASP) for Small Public Transportation Providers is a comprehensive plan outlining the Safety Management Systems (SMS) programs at 15 small transit agencies in the Commonwealth. A small transit agency is defined as a non-rail fixed guideway agency that receives federal financial assistance under 49 U.S.C. 5307 and run 100 or fewer vehicles in total during peak revenue service. This comprehensive plan is required by 49 United States Code 5329 and 49 Code of Federal Regulations (CFR) Part 673. On July 19, 2018, the Federal Transit Administration (FTA) published 49 CFR Part 673, which requires agencies receiving federal assistance under 49 U.S.C. 5307 funding to develop a PTASP. Per 49 CFR Part 673.11(d), States must develop a PTASP for small transit agencies. In Virginia, the Virginia Department of Rail and Public Transportation (DRPT) is the state agency responsible for developing the state sponsored PTASP for small transit agencies. DRPT is primarily responsible for gathering input from each participating small transit agencies during the development, review, and update of the PTASP. Moving forward, each agency will be responsible for continuing the implementation of its SMS program and other activities described within its respective PTASP sections. The PTASP is laid out to provide general information on each agency, including its overall structure and services; the agency Safety Management Policy; Safety Risk Management program; Safety Assurance program; and Safety Promotion program. Each section of the plan accurately portrays the current services and programs in place at each agency.

RECOMMENDATION: Recommend City Council approve the resolution to adopt the Public Transportation Agency Safety.

Darius Mason, Operation Manager at Petersburg Area Transit, gave a briefing of the request of approval.

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

Mayor Parham opened the floor for public comment.

*Audio available upon request.

DRAFT

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; Absent: Hart

20-R-40 A RESOLUTION TO ADOPT THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN FOR PETERSBURG AREA TRANSIT.

f. Consideration of reappointment/s to the Appomattox River Water Authority (ARWA) Board.

BACKGROUND: The Appomattox River Water Authority consist of the Cities of Colonial Heights and Petersburg and the Counties of Chesterfield, Dinwiddie, and Prince George. The Authority is responsible for the operation of the Appomattox River Water Treatment Plant.

The Authority Board includes one (1) Member and one (1) Alternate Member from each of the political subdivisions. City Council has, as have other as its representatives on the Board and the Director of Public Works as the alternate.

RECOMMENDATION: Recommend City Council reappoint Aretha R. Ferrell-Benavides, City Manager and Lionel Lyons, Deputy City Manager, to the Appomattox River Water Authority Board.

Ms. Jackson gave briefing on the current members and terms.

Council Member Hill made a motion to reappoint Aretha R. Ferrell-Benavides, City Manager and Lionel Lyons, Deputy City Manager, to the Appomattox River Water Authority Board. The motion was seconded by Council Member Smith-Lee. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham; Absent: Hart

20-R-41 A RESOLUTION REAPPOINTING ARETHA R. FERRELL-BENAVIDES, CITY MANAGER, AND LIONEL LYONS, DEPUTY CITY MANAGER, TO THE APPOMATTOX RIVER WATER AUTHORITY BOARD.

g. Consideration of reappointment/s to the South Central Wastewater Treatment Authority Board

BACKGROUND: South Central Wastewater Treatment Authority operates the Petersburg Wastewater Plant, which serves the Cities of Colonial Heights and Petersburg along with the Counties of Chesterfield, Dinwiddie and Prince George.

The Authority Board includes one (1) Member and one (1) Alternate Member from each of the political subdivisions. City Council has, as have other member jurisdiction, traditionally appointed the locality's chief administrative officer as its representative on the Board and the Director of Public Works as the alternate.

RECOMMENDATION: Recommend Council reappoint Aretha R. Ferrell-Benavides and Lionel Lyons to the South Central Wastewater Treatment Authority Board.

Council Member Hill made a motion to approve the appropriation. 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; Absent: Hart

20-R-42 A RESOLUTION REAPPOINTING ARETHA R. FERRELL-BENAVIDES AND LIONEL LYONS TO THE SOUTH CENTRAL WASTEWATER TREATMENT AUTHORITY BOARD.

*Audio available upon request.

DRAFT

17. CITY MANAGER'S AGENDA:

Mrs. Benavides stated, "I would like to introduce Ms. Alicia Mann. Alicia Mann will be joining us as a ICMA Local Government Managing Fellow. This is a rotation and she will be doing similar to Jackson. Alicia is a graduate of Georgia Southern University and a recent graduate for Auburn University with her Master's in Public Administration. She will start her rotation in the budget office working with Mr. Floyd. And you will see more of these types of individuals around our City. And I would like to just welcome her and thank you for allowing us to have young challenges to come in and be a part of our community."

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 4:50 p.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

DRAFT

*Audio available upon request.

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, June 2, 2020, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 11:22a.m.

1. ROLL CALL:

Present:

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

Absent: Council Member Treska Wilson-Smith
Council Member W. Howard Myers

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)(1) of the Code of Virginia for the purpose of discussion and/or consideration of employment, assignment, appointment, promotion, performance, promotion, performance, demotion, salaries, discipling, or resignation of public officers, appointees, or employees of any body and under Section §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 matters requiring legal advice by 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 Smith-Lee. There was no discussion on the motion, which was approved on roll call vote.

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

City Council entered closed session at 11:23 a.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.”

Council Member Hill made a motion to return City Council into open session and certify the purposes of

*Audio available upon request.

DRAFT

the closed session. The motion was seconded by Council Member Cuthbert. There was no discussion on the motion.

The motion was approved on roll call vote.

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

20-R-29 **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 12:53 p.m.

3. ADJOURNMENT:

City Council adjourned at 12:54 p.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

DRAFT

*Audio available upon request.

The regular meeting of the Petersburg City Council was held on Tuesday, June 2, 2020, in live stream. Mayor Parham called the meeting to order at 12:54p.m.

1. ROLL CALL:

Present:

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

Absent: Council Member W. Howard Myers

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 a closed session.

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 for Council Member Myers.

Mayor Parham stated, "I would like to say good afternoon to everyone again. For our Positive Petersburg moment today, I want to recognize the peaceful protests that have been happening here in our City. We know and recognize that the unrest and frustration is heavy around the nation and really around the world behind the death of Mr. George Floyd. I want to highlight those in our community who are exercising their right to protest and who are protesting peacefully and intentionally. And I also want to thank our council members for joining and protesting in the marches along with our Chief and Deputy Chief of Police, along with our Fire Department and our police have joined in the peaceful protestors here in the City. And again, time and time again they showed the utmost respect and compassion for our community members. "

*Audio available upon request.

DRAFT

7. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

There are no items for this portion of the agenda.

8. REPORTS/RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Folakemi Osoba, Public Information Period, read comments and responses from previous public information.

a. What is the total cost of consultants hired during this fiscal year?
Answer: For FY202, the total vendor spending as of 5-28-2020 is $713,419.78. This could include, but is not limited to, auditing services, security monitoring, needs assessments, and speed studies.

b. AT Exit 65 from I-85, why are the attractions signs blank?
Answer: These signs are added by the state. Additionally, there is a cost associated with adding information. Blank signs are often placed in spots where it is anticipated that businesses/attractions at that Exit will pay to have their logos added. In some cases, the spaces were at one time paid for, then abandoned when the business either went out-of-business or simply ceased paying for the sign.

c. What is the completion date for the St. Andrews Street bridge?
Answer: If a contractor is under contract by July 2020 it could be completed by July 2021.

9. COMMUNICATIONS/SPECIAL REPORTS:

a. Update and Concerns from the Commissioner of the Revenue

Brittany Flowers, Commissioner of the Revenue, provided a PowerPoint presentation on her updates and concerns.

Key points:

- Office provides excellent customer service and business licenses, makes necessary removal or adjustments for personal property assessments.
- Process meals and lodging tax, cigarette tax along with admission taxes.
- They process bank franchise taxes.
- Works with the City Assessor to assist with the real estate.
- They do not handle utility tax or parking tickets.
- They do not add or take off DMV stops or have the capability to add on G-codes.

Ms. Flowers went over issues regarding bills that were included in handouts given to City Council Members.

There was discussion among City Council and Ms. Flowers.

Council Member Smith-Lee moved that the City Council go into closed session. The motion was seconded by Council Member Hill.

Mr. Williams stated, “The Mayor would entertain a motion to convene into closed session pursuant to §2.2-3711(A)(1) of the Code of Virginia for the purpose of discussion and/or consideration of employment,

*Audio available upon request.

DRAFT

assignment, appointment, promotion, performance, promotion, performance, demotion, salaries, discipling, or resignation of public officers, appointees, or employees of anybody."

Council Member Smith-Lee moved that the City Council go into closed session. The motion was seconded by Council Member Hill. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Smith-Lee, Hill, and Parham; Absent: Myers and Hart

City Council entered closed session at 1:16pm

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."

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 Smith-Lee. There was no discussion on the motion.

The motion was approved on roll call vote.

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

20-R-30 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 2:26 p.m.

Council Member Cuthbert made motion to direct the City Manager to retain a third party consultant to review the billing and collection process and interaction with the Commissioner of the Revenue and to assist in the case of formulation of solutions to the issues identified. 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, Hill, Smith-Lee, and Parham; Absent: Myers and Hart

Ms. Flowers went through the remainder of her PowerPoint presentation.

Ms. Flowers stated that the franchise tax was due on yesterday and that her next presentation will be on the amount that they collected.

b. City Assessor's Report

Brian Gordineer, City Assessor, gave a PowerPoint presentation on the updates from the City Assessor's Office.

*Audio available upon request.

DRAFT

Key points:

- They did a reassessment of the 15,000 parcels in the City and that 5,000 of them had changes and notices were sent out on January 28th.
- There were 32 office review applications that were submitted. There were 16 residential, 10 multi-family and 6 commercial properties. There were 12 no changes, 1 increase and 19 decreases.
- They have conducted address auditing with correcting addresses.

There was discussion among City Council and Mr. Gordineer.

Mayor Parham made a motion that the City maintains the addresses for the property on Woodland Road as the addresses were on January 1, 2020, and that the City Assessor send written notice of the decision to all affected property owners and the US Postal Services. The motion was seconded by Council Member Cuthbert. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Hill, Smith-Lee, and Parham; Absent: Myers and Hart

c. Fire Station 4 Update

Jim Reid, Interim Fire Chief, and Scott Flaherty, General Manager of Facilities, gave a PowerPoint presentation on the update of Fire Station 4.

Key points:

- The carpet is adhered to a concrete slab.
- Visible mold growth on the undersides of the matting. The carpet was wet to touch.
- The removal of the rubberized matting, carpet and underlying tile and mastic must be completed by a trained, certified and licensed remediation contractor.
- The estimated quote for asbestos remediation received from the FMD was quoted at being over $3,000.
- It is recommended that a French Drain be installed to channel water away from the wet west side of the building to the back of property.
- Several contractors have toured buildings and two estimates ($27,000 and $46,051) was received for repairs and remediation.
- Recommendation is that the City approves an emergency purchase in the amount of $46,051 for repairs if the funding is available.

There was discussion among City Council and staff.

Robert Floyd, Director of Budget and Procurement, gave additional information from the PowerPoint presentation.

There was discussion among City Council and staff.

Mrs. Benavides stated that she will provide an update on daily basis regarding the Fire Station 4.

Council Member Cuthbert made a motion that if funding is available that the City approves an emergency purchase in the amount of $46,051 for the repairs and remediation of the fire station. The motion was seconded by Council Member Hill. There was discussion on the motion. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Hill, Smith-Lee, and Parham; Absent: Myers and Hart

Mrs. Benavides stated this week they will be going over capital projects and that this is something along

*Audio available upon request.

DRAFT

with other projects that will be included in the presentation.

d. Presentation of the City's legal options with regard to the May 10, 2020 letter and Health Officer Certification received from the State Health Commissioner.

BACKGROUND: On May 10, 2020, the State Health Commissioner issued a letter and Certification requiring that they City provide water to "all occupied residents" for the duration of the Governor's Emergency Declaration regarding the COVID-19 Pandemic. The City provided a letter in response, and the Health Commissioner has issued a clarification letter. At the May 19, 2020, meeting of City Council, the City Council, the City Attorney was directed to present in open session at the next Regular Meeting, the City's legal options in response to the letter and Certification.

RECOMMENDATION: Provide direction to the City Attorney with regard to Council's wishes concerning the City's response to the State Health Commissioner's letter and Certification.

Anthony Williams, City Attorney, presented a PowerPoint presentation regarding the letter from the Health Commissioner.

Mayor Parham stated, "Thank you Mr. Williams for the presentation. At this time, I feel like we should entertain a motion to go into closed session to address the possible legal options that we have against the state."

Council Member Cuthbert made a motion to go into closed session to discuss the legal options against the state. The motion was seconded by Council Member Smith-Lee. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Hill and Parham; Absent: Myers and Hart; Voting No: Wilson-Smith

City Council went into closed session at 3:06pm.

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."

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 Smith-Lee. There was no discussion on the motion.

The motion was approved on roll call vote.

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

20-R-31 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

*Audio available upon request.

DRAFT

SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to opened session at 4:04 p.m.

Council Member Cuthbert made a motion that City Council directs the City Manager to report the following to City Council on a monthly basis: 1)For utility accounts open or maintained with the health commissioners order the difference to date of the amount billed and the amount paid; 2) in addition City Council directs the City Manager to ask bond council to report to City Council the possible need for a water rate increase as a result of compliance with the health commissioners order and to do so at council's first meeting in October. The motion was seconded by Council Member Hill. There was discussion among City Council. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Hill, Smith-Lee, and Parham; Absent: Myers and Hart; Voting No: Wilson-Smith

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

a. A request to schedule a public hearing and consideration of an Ordinance to increase the number of voting at-large members on the Planning Commission from two (2) to four (4) and thereby increase the total number of voting Planning Commissions from nine (9) to eleven (11).
b. Consideration of an appropriation for Coronavirus Aid, Relief and Economic Security (CARES) Act of 2020 - $2,734,818 – 1st Reading
c. Consideration of a CDBG – CVI Cares Act Appropriation in the amount of $371,969 for the Coronavirus Pandemic due to the City of Petersburg being a HUD CDBG Entitlement Jurisdiction – 1st Reading

Council Member Hill made a motion to approve the consent agenda and to schedule the public hearing for June 16, 2020. The motion was seconded by Council Member Cuthbert. There was discussion on the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Smith-Lee, Hill and Parham; Absent: Myers and Hart

11. OFFICIAL PUBLIC HEARINGS:

There were no public hearings.

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.

Pamela Lundy, 1400 Weaver Avenue, stated, "Good afternoon City Council Members and all others zooming in. I am coming to you this afternoon with great concern about the appearance of our City. I know others have already came to you with the same concerns. I am speaking specifically about houses and the A.P. Hill Community Center on Halifax Street. As well as a house on Talley Avenue in Cool Springs. I am not just talking about grass cutting either. I am speaking on dilapidated buildings and homes. I have questions for City Council. What procedure or process is in place when you have given citations more than two or three times to property owners? Why aren't these properties ceased if procedures are not followed by the property

*Audio available upon request.

DRAFT

owners? It is clear to me that the Code Compliance Department is going through a lot of transitions. They are short on help. I am wondering what is being put in place to help that department? And my third concern is who is looking at the data to see what is going on with these properties and how long they are lasting without anyone taking care of it? How many times citations are given to them? There appears to be no consistency City Council Members. As we know empty properties lead to other activities in the neighborhood. My concerns are at addresses on Halifax Street at 1235, 1237,1308, 1310,1312, 1314, 1322, 1330, 1407 and on Talley Avenue 1414, where you cannot see the house at all because the grass has grown up. We need your help City Council and thank you for listening to me this afternoon."

Mayor Parham stated, "Thank you Mrs. Lundy and those items will be addressed at the next meeting on June 16th. So, we will see you at the June 16th meeting and we will address those concerns."

Barb Rudolph, 1675 Mt. Vernon Street, stated, "Thank you Mayor Parham. I was going to talk about how at the last meeting that Mayor Parham and Clerk Jackson failed to open the floor for public comment before passing the FY20-21 Budget Ordinance. I checked the recording of the meeting to check to make sure that is what happened, and it did. This goes against the council's own rule. This is the second year in a row that the public participating is seriously constrained. I would call that an epic fail for open government. Again, the Commissioner of Revenue, Brittany Flowers, our commissioner, was reporting to us as citizens. We are the ones who count as a resident in the City. Now she works with voters. I realize that there are seven voters on City Council but there are a whole lot of other voters in the City too. We need to know what she has been experiencing. What we were hearing is some of the same answers like the lack of responsiveness and just overall bs. The citizens have been talking about the billing and collections and you ignore us. You got to stop hiding your faces from the public. And having a consultant to come in and do this, I know that it will take a long time and I am sure that it will be reported in closed session that the City Council. People will still be experiencing the same problem. Thank you."

Mayor Parham stated, "For the record, we did do a public hearing on the FY20-21 Budget that was open to the public."

Marcus Squires, 1701 Monticello Street, stated, "My first question is how long will Reggie Tabor be the Interim Director? Are we seeking out a permanent position for that department? When will work start on the Southside Depot? What is the City doing to ensure that blighted properties are secured? There are numerous blighted properties around the City. And as it has been getting warmer, I have noticed that the windows in upper floors are being opened. Is the City taking any measures to ensure that these blighted properties are not being inhabited by someone who may want to destroy the home? What is the City stand on tax delinquent properties that are supposed to be put up for auction? There was supposed to be an auction months ago and it has never occurred. What is the City doing about the security issues in Old Town? We are getting a lot of people in Old Town which is great, but we are also having people go behind Southside Depot and they are climbing on the train that is parked back there. It looks like they are trying to get in the building. I see multiple people out there every single day. I just want to report that to you all."

13. <u>BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:</u>

Council Member Cuthbert stated, "Thank you Mr. Mayor. I want to throw some boutiques if I may. I want to start by thanking Craig Richards for the Old Town Square idea. I think that it is a great one and it has huge potential. It was good to see the picnic tables and enjoy everyone's company. Second, thank you is to the Mayor, Chief Miller and to others who are responsible for allowing our citizens to exercise their constitutional rights to protest the tragic death of George Floyd. And for encouraging them to be so peaceful. I know that took a lot of time and effort. I thank the citizens that protested and council members. I thank Chief Miller and others on their involvement. Third thank you is to Mr. Lyons and his team for reorganizing and giving greater attention to the vacant property registry. I asked Mr. Lyons for a copy of the registry and I am holding this up for

*Audio available upon request.

everyone to see. This is page one. There are four full pages and a few addresses on page five. Each of the four full pages looks like this. And this is a good start. This is a work in progress. I thank Mr. Lyons and his team for putting it together. Also, hope that when it comes time for us to have out legislative agenda that council considers having the state legislature authorize us to increase the annual fee that we charge properties. The primary reason for doing so is to encourage owners to develop these properties into greater contributors of our tax base. So, those are the three thank you's that I want to put out to the public. And I am very grateful to each of the people who have mentioned."

Council Member Wilson-Smith stated, "I have three things today. One is that I know that this is graduation time for all of our high schoolers, and they cannot graduate as usual. I would like to shoutout to all of them. But there is a special group of graduates that have earned their associate degree from Richard Bland College. These students are self-motivated learners that will start college in the fall with advanced standing due to their diligent effort to be college and career ready. And I would like to call their names to recognize them. They are Keion Evans, attending Norfolk State University and majoring in Business Management; Darrian Hill attending Norfolk State University and majoring in Pediatrics Psychology; Rita Hanks attending Longwood University and majoring in Accounting; Ariel Jones attending Norfolk State University and majoring in Nursing; Kevina Johnson attending Winston-Salem State University and majoring in Forensic Psychology; Diamon Patterson who is the valedictorian with a 4.63 GPA attending North Carolina A &T and majoring in Pre-Nursing; Elexia Robinson attending Norfolk Station University and majoring in Pre-Nursing and Randy Sykes attending Hampton University and majoring in Psychology. I would like for this City to recognize all of these individuals who just didn't go through K-12, but also worked on their associate degree at Richard Bland College. So, hooray for them. The second thing that I would like to bring up is that I spoke with Chief Miller about this already. I am concerned about race relation in the City. Where in our City we had a good turn out over the weekend in reference to what we did at the police station. Hooray to the Chief for being proactive and being among the people and not against the people. I spoke with him about an idea in formulating a junior police department with the youth so that the youth can be involved with the police department. So, they can get a good idea of what our police actually do. I do not think that I need to put that in a motion. We will see where the Police Chief will go with this. I did share the idea with him, and I had not shared it with the City Manager yet. But I think we could do something to involve our youth in working with the police department prior to anything ever happening. But those are the two things that I wanted to share."

Council Member Smith-Lee stated, "Hello everybody and good evening. Thank you, Mayor, Council Member Hill, Chief and Travis for Sunday night. That was awesome. I commend the leadership that you all displayed out there. Because at the end of the day everybody was on the same page. And that we let them know that we did not want anybody to come in and destroy the City. The people here work hard for their businesses. And we let them know that this is what we came from. It has not been a easy road and we are trying to make the best of what we can do and what we have. So, I appreciate you all leadership. Also, I am asking the council and City to partner with the Pan-Hellenic on June 14th to feed the Petersburg High School Seniors. We are cooking hotdogs and hamburgers and we are going to have a DJ and chips, cookies and drinks. The time is going to be 3pm-5pm on June 14th. It is going to be a drive thru. They drive-thru and pick up their food and also some information about some colleges. It will be at the Petersburg School Board Office. That is it."

Council Member Hill stated, "Good afternoon everyone. First of all, I would like to also like to thank our police chief and deputy chief for a job well done and all of the officers. They were out helping our citizens near and far exercise their first amendment right. I also want to thank Colonial Heights government for also helping assist them across the bridge and helping in bringing them back. During that time, we have had some incidents happens in the City. We had numbers out on that day. I want to especially thank a young man named Algie Smith. He was one of the organizers. The young man has a 16-year-old son himself and he is about 38 or 39. We are going to be doing some things with him and his group. I have been talking to him the last couple of days so that we can take that energy and put it wherever they need it to go so that we can see the change in

*Audio available upon request.

different areas and not just in our policing but in different areas. We talked about cleanup process in certain neighborhoods and things of that nature. So, I am happy that it should be a good thing. I want to thank all the groups and organizations and fraternities. They have been feeding people in the City of Petersburg and especially other places. We have a lot of non-profit groups that really has Petersburg near and dear to their heart. So, I just want to thank them, and we have been having feedings all over the City. Whether it be on Sycamore Street or at the school or at the school board. I want to thank all of them, and I do not want to name them all, but you know who they are. Thanks to Treska Wilson-Smith. I don't want to bring this up to steal her thunder with the graduates and all those young people that you called. Of course, my daughter name was one of the those that you called, Darrian Hill, along with her friends. I am so proud of her Class of 2020. They are supposed to be having a graduation soon. I do not want to give out the date yet, but it is tentative with all of the coronavirus going on. But I just want to congratulate all of the graduates of Petersburg High and Richard Bland College. I want to give a special shout out to Dino Lunsford, the owner of Alibi's, Craig Richards and the Main Street Association along with others with the picnic tables. It has been great thing going on so far to get people back in Old Town. And the amount of work that we have done down there is just tremendous. I ask that everyone come out and participate in supporting your local businesses. I know that we are not meeting and that certain areas are meeting like the churches and things. They may start meeting next month. But I think we need to take a look at how we will rephase back having our public meetings. And I will let the safety team, Chief Miller and others look at that portion. I do not know if we wait for phase 2 or what ever the case may be so that we are all are safe, whoever can come. May be still do it during the daytime. I know that we have people who work, but a lot of people who are off. I have been talking to a lot of citizens say that they have been able to catch it online as opposed to catching it in the evening. So maybe we can off both of those narratives and kind of bring people back to the meetings and things of that nature. As long as we do it safely and what have you. I think that is something that we need to look at down the line in phase 2 or take notice on our state government to see what they are doing. Other than that, members of council that is all the I have."

Mayor Parham stated, "I would like to just reiterate everything that everyone has said on council at today's meeting. It has been a very trying time in our country and in our City. And in the worst of times you see the best of people. And I just cannot reiterate enough how our police chief and deputy police chief has been running fumes these last few of days. And its been an honor being out there with you and the citizens being able to build those relationships. This is all about relationship building and giving everyone a voice. And like the big crowd we had on Sunday night, everyone left with peace because we built a relationship with Mr. Algie Smith and the rest of the other peaceful protestors that we had. I am proud of my City and proud of my council for having the desire and the love for the City and for coming out. I also know that Council Member Wilson-Smith has been involved in the peaceful protest during the day. I know the rest of us has been on the late-night shift to support our police department that is doing an excellent job of public safety. They are really rolling out the carpet to the protestors and visitors of the George Floyd protest. It keeps everything in prospective on what we are here to do. We are here to protect and serve our citizens here. I am proud of the City of Petersburg for doing that. Also, at this time I would like to thank Mr. Tony Williams for the presentation that you made today for digging in deep to show our citizens the impact of the long term impact of the order against the City of Petersburg. I know I was strongly against it because I knew the repercussions of it. This past week has been a rough week with the issue with your office and the ceiling collapsing in. Just to let people know we are an older City and people are in an uproar of certain things. But we are getting to it and addressing it as we can get to it. We dealt with problems in Social Services and we are dealing with this situation with the first station. I just ask for everyone to be patient as we rectify the agenda and infrastructure that we have in the City of Petersburg. Thank everyone for going us on the zoom meeting and we will move on to the next item on the agenda."

14. <u>ITEMS REMOVED FROM CONSENT AGENDA:</u>

There are no items for this portion of the agenda.

15. <u>UNFINISHED BUSINESS:</u>

*Audio available upon request.

DRAFT

There are no items for this portion of the agenda.

16. NEW BUSINESS:

a. Resolution to authorize the disposition of Police K-9

BACKGROUND: Petersburg Bureau of Police retired police canine "Loki" and is transferring ownership from the City of Petersburg per §§ Code of Virginia §§15.2-981 and 2.2-1124 specifically authorizing the sale of retiring Police canine animals to their last handler at a cost of $1. The Chief of Police has presented the attached draft disposition agreement to facilitate such a sale which has been viewed and approved as to form by the City Attorney.

RECOMMENDATION: Recommendation of the Petersburg Bureau of Police that the City Council approves the sale of Loki to his last handler would be a favorable disposition for both Loki and his handler, in recognition of Loki's years of dedicated and faithful service to the City of Petersburg. Additionally, the City Manager is hereby directed and authorized to execute the attached agreement and take all necessary action to facilitate the sale of Loki to his last handler in accordance with the terms contained therein and the provisions of this resolution.

Officer Gregory Geist gave an update on the request to authorize the disposition of Police K-9.

Council Member Hill made a motion to approve the resolution to direct the City Manager to authorize and execute the agreement and take all necessary action to facilitate the sale of Loki to his last handler in accordance with the terms contained therein and the provisions of the resolution. The motion was seconded by Council Member Smith-Lee.

Mayor Parham opened the floor for public comment.

Seeing no hands, Mayor Parham closed the public comments.

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

20-R-32 A RESOLUTION DIRECTING THE CITY MANAGER TO AUTHORIZE AND EXECUTE THE AGREEMENT AND TAKE ALL NECESSARY ACTIONS TO FACILITATE THE SALE OF LOKI TO HIS LAST HANDLER IN ACCORDANCE WITH THE TERMS CONTAINED THEREIN AND THE PROVISIONS.

b. Consideration of an appropriation for Coronavirus Aid, Relief and Economic Recovery Act (CARES) Federal Transportation Administration funding for FY 20 operating expenditure.

BACKGROUND: FTA granted $3.5 million to Petersburg Area Transit at a 100-percent federal share, with no local match required, and will be available to support capital, operating and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19. Petersburg Ara Transit will appropriate $300,000 for Fiscal Year 2020 and the remainder of the allocation in FY21.

RECOMMENDATION: Recommend City Council approve the attached appropriation ordinance for $300,000.

Council Member Hill made a motion to approve and for Coronavirus Aid, Relief and Economic

*Audio available upon request.

Recovery Act (CARES) Federal Transportation Administration funding for FY 20 operating expenditure. The motion was seconded by Council Member Smith-Lee.

Mayor Parham opened the floor for public comment.

Seeing no hands, Mayor Parham closed the public comments.

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

20-ORD-28 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020, IN THE MASS TRANSIT FUND.

17. CITY MANAGER'S AGENDA:

Mrs. Benavides stated, "What I would like do is to introduce Ms. Tyus. As we start to talk about COVID efforts and public safety efforts. We are constantly seeing funding that is coming in to support the City. Most recently, I signed a MOU to the state and the finance department where there is other federal funding made available. When we look specifically at the CDBG money, Ms. Tyus as well as working with others in developing a guide that would be used. I am going to let her take you through what we have and what has been happening."

Ms. Tyus stated, "COVID-19 has been a horrible and challenging thing it has also given us the opportunity to build coalitions and partnerships with all of the entities and organizations who work to serve Petersburg. So, in front of you is a document that we have been talking about for quite some time and it is now in final form. Everyone entity in this guide who has information served in partnership and planning this as we tried to figure out how to create something that served as a resource."

Ms. Tyus went through the document that given out to City Council Members and Captain Geist gave an overview as well.

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 5:00 p.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

*Audio available upon request.

DRAFT

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, June 16, 2020, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 10:33a.m.

1. ROLL CALL:

Present:

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

Absent: Council Member Annette Smith-Lee (arrived during closed session)
Council Member John A. Hart, Sr

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)(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 of a recent Virginia Supreme Court decision relating to the Freedom of Information Act of potential litigation associated with the letter received from the state health commissioner, the legal process associated with naming City parks and emergency cooperative procurement issues related to the City's banking contract and associated charter provisions with the status of title and legal options on the McKenney Library and under Section §2.2-3711(A)(1) of the Code of Virginia for the purpose of discussion pertaining to performance, assignment and appointment of specific employees of the City of Petersburg, specifically included but not limited to the subject of performance, assignment and appointment of specific public employees of the City of Petersburg, specifically included but not limited to discussion of the contract performance of the Clerk of Council.

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, Wilson-Smith, Myers, Hill and Parham; Absent: Smith-Lee and Hart

City Council entered closed session at 10:35a.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

*Audio available upon request.

DRAFT

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."

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, Hill, Smith-Lee, Myers and Parham; Abstain: Wilson-Smith; Absent: Hart

20-R-33 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 12:50 p.m.

Council Member Cuthbert made a motion to direct the City Manager to schedule a special meeting at which time bond counsel will make a presentation as to the financial impact with complying with the health commissioners mandate to be followed by the recommendation of the City Attorney as to action to be taken and until council directs otherwise the following pre COVID-19 procedures with respect to disconnects and reconnects of utility bills. 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, Hill, Smith-Lee, Myers and Parham; Voting No: Wilson-Smith; Absent: Hart

Council Member Cuthbert made a motion to direct the City Manager in accordance with Section 3-13 of the City Code to recommend a bank for our banking services for the City. 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, Hill, Smith-Lee, Wilson-Smith, Myers and Parham; Absent: Hart

3. <u>ADJOURNMENT:</u>

City Council adjourned at 12:51 p.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

*Audio available upon request.

DRAFT

The regular meeting of the Petersburg City Council was held on Tuesday, June 16, 2020, in live stream. Mayor Parham called the meeting to order at 12:51p.m.

1. ROLL CALL:

Present:

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

Absent: Vice Mayor John A. Hart, Sr.

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 a closed session.

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.

Mayor Parham stated, "Good Afternoon Everyone. For our Positive Petersburg moment today, I want to thank our public safety team for delivering PPE door-to-door this past Friday to some of our City neighborhoods. And I also wanted to recognize Councilmember Annette Smith-Lee for planning and executing a great event on Sunday to celebrate our PHS graduates. Along with Council Member Cuthbert, Council Member Hill and many community organizations, there was a great drive-thru style celebration for our PHS seniors. Lastly, I want to mention the Feed Your City Event that will be hosted this Saturday, June 20th at noon. The location is 41 South Union St. in Petersburg. This event is hosted by Multi-Platinum Recording Artist, Trey Songz. The event will provide fresh groceries and essential PPE supplies for community members

*Audio available upon request.

DRAFT

via non-contact drive-thru lanes. As well as Councilwoman Wilson-Smith has an event on Friday for Juneteenth at 6pm on the corner of Sycamore and Bank Street called Corlings Corner. Again, that is at 6pm on Friday. Thank you."

7. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

a. Proclamation recognizing DeMolay International 101st Anniversary

Mayor Parham read the proclamation out loud.

8. REPORTS/RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Folakemi Osoba, Public Information Period, read comments and responses from previous public information.

1. What is the process (or consequences) for dilapidated properties that receive more than 2 citations?
   Answer: The process for Code Compliance is to send a Notice of Violation and the property owner has 30 days to abate the violation(s). If that does not happen then Code sends a Notice of Citation that acts as a bill in which the owner must abate and pay the fines on the property within 10 days. If that does not happen, another Notice of Citation is sent after which the property owner is brought in front of the court for a warrant in debt. This acts as a lien on the property that, if not paid, the property can be taken to auction and sold to a new owner.

2. Why aren't these properties seized (by the City or State) after receiving multiple citations?
   Answer: The process detailed in answer #1 is what is currently followed. In the past, this was not case. Now, with the use of civil fines, Code Compliance can do more. Seizing a blighted property is a lengthy and arduous process and would require the City to pay fair market value.

3. With Code going through a transition (from Planning to Neighborhood Services) what is the status of code officers and staff?
   Answer: Code Compliance is working with staff through transitioning to new processes and procedures that have now been transcribed and codified into policy manuals. Code is also endeavoring to hire new staff to manage the current workload.

4. Is an accurate record kept of the code analytics? EXAMPLE: how many times one address receives citation, how many times the City must cut the grass, etc.?
   Answer: Yes, Code Compliance uses a system called Government Outreach which logs all properties in violation and includes a history of their violations on record.

5. Addresses provided to be reviewed: Halifax Street - 1235, 1237, 1308, 1310/1312 (grass), 1314, 1322, 1330, 1407, and Talley Street – 1414.
   Answer: These have all been visited and cited.

6. How are blighted properties secured? Example: windows, doors, protected from anyone entering/squatting, etc.
   Answer: Code requires that any vacant building/structure be adequately secured via the use of boarding up windows and entrances so that no one can get inside. If they do not comply, the City will step in and do this for them and charge the cost back to the property owner as part of their property bill.

7. Who manages delinquencies in Petersburg?

*Audio available upon request.

DRAFT

Answer: Delinquencies are managed through the Billing and Collections Dept.

8. Is there an update on the status of tax delinquent properties that should have been auctioned?
   Answer: An auction is scheduled for June 25, 2020 at 11am at Union Train Station (103 River St.). More information can be found at jasonadunn.com/upcoming-auctions/

9. There is an alley way behind Church of The Lord Jesus Christ at 941 Stainback St. with trees hanging across the alley that could cause damage.
   Answer: This is a private alley for the homeowners to gain access to their properties from the backyard and is not maintained by the City. The trees and vegetation are the responsibility of the property owners.

India Adams-Jacobs, Assistant to the City Manager, gave responses from the May 19, 2020, City Council Meeting.

Question from Council Member Hill: When will the striping along Sycamore and Washington Street be completed?

Answer: In December 2019, striping was completed in front of the financial management building prior to opening for a total of 12 new spaces striped along the financial management building. The remaining striping along Sycamore and Washington Street to Old Street should be completed by public works and utility staffing by December.

9. <u>COMMUNICATIONS/SPECIAL REPORTS:</u>

a. City Manager's Report

Mrs. Benavides stated, "Mayor and council each of you should have received a copy of my City Manager's Update along with some additional updates that Mr. Lyons will go over shortly. Included in my update is information on some things that have occurred. If you have any questions, given the length of the meeting, I am free to answer any questions, but I will turn it over to Mr. Lyons."

Mr. Lyons stated, "Early this week I sent a report via email that gave an update on a length of properties that are being worked on by facilities. I talked about the fire station and I talked about billing and collections. We also talked about the quotes that we talked about in working on the old Commission of Revenue space. We are also talking about carpet squares as it relates to old billing and collection space that will ultimately be a customer service space. In addition to that we gave an update on the temporary cooling that we have to address at the Circuit Court. In addition to that we talked to you about the challenges in terms of the repairs for the City Hall suite that talks about the dollars and cents associated with getting that done. Also, we gave you an update about the tiller that is behind the old courthouse. That was to be repaired. We gave you that information. In addition to that I sent to you electronically the update in terms of where we are on the Jarratt House update. In addition to that earlier to that I sent an update to each of you all the annual paving services schedule that is going on throughout the City. So, I wanted to make sure that you got that. That includes the information right now to supplement what the City Manager has already spoken to as it relates to her report."

There was discussion among City Council and staff.

b. Risk Management Update PowerPoint Presentation

Twain Bridges, Risk Manager, gave a PowerPoint Presentation.

*Audio available upon request.

DRAFT

Key points:

- Processes for risk management planning, identification, analysis, monitoring and control.
- Decrease the probability and impact of events adverse to the City or municipality.
- Risk keys to success are communication, train, explanation of expectations, and inspect what you expect of others.
- Completed CPR training for City employees with 60% penetration rate.
- Instituted mandatory safety training on a quarterly basis.
- Completed driver safety training for transit operators with MVA's.
- Created work-flow process to remedy aging claims.
- Worked with City employees educating them on workers compensation and how it impacts them personally.

There was discussion among City Council and staff.

c. Update on the City of Petersburg LED Street Light Enhancement

Temidire Okeowo, Capital Improvement Project Manager, gave a PowerPoint presentation on the City of Petersburg LED Street Light Enhancement.

Key points:

- The purpose is to increase lighting, ensure safety, and enhance landmarks.
- There are 81 light fixtures that have been factored in the cost of conversion.
- There are 3,118 basic light fixtures that have been factored in the cost conversion.
- The total conversion investment will cost $503,581.36.
- If all lights are converted in a 1-year period, the payback period would be 3.9 years.
- The City currently pays $40,146.97 monthly on light bills for the streetlights.
- The prospective LED monthly bill will cost $29,509.82 and the monthly savings will be $10,637.15 and yearly savings after full conversion will be $127,645.80.
- The department is recommending starting in the Ward 4 downtown area because of the businesses.

Mr. Lyons stated, "One of the things Mayor and City Council Members, as Mr. Temi went through the options very quickly, at some point in time we have to make some decisions on the option that we think is right for the City. I think that will be an opportunity for you all to engage and give us some feedback in that process. One of the things that I also want to make sure you understand too is that as Mrs. Innis and many of you all have gone into your individual wards, there are elements in your existing ward that you want to start with. Our goal is to sit down with you and then be able to tell how we work that back towards Dominion. These are just the change out of lights. If we have to add other lights, we have to figure out what that means and what is the cost that would be associated with that equally across the board. So, a part of this is to bring this to you and secondly get your feedback from you collectively and then pool that and come back with a final decision on a recommendation and then we can lay out a timeline on what we got. If you have additional issues and questions if you can forward that information to me so we can lay out a timeline for that process. You can forward that information to Temi and Mrs. Innis. We have to be mindful that there is a difference with public and private property. And so, that will be the deliberating things that Mr. Temi and Mrs. Innis would have to pass that to Dominion and then Dominion tells us what the cost is to incorporate those changes."

There was discussion among City Council and staff.

d. Information on the Department of Neighborhood Services.

*Audio available upon request.

DRAFT

Frank Poulin, Director of Neighborhood Services, gave a PowerPoint presentation.

Brad Shupp, Property Maintenance Official, gave information pertaining to the PowerPoint presentation.

Key points:

- Looking for two more recruitments to break up the code enforcement so that they can get more done.
- Will be doing a rental registry within the City.
- 1,063 Code Enforcement Violations have been sent out. 650 were vacant letter and 413 were notice of violations.
- There are $41,950 Civil fines due to the City and $7,500 criminal fees due to the courts.
- Vacant property registry started with 357 vacant homes. Removed 107 from the list because they were occupied homes and then added 127 new vacant homes.
- Working with the developers in the community to come up with new innovations and ideas.
- GORequest app is available for anyone to download to phones to report vacant, failing apart and abandoned homes.

There was discussion among City Council and staff.

Mrs. Benavides stated, "I want to start out with a special introduction. Part of our expansion of our organization, we talked about our student ambassador's program of our high school students. Another program that we began last year was the recruitment for the local government fellowship program. This allows to bring in a recent graduate student into an organization and give them meaningful expertise where they will be doing a one-year rotation with three months starting in different units of government. We did our interviews and selection of this program and we are really excited. We have some really good candidates. One who is here today who has started, and I would like to introduce you to him. His name is Jackson Miller. Jackson Miller is a recent graduate of Harvard John F. Kennedy School of Government and Public Policy. He has an undergraduate degree from New York University. What is unique about him is that he is our local candidate who has been selected and who has come on board. Part of the reason he came on early is that we have a lot of things going on with COVID-19. Programs and things that are coming in that need to be tracked. Part of the information that they had to present to us was what would their policy be with everything going on with COVID-19. So, Jackson in his presentation, we were all thrilled by his presentation, but we also found it to be very meaningful. We would like to share this with you all today. As he starts on his first rotation which will be in the City Manager's Office, he will be helping and guiding us into the future and as we start to look at policy decisions necessary for COVID-19. I think one of the highlights for us in his interview and one of the most interesting facts about him is that he is a well-polished person but he foreign in several languages to include Mandarin, Chinese, Portuguese and we will see what else we can get out of him. But we do believe that we are very excited to have him on board and I want him to share this as we kick off this with both Ms. Tyus and the Chief on our COVID-19.

Mr. Miller gave a PowerPoint presentation.

Key points:

- COVID-19 amplifies systematic social inequities in the City of Petersburg and Crater Health District.
- Petersburg unemployment claims are still on the rise.
- Petersburg exhibits higher poverty and employment rates, particularly along racial lines, than Commonwealth-wide figures.
- COVID-19 risks exacerbating racial wealth gap.
- High rates of obesity and high blood pressure render Petersburg residents more vulnerable to

*Audio available upon request.

subsequent outbreaks of COVID-19.

Mrs. Benavides stated, "Mayor and Council, I just want to highlight that this is a presentation that he gave to us last week. I wanted to share with you because it goes with some of the things that Ms. Tyus will talk about. We are receiving funding from a number of sources. How we utilize the funding that comes in to move our community forward is very important. We have to have someone that is not only tracking the expenditures but making sure that the expenditures go to things that are meaningful to you City Council. You are going to have two items on your agenda today that talk about COVID-19 funding. That is something that is very important from an economic development standpoint and from a community standpoint. Ms. Tyus is going to talk to you now a little bit more about what she is working on from a community outreach and we will move back to that conversation.

e. COVID-19 Report

Darnetta Tyus, Deputy City Manager, and Deputy City Manager Chief Miller, gave a PowerPoint presentation on updates of COVID-19.

Chief Miller gave an update on the rising numbers of COVID-19 cases.

Ms. Tyus gave an update on COVID-19.

Key points:

- As part of Governor Northam's Health Equity Pilot Program, the City of Petersburg received 20,000 pieces of COVID-19 PPE to distribute throughout vulnerable areas in the community and hand sanitizer.
- They delivered the sanitizer and PPE to the public housing areas.
- They served 500 to the senior citizens in the City of Petersburg.
- Council Members have initiatives and events that are being planned in order for them to distribute PPE's and sanitizer in their wards.

Council Member Hill stated, "I just want to thank her for her hard work and dedication with everything that is happening."

Mayor Parham stated, "Thank you Ms. Tyus for the presentation and all that you do."

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

a. Schedule a public hearing on the revised Mass Transit FY21 Budget (Suggested date July 7, 2020) – 1st Reading
b. Request to schedule a public hearing to consider the rezoning of adjacent parcels at 2045 Squirrel Level Road from A-Agriculture to M-2 Heavy Industrial, and 2100 Defense Road from R-1 Single Family Residential to M-2 Heavy Industrial (Suggested date July 7, 2020)
c. Request to schedule a public hearing to consider approval of a Special Use Permit to allow the construction of a Telecommunication Tower/Facility on the property of Four Square Construction at 1 Four Square Industrial Drive to provide wireless telephone services. (Suggest date July 7, 2020)
d. A request to schedule a public hearing on the Petersburg Redevelopment and Housing Authority Board of Governance (Suggested date of public hearing July 7, 2020)

Council Member Hill made a motion to approve the consent agenda and to schedule the public hearings for July 7, 2020. The motion was seconded by Council Member Smith-Lee. There was discussion on

*Audio available upon request.

the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Voting No: Wilson-Smith

11. OFFICIAL PUBLIC HEARINGS:

a. A public hearing for an ordinance for a proposed tourism development project, and to authorize other actions consistent with Virginia Tourism Gap Financing.

BACKGROUND: The City of Petersburg City Council established the Petersburg Tourism Zone pursuant to the Virginia Code Section 58.1-3851 by adopting 16-ORD-6 on February 2, 2016. This ordinance is in furtherance of the goals set forth in the City's Comprehensive Plan, Vision 20/20. Compliance with the Virginia Code Section 58.1-3851 requires approval and certification by the Comptroller of the Commonwealth of Virginia, and the execution of a Performance agreement between the Developer and the City of Petersburg.

A Tourism Development Financing Program, administered by the Virginia Tourism Corporation, is a two-tiered gap financing program for qualified tourism development projects in Virginia. The Tourism Development Financing Program provides gap financing to support tourism-related development in designated Tourism Zones through a partnership between a Project Developer, the Locality and the Commonwealth of Virginia. The program requires a Performance Agreement between Commonwealth of Virginia, the Locality and the Developer, as well as a Tourism Development Plan.

Once the Project is completed and generating income, the Locality with the Virginia Department of Taxation performs quarterly reviews of Sales and Use taxes collected from the Tourism Development Project. Once percent of the quarterly Sales and Use tax revenue generated from the Development Project is the amount each of the three partners contributes toward the debt service of the project until the debt is fully paid.

The Hotel Development Project at 20 West Tabb Street is a qualified tourism development project seeking to participate in the Virginia Tourism Development Financing Program. The total cost of the project is approximately $_____, and it will generate approximately _____part-time and _____full-time jobs. As a qualified Tourism Development Project, the Developer is eligible to apply for up to 30% of the total project costs for gap financing.

RECOMMENDATION: To schedule a public hearing.

Mayor Parham stated, "Mr. Williams can we have the public hearing on this and delay action?"

Mr. Williams stated, "Yes. I just wanted to bring one item to council's attention and that is that when this item was moved forward previously Councilman Myers did make one minor but important adjustment to it. It was to just change one word. He was not comfortable with the word endorsed and asked that it be changed to support. At your table there is a version of the ordinance that reflects that one change to the ordinance. I would ask that if council is inclined to approve this after the comments today that the revised version that you have in front of you use the word support instead of endorsed if adopted."

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion adopt the ordinance with the revision of changing the word "endorsed" to "support". The motion was seconded by Council Member Smith-Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Smith-Lee, Hill, Hart and Parham; Abstain: Cuthbert

*Audio available upon request.

DRAFT

20-ORD-29 AN ORDINANCE TO SUPPORT A PROPOSED TOURISM PROJECT, AND TO AUTHORIZE OTHER ACTIONS CONSISTENT WITH VIRGINIA TOURISM GAP FINANCING.

b. A public hearing on the consideration of an ordinance to increase the number of voting at-large members on the Planning Commission from two (2) to four (4) and thereby increase the total number of voting Planning Commissioners from nine (9) to eleven (11).

BACKGROUND: The Code of Virginia, Title 15.2, Chapter 22 defines the formation of local Planning Commissions in the Commonwealth.

The City of Petersburg Municipal Code Sec 82.32. – Composition: appointment qualification terms and removal of members indicates that:

1. The number of voting members of the planning commission shall be nine. They shall be appointed by the City Council with one member being appointed from each ward and two members at-large for staggered terms of four years. All voting members shall be residents of the City qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half of the members so appointed shall be owners of real property.

RECOMMENDATION: It is recommended that the City Council approves an ordinance increasing the number of voting at-large members on the Planning Commission from two (2) to four (4, and thereby increase the total number of voting members on the Planning Commission from nine (9) to eleven (11).

Mrs. Benavides stated, “This is an administrative process and we are looking at our composition and a request that we make adjustments to the board.”

Mayor Parham opened the floor for public comments.

Marcus Squires, 1701 Monticello Street, stated, “I understand that more seats are needed but is council providing proper oversight for all of the boards, authorities, commissions and other organizations that council has the authority to appoint members on to. Other cities tend to have government operation programs which are overseen by their councils. We currently do not have proper oversight in the City over its different authorities, boards, executive committees and commissions which are meeting in the City. One for example would be the Planning Commission and the Community Development Block Grant in this City. We really need our staff to help council with these different efforts of authorities in this City. If there is not proper oversight who is to say what is going on in these organizations. Who is the watch dog and who is watching these organizations while they meet? We have the Petersburg Redevelopment and Housing Authority not meeting in the proper room at times. Who is watching over these organizations? FOIA laws are more bark then bite. We really need to step up to the plate. And I understand that we need to add more members to this one organization. But we need to look at everything as a City that we are supposed to be administering. Thank you.”

Linwood Christian, 410 Mistletoe Street, stated, “What I am concerned about, unlike Mr. Squires I do not see the need to expand this board anymore. I am wondering just what is the purpose for expanding it to 11. I was kind of shocked that it is at 9 when I was under the assumption that the Planning Commission was one of those boards that was appointed by wards. And we only have seven wards. And with that being the case we should only have seven members on this board. But now it is up to 11 or you are trying to get it to go to 11. And I am really wondering what is the purpose? Who wants this done? Why do they want it done? And I was looking through the charter to make sure that the Planning Commission was not one of those boards that was in the charter. Because like everything else when various council members are so whatever about council

*Audio available upon request.

DRAFT

rules, do not be breaking the rules to fit whomever. I really oppose this move because it just seems suspect. I am going to call it what it is. Thank you."

Barb Rudolph, 1675 Mt. Vernon Street, stated, "I do not think that it has been explained on why it needs to go from nine to eleven. That is very large. I mean someone or somebody got left off who some person or persons on council wants to be on the Planning Commission. There is no other way to say it. Let's just make it bigger without any rationale and just leaving it up to people to wonder what is going on. Thank you."

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

There was discussion among City Council Members and staff.

Council Member Cuthbert made a motion to not increase the members from nine to eleven on 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

There was discussion among City Council and staff.

Council Member Myers made a motion to remove William Irvin and James Norman. The motion was seconded by Council Member Smith-Lee.

Council Member Cuthbert made a substitute motion to go with the recommendation of the City Attorney and inform Ronald Moore and Michael Edwards that there were no seats available when they were appointed to serve the Planning Commission. The motion was seconded by Council Member Wilson-Smith. There was discussion among City Council and staff. The motion was not approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith and Hart; Voting No: Myers, Smith-Lee, Hill, Parham

Council Member Myers original motion goes back on the floor.

Council Member Myers made a motion to remove Ronald Moore from 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: Myers, Smith-Lee, Hill, Hart and Parham; Voting No: Cuthbert, Wilson-Smith

12. <u>PUBLIC INFORMATION PERIOD:</u> 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.

Linwood Christian, 410 Mistletoe Street, stated, "Couple of things that I would like to bring before council's attention that has come before mine. I am disappointed. I do not know whose was planned first but I am kind of disappointed that even though he is from our area that we are having the even by Trey Songz on the same day that we are having the even by Councilwoman Treska Smith. Again, this shows that we are once again pulling citizens in one direction. And then people are saying that you didn't support this, and you didn't do that. Also, the recent protest or the march that we had, to me I think it was a slap in the face to the City of Petersburg. Because we do not have that type of police department anymore that you are seeing that has

*Audio available upon request.

DRAFT

been coming on the television. What I do suggest is that we sit down with our current chief and try to improve on the gangs that we have already made. Because the time that we should have been marching we were not. And it bothers me that a citizen got up there when they were talking about the death of their loved one about their loved one at the City jail about ten years ago, that did not happen at the hands or while they were in custody of the police. And so, it just did not present a good image to the City. And also, when I heard our City Attorney when the question was asked about when we are going to be able to meet in person, from what I understand is that the state has already began to go into Phase 2. There can be up to 50 people to gather. So, I have to raise the question that City Councilwoman Treska Smith asked, when will the citizens be able to come to a council meeting in person. And last but not least one of these things, there are just a few other things that I am concerned with regarding this Department of Neighborhood Services. Because Mrs. Treska Wilson-Smith said something about a top-heavy budget. This goes to show that this is a top-heavy budget. When we can put our recreation department back into commission, we are putting other things in place that are really not for the benefit of our citizens. That is all that I have to say. Thank you."

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated, "I would like to speak on the format of this meeting. I think we need to find something that works a little better. I think we need to look at a better format if we have to continue having meetings as such as this. Half the meeting I cannot hear what is going on. There is background sounds. There is mumble and the mics do not work. If we have to continue this, I think we have to find a better format because this is just not working. That is all."

Marcus Squires, 1701 Monticello Street, stated, "My first question is in regard to the workshop that was previously held. Where was our capital assets manager for that workshop? I mean we have this huge list of means in our City, but we are not covering them all. My next question is when will 'we' the citizens be updated on when will work start on the Jarratt House and the Southside Depot. I heard Mr. Lyons stated that he sent emails out to council and other staff members but we the citizens have not heard anything about this. And we are saying that we have this all-star team here but yet we still have people who are not fully qualified in very important positions. We need a council that will expose the issues at will and not be afraid to point out nepotism in our system of government here. If the Robert Bobb Group were to return, how would they grade our current administration? How would they grade operations? Are we going to see an update on what we have followed through with regarding the Robert Bobb's Report? Has our council asked the City Manager and her staff to investigate grants which will be available for the reinvestment of our City's infrastructure? What ever happened to the historical blight survey. We had 50 people come out and we engaged them. We went around the City and we went and looked at issues with historical blight. And one of being the Dr. Martin Luther King, Jr safe house. What is going on with the survey? And some other large assets that are still not really being worked on are the Peabody and Titmus Optical Assets which the City owns. Are these assets not important? Why not look at bringing a regional, national or vocational trade school to the Peabody site. We could use the workforce innovation and opportunity act for technical assistance in this endeavor. And again, I will say that we definitely need government opts board to look at our boards and commission. I mean you have the Economic Development Authority, which is in charge of Roper Lumber Yard. Another City asset that has been given over by council to this authority. Which this asset that belongs to the City, which is on the historical Pocahontas Island that is continuing to fall apart. No one is making the Economic Development Authority accountable for this but at the same time we are making private citizens as well as developers accountable for their structures. Yet, no is making the City accountable for their assets that are falling apart. I think that it should have been spoken on at this so-called workshop that was recently held here in our City. Thank you and have a great one."

Barb Rudolph, 1675 Mt. Vernon Street, "I think Jeff Fleming had some good comments to make about the meeting format. It is really difficult for everyone watching it because we miss a lot. I am going to make a recommendation that maybe you should check with what Colonial Heights is doing. We had another citizen who recently attended their meeting and recorded that they are meeting in person and still with all the distancing requirements in tack. They are taking care of the public's health along with taking care of the public

*Audio available upon request.

accessibility. Which we are not really getting with this. My other question is that it was very interesting presentation that the young man gave earlier in the meeting where he talked about COVID-19. And that he explored the demographics of who COVID is affecting. But he ended with three budget alternatives relating to reduced funding and how to count COVID. I felt like it was a disconnect because I was seeing things like 20, 30 and 50% cuts. It was a lot different then what the City is presenting. So, I hope we can get that explained on what is really the magnitude of the revenue shortfall resulting from the current virus pandemic. Thank you."

Michelle Murrills, 131 S. Market Street, stated, "And I am the person that Mrs. Rudolph was just talking about that went to the City Council Meeting over at Colonial Heights last week. And I just want to say that the citizens of Petersburg are currently being shown up by the City Council of Colonial Heights. They have continued to have in person evening meetings since the beginning of the year. It is ridiculous that Petersburg, a bigger and better City, has not been able to figure out how to have council meetings that the public can easily attend and understand. No matter what anyone says these online meetings are not the same as in person. It is very hard to understand. Even though I have very large speakers and an updated computer, I cannot imagine somebody who does not. This is supposed to be a public forum but how can it be when it is hard to hear and see. And what about those citizens who do not have internet access. They have no recourse to not involve themselves in City operations. If one is kept from being involved with the City then there is no point in caring about the City which leads to apathy, liter, violence, etc., which is exactly what the citizens of Petersburg do not want. We need to have these council meetings for everyone to have equal access to the government. If you are wondering how Colonial Heights is doing it. They have a police officer to great everybody before going in the room. They are asked if they are sick and they have their temperature taken. If you lie you are informed of this which is illegal. And if anyone has a fever or say that they are sick they are asked to leave. And we can afford to have this as that is what the Cares money is for. A police officers pay to cover the council meeting during the COVID-19 would be a perfect thing to spend the money on. When the federal government does their auditing in the next few years, money that the City has spent, if they don't like the answer that Petersburg gives, they will be transferring the grant money over to loan money. Personally, I would rather keep the money as a grant then to give it back later. I have heard that the City of Petersburg wants to keep it constituents in the dark as much as possible, but this is an election year and I know that live meetings are something that voters want. And I would think that it is something that everyone on council would want. I just hate the fact that Colonial Heights is showing up to Petersburg. We are better than that. Thank you."

13. <u>BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:</u>

Council Member Wilson-Smith stated, "I sent you all, Council Members and City Manager, an email to discuss Juneteenth and making it a holiday for the City employees in Petersburg. So, I would like to put that to a motion and ask."

Mayor Parham stated, "Councilwoman Wilson-Smith, the Governor just made the announcement today that it is a holiday. So, we do not have to make a motion. Everyone will be off for Juneteenth."

Council Member Wilson-Smith stated, "Okay. Well that is good. Thank you. And speaking of Juneteenth, I would like to make it clear that what the City is doing with Trey Songz is actually not interfering with Juneteenth on Juneteenth Day. My event is just not my event. It is sponsored by my self and the City. It is a one-hour event only from 6pm to 7pm. It is downtown in hopes that the restaurants would get support while people were down there. And it will conclude downtown for just an hour. There is another Juneteenth event on Saturday at First Baptist Church from 1pm until 4pm. And that may be where people see the conflict. But there is no conflict for the one on Friday and I wanted to make that clear. I also wanted to ask about the CDBG Board. We have some applications in now for that board. So, what is that procedure for us to get that started. How many people are we looking at that would actually be placed on that board. Are we doing it by ward? Two people per ward or one person per ward. I need some guidance. Because I have been asking people to apply to boards and commissions. I would need someone to contact me and tell me what is what. And the last thing

*Audio available upon request.

is that when we voted on the CDBG money, there was $25,000 allotted for CARES but CARES is closed. My question is will we reallocate that money? What happens to it? Can we allocate it somehow? The person in charge of it has any suggestions on how to disburse it?"

Mayor Parham stated, "CARES is not closed but they are temporarily renovating."

Mrs. Benavides stated, "We will get more information on the CARES funding and reach out to them. But you do have the right to reallocate. We will follow up with CARES to see if they will be unable to fulfill what they are committed to with their CDBG money, so that if you choose to reallocate it will be available. And we will bring that back to you at the next meeting."

Council Member Wilson-Smith stated, "Thank you. And someone will get back with me about the board too?"

Mrs. Benavides stated, "I will ask our clerk. Ms. Jackson is there a set number?"

Ms. Jackson stated, "It says twelve. But everyone that is currently on the board term has expired in 2016."

Mayor Parham stated, "At this time, will council in support of moving that board under Darnetta Tyus being that the board deals with the Community Block Grants."

Mrs. Benavides stated, "I think that what we are working with to make more sense is that the CDBG will still be the liaison but I know that because she deals with community affairs we are missing out on a lot of boards and commissions appointments. We should never be at the point where we have had terms expired. And so, in conjunction with recruitment of people I would like to see the community affairs help us in recruiting not just for that board but for all boards. Because we do not want this to happen again where we have these many vacancies."

Ms. Jackson stated, "And just to throw this out there, the problem that we have been having is that we put it in the newspaper and we put it on Facebook and say that we are accepting applications for these boards but we have minimal people that actually apply. Unless it is someone that you know personally, and they may put one or two applications in. But like with some of the people their term expires, and they may respond, and some will not respond upon notice. But we do put it out there on social media and to the public to get people to apply. We may need to do an informational session to explain the boards to the public so that they understand it better."

Council Member Cuthbert stated, "First of all tomorrow night I have got a ward meeting at the historic Pocahontas Chapel at 6:30pm. And I am looking forward to that. I will be distributing the PPE allocation that the City has given to me. Also, there will be the chief and representatives of City staff there. And I am looking forward to the opportunity to interact with the citizens of Petersburg especially the citizens of Pocahontas. The entire community is invited. I appreciate Ms. Tyus help in making that possible. Also, I want to thank Council Member Annette Smith-Lee for the remarkable organization that she displayed in putting together the high school graduation program on Sunday. There were an amazing number of moving parts there and we all came together, and everyone worked like years on a watch. I am sure that it was a lot of work that Mrs. Smith-Lee put in to make all that happen. I have good news on 256 Grove Avenue. You may remember 256 Grove Avenue. It is the one that we struggled with about a year and 15 months ag when stabilize to revitalize was an issue. That was going to be the subject. The good news is that I was able to get deed into the name of one of the brothers. And he then signed a listing contract and was able to bring a new homeowner to Grove Avenue. Bank financing has been arranged to carry out the rehab. So, I am looking forward for that house to look a lot better and increasing the City's tax revenue in the process. Finally, in speaking of the tax revenue, I want to

*Audio available upon request.

DRAFT

thank Jason Dunn's Office for preserving through the COVID-19 and scheduling a sale on June 25th. It is Thursday, June 25th at the Union Train Station at 11:00am. At that time, another property in distress on Grove Avenue will be sold. And that is the Runway House at 321 Grove Avenue. It is on the river side of the street and it is the pressed brick 1880 Victorian house. It has potential and gigantic structure issues. Immediate action is required and this is not a do it your self-project and it is not one that you see on TV where someone is to move the closet around and flip the house and make a lot of money. It will also be the vacant lot next door to 321 Grove Avenue that is being sold. I think the rehab of that house would be a great step forward for Grove Avenue. So, Mr. Mayor thank you very much. I appreciate."

Council Member Myers stated, "There are a couple of things that I want to say. Charlie, I want to say that you and argue back and forth for the best reasons for the City of Petersburg. But I cannot think of anyone to argue back and forth then to have you here. So, I want to make it very clear and for the other two that is up for election, too. So, I want to make it clear that Howard Myers need them on board. We have come a long way, the City of Petersburg. And for some of you all that are listening, don't think that we have been you should have been in my shoes. So, I know who work and who do not work. And I look at the messages on Facebook and I don't respond. And I don't care to respond. Because it is ignorance as far as I am concerned. If you really don't know who is going to have the best interest of the City at heart. I say thank you all for being a part of what it is that we have in moving forward. I guess this weekend there will be a giveaway, Mr. Mayor that I understand."

Mayor Parham stated, "Yes, it will be a 'Feed Your City Challenge.' It will be a nationwide challenge being brought here by Petersburg's own, Trey Songz along with Pusha T of Norfolk. He did it in Norfolk. So, Pusha T raised the bar and Trey Songz stated that he was going to have a challenge in his hometown. It is very grateful for Trey remembering he is from Petersburg. He is one of our native sons. I hope that everyone will come out and support."

Council Member Myers stated, "I say that because you and I and members of council need to show up out there. I have received calls that there are truck loads that will be coming down. Howard Myers cannot always attend all of these events. I am sorry I could not attend your event Annette, but I had to go to sleep. I needed some rest. There are folks calling me from Richmond wanting to come down to help you all to distribute. I wanted to make sure that I mentioned it to the Mayor. I wanted to make sure that all of you know and participation would be greatly appreciated. Thank you all for what you all do."

Council Member Smith-Lee stated, "Thank you for supporting the City of Petersburg. It is a good thing and a good place. It has not always been good or bad but had the end of the day the common goal is to make sure that we bring economic development here so that we can have more revenue to do the things that we need to do to get this City back to what it has been before. But I also want to congratulate Petersburg High School Class of 2020. Let's give them a hand because they have been through a lot with not being able to have a prom and award ceremonies and everything that comes with being a senior. It can put a little damper on your spirits. So, that is the reason why we wanted to do something to let them know how special they are. And that no matter what we have their back. So, I want to thank Charlie Cuthbert. Thank you so much for coming around and greeting the students and handing them out their bags and everything. And I appreciate your support."

Council Member Cuthbert stated, "It was an honor to be a part of the effort. I enjoyed every moment of it. I met some good people and I worked with people that I already knew. And it was a fun event. It really was and I am grateful for you setting it up."

Council Member Smith-Lee, "Thank you Charlie. You and I had two events. The Buffalo Soldier had their rides and they were at the Benedict Club and they gave Darrin and I a chance to speak. And I appreciate you coming out and doing the things that you did. And I know your daughter graduates. And I know she is

*Audio available upon request.

feeling some of the things that she was looking forward too. You being her father and explaining to her that all things are not bad and you have to find the good in everything. And Kemi, thank you. Darnetta, thank you all for wrapping hamburgers and hotdogs. That is what the community is all about, giving back. Not all about the negative things. But what about the good things that these kids and the people in the City of Petersburg do. John Hart and I are going to have Joint Ward Meeting on July 28th at 6:30pm in the Cool Springs Parking Lot. It is going to be put out on Facebook and it is going to be put out in the paper. Also, there was a bear in Ward 6. My brother and I hear some noises. And he was like Annette that sounds like a deer and I was like that sound like more than a deer. And so, I didn't go outside because I didn't know what it was. But I did reached out to the Richmond Wildlife Center. So, I am waiting to hear back from them. Because we cannot kill it. But I do want to make sure that the citizens in my ward know some of the things that they need to do to keep safe. But thank you for your support. And Treska I will be out there on Friday to support you and also to support Trey Songz. Thank you."

Council Member Hill stated, "Good evening everyone. I want to thank everyone for tuning in. I would like to make an announcement. Ward 2 will be having a drive-up town hall meeting on Tuesday at 6:00pm at the Petersburg School Board Office. Same as what the other council people. You will not have to get out your cars. We will have loudspeakers. We will probably have transmitters so that you can tune in to your radio station to hear. I will have someone in the parking lot to bring you the mic so that you can ask your questions. So, that will be Tuesday the 30th at 6pm at Petersburg School Board Office on South Boulevard. I want to thank Dr. Pitre-Martin and Russell Lawrence for allowing us to have our meeting there. Also, I want to thank Annette Smith-Lee. Her and I were hanging out the other day with the Buffalo Soldiers. We gave comments on behalf of the City along with giving out bags to our PHS Class of 2020. The Mayor came by along with Councilman Cuthbert to the event as well. This coming Tuesday, June 23rd we are voting that day. It is the primary, so make sure that you go to your voting polls and vote. Also, do not forget to do your census report. Please tell the people in your neighborhood to do their census. I would like to thank all the workers in the City of Petersburg for their hard work. I know that things are difficult, but we just have to be safe in all that we do and what have you. So, this is not a competition and do understand that this is trying times. We are trying to get out to the community the best way we can. That is why we are trying to have these ward meetings. I would advise everyone to wear mask. Because we have a lot of people that do not wear mask and that is dangerous. I have a sign on my business door that says no mask no service. So, that way you cannot come in my business if you do not have a mask. Please make sure that you adhere to those things. Madam City Manager, two things that I may want you to report on at your earliest convenience. I know that it has been addressed at one time. But I know that we can do a better job. I did talk to Ms. Tyus. But what is your procedure. The grass is growing in the cracks of the sidewalks all throughout our City. Not just in the downtown area but all throughout our City. A lot of times when you shoot them with chemicals, they turn brown and stay there. So, we need to get somebody to come through there and weed eat it and then spray it. We have been talking about this for a while, so I just need to know what is the procedure from here on out. We need to get that taken care of especially with the amount of rain we have been having. Also, I know in our last meeting we had the Commissioner of Revenue come in and voice some concerns. I would like to get an update on that on how our billing and Commissioner of Revenue are working together. I did speak to her and she said that things have gotten better. So, I just want a report from your end on some of the things that have been taking place. We need a smooth transition because we all have to work together. I would like to have a special thanks for their voice in police brutality. Like Linwood Christian stated, we do not have those concerns in Petersburg anymore. We have a great police force with great leaders. I like the way that we handled people protesting in the City. Most of the people that are out there are not citizens of Petersburg. My question was why you don't go to your City. They wanted to get more traction and they didn't want to do it in their City. For all the people that are protesting and exercising their 1st Amendment rights. Sometimes you have to ask the question of why my City and why not yours. We thank the community of Colonial Heights for opening their arms to our citizens as we marched across the bridge and had prayers. That just baffles me. I would like to thank our workers and everyone for doing a wonderful and hard work and I concur with Council Member Myers. When he was Mayor

*Audio available upon request.

DRAFT

we went through a whole lot. We are looking better, and the future is still bright for Petersburg. There is still light at the end of the tunnel and I like the direction in which we are going in. Thank you."

Mayor Parham stated, "I just want to thank the City Manager, Mrs. Aretha Ferrell-Benavides, Lionel Lyons, Darnetta Tyus and the rest of the team for all the hard work. We had the Flow Corporation in town last week along with AMPAC Pharmaceutical. And we have a chance to turn the pages of Petersburg to the future with a huge deal with making Petersburg the Pharmaceutical Capital of the nation. And with this deal that we have with dealing with the federal government. Their president and all their top grasp want to do all their business in Petersburg. At this time, we have to get ready. They told us that we have to move very fast because they are looking to break ground next year. And they are depending on us and our council to take the necessary steps to be successful. Because this is a game changer for our City and this is something that people dream of. And the pandemic is having a major corporation to come and start production that has funded and have the possibility of having a $800 million dollar contract right here in the City of Petersburg. Which it creates jobs and education. So, it is a huge deal. I would like to thank all of our staff. I know that you get the hits from time to time from not having too many people. But we have the people in place to move the City forward. And if you cannot see it when driving through here and you see what is going on with the Code presentation and you see what is going on with public works in keeping clean water safe and paving the streets. Like Linwood Christian said, we had it in our police force over 10 years ago and now we have a good chief and deputy chief and a great force that has passion her for the citizens here in Petersburg. And if you do not see it in social services and what Ms. Darnetta Tyus has done over there in bringing them in compliance. A lot of people that are just getting here do not understand that we had a City that had sunk and on the verge of receivership. And now we are a City that is on the rise. So, despite any of the negative energy and comments, I want to say thank you to staff, including Mr. Williams as well. All the deputies, Kemi, Tex, Gerritt and everyone that makes this happened. Our economic development team of Carthan Currin and Kelly Evko, thank you for stepping and getting the ground running a hundred miles per hour and taking Petersburg into the future. So, again we have a big weekend lined up and I encourage everyone to come out and support where you can. I know that this council is a busy council and a working council. I am blessed to have each and every one of you all. Thank you all for your efforts in making the City of Petersburg a better place."

14. <u>ITEMS REMOVED FROM CONSENT AGENDA:</u>

*No items for this portion of the agenda.

15. <u>UNFINISHED BUSINESS:</u>

a. Request submitted by Equity Plus, LLC to rezone the privately owned property at 2557 North Stedman Drive, Tax Parcel 036-090001 from A-Agriculture District to PUD – Planned Unit Development District, to allow for a development that includes 168 single-family dwellings, named Eagles Landing.

BACKGROUND: The City of Petersburg received a request to rezone the privately owned property at 2557 North Stedman Drive, Tax Parcel 036-090001 from A- Agricultural District to PUD – Planned Unit Development District, to allow for a development that includes 168 single-family dwelling, named Eagles Landing. The homes will be placed on separately deeded lots of approximately 5,000 square feet each, which allows for ample front and rear yard space. Based on the topography of the site, wetlands, etc. the development will have ample open space. Additionally, residents will have access to the club house and recreational amenities of our neighboring development at 2557 N. Stedman Dr. Tenants would have an option to purchase the homes after 15 years.

The City of Petersburg Planning Commission held a public hearing and considered the request to rezone the property during the September 4, 2019 Planning Commission meeting. The Commission voted to

*Audio available upon request.

move the request to their next meeting.

The City of Petersburg Planning commission again considered the request during the February 4, 2020 meeting and voted to recommend denial of the rezoning request.

The City Council considered the request to rezone the property during the February 19, 2020 City Council meeting and voted to continue the item.

RECOMMENDATION: It is recommended that the City Council considers the rezoning request.

Reginald Tabor, Interim Director of Planning and Community Development, gave a briefing of the request for rezoning.

Council Member Myers made a motion to support a resolution or ordinance to accept the project. The motion was seconded by Council Member Wilson-Smith. There was discussion among City Council and staff. The motion was not approved on roll call vote. On roll call vote, voting yes: Wilson-Smith and Myers; Voting No: Cuthbert, Smith-Lee, Hill and Parham; Absent: Hart

16. <u>NEW BUSINESS:</u>

a. A resolution to establish guidelines for the maintenance, review, certification and distribution of certified ordinances and resolutions adopted by City Council.

BACKGROUND: This memorializes recent discussions by Members of Council regarding maintenance, review, certification, and distribution of certified ordinances and resolutions adopted by City Council.

RECOMMENDATION: Adopt resolution

Anthony Williams, City Attorney, gave a briefing on the resolution recommended to be adopted by council. He stated that there was a request from a council member to add additional information with respect to Municode and that he will pass that information out.

There was discussion among City Council Members.

Council Member Cuthbert made a motion to adopt the resolution as modified with paragraph 6 and adding paragraph 9. The motion was seconded by Council Member Hill.

Mayor Parham opened the floor for public comment.

Seeing no hands, Mayor Parham closed the public comments.

There was discussion among City Council Members and staff.

Council Member Myers made a substitute motion that it be tabled until further discussion comes about with respect to the system or the implementation of the system. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Voting No: Cuthbert; Absent: Hart

b. Consideration of approval of CDBG-CVI Cares Act appropriation in the amount of $371,969 for the Coronavirus Pandemic due to the City of Petersburg behind a HUD CDBG Entitlement

*Audio available upon request.

DRAFT

Jurisdiction.

BACKGROUND: The City of Petersburg is a HUD CDBG entitlement jurisdiction. As an entitlement jurisdiction and due to the coronavirus pandemic, the City of Petersburg's CDBG entitlement program has received CDBG CV CARES Act funding totaling $371,969.00. To receive these funds, the City is required by HUD to amend the PY2019 CDBG Annual Action Plan. These funds will be used to prepare, prevent, and respond to the pandemic in an expedited manner, while meeting CDBG national objectives. Project activities may include the following:

- Carry out job training to expand the pool of health care workers and technicians that are available to treat disease within a community.
- Provide testing, diagnosis, or other services at a fixed or mobile location.
- Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities.
- Provide equipment, supplies, and materials necessary to carry-out a public service.

The Coronavirus Resiliency Project will be managed in partnership with subrecipients of Petersburg CDBG-CV funding. The initial partner and subrecipient will be the Petersburg Health Department. The allocation will total $275,000 and focused activities will include testing, contact tracing and other critical services for low to moderate income citizens in the greater Petersburg area. The City will allocate the remaining $96,969.00 in funding for the Coronavirus Resiliency Project efforts, including alternative housing strategies for self-isolating and quarantining when necessary.

RECOMMENDATION: Staff recommends the City Council schedules a public hearing and adopts the amendment and associated appropriation.

Reginald Tabor, Interim Director of Planning and Community Development and Cathy Parker, CDBG Coordinator, gave an overview of the appropriation ordinance.

Council Member Myers made a motion to approve and appropriate in the amount of $371,969 for the Coronavirus Pandemic due to the City of Petersburg behind a HUD CDBG Entitlement Jurisdiction. The motion was seconded by Council Member Smith-Lee.

There was discussion among City Council Members.

Council Member Cuthbert made a substitute motion to direct the City Manager to make a modified budget to City Council when council next meets.

There was discussion on the motion.

Motion dies due to lack of second.

Original motion goes back on the floor from Council Member Myers.

Mayor Parham opened the floor for public comment.

Seeing no hands, Mayor Parham closed the public comments.

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

*Audio available upon request.

DRAFT

20-ORD-30 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020, FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND.

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

BACKGROUND: Congress passed, and the President recently signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020. This Act provides funding for a number of different programs to address the COVID-19 pandemic. A primary component of the CARES Act is $150 billion in assistance to state, local, territorial, and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund (CRF). Allocations were sent to states based on population.

These funds may be used for qualifying expenses of state and local governments, The CARES Act provides that payments from the CRF only may be used to cover costs that:

1. Are necessary expenditure incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); and
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactments 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 allocated and certified.

Patrice Elliott, Finance Director, gave a quick overview.

Council Member Hill made a motion to approve and authorize the appropriation of the funds as allocated and certified in the amount of $2,734,818. The motion was seconded by Council Member Smith-Lee

Mayor Parham opened the floor for public comment.

Barb Rudolph, 1675 Mt. Vernon Street, stated, “Thank you. I am sorry that I didn’t raise my hand in time on the other one. But I believe from reading through the materials off this grant there is capability to use for small businesses on some of the issues that Council Member Cuthbert was bringing up. I do not know what the City folks have planned but that should be part of the consideration. And certainly, the amount can be larger. The other thing that I mentioned was that Council Member Wilson-Smith said something about helping people with their taxes. And from my reading of the FAQ’s on this grant, that is not allowed. The broader topic is that there is a lot of restrictions and potentials. In the latter category of potential, it does say under FAQ’s may fund payments be used to work on utility fees, if not can fund payments be used as a direct subsidy payment to offer utility account holders. I am bringing this up for the water cut-off issue. It says that if determined to be a necessary expenditure a government could provide grants to an individual facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services. I do hope broadly that you will take a closer look at all the information on this grant because I do think that this is a lot of money and it could be very valuable. Also, think Council Member Myers mentioned that it is federal money so they will be looking for how it is spent and want it back. Thank you.”

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

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

*Audio available upon request.

DRAFT

20-ORD-31 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020, BUT WITH EXPENDITURES NO EARLIER THAN MARCH 1, 2020 AND FOR THE FISCAL YEAR COMMENCING JULY 1, 2020 AND ENDING JUNE 30, 2021 BUT WITH EXPENDITURES NO LATER THAN DECEMBER 30, 2020.

17. CITY MANAGER'S AGENDA:

Mrs. Benavides stated, "I just want to announce to you that we have reopened billing and collections with limited access. Residents are required to have on face coverings to enter. But we realize that this is the end of the year for a number of bills. Ms. Elliott and staff are working to keep the doors open."

Ms. Elliott stated, "So, we are following the state as well as guidelines in the approach to reopen. We do have face shields that we are utilizing and mask. We are honoring the social distancing. We are taking customers by appointments as well as the Commissioner of Revenue office. Thank you."

Council Member Cuthbert stated, "Madam City Manager, what is the time? I thought you had a great idea of moving the stormwater charge from the utility bill to the real estate bill. I think that is a fabulous idea and I think that is the way that it should be. But that is not where it is right now. What is the timetable for making that change?"

Mrs. Benavides stated, "I think that we would probably have to do an ordinance to make that move. I know that the idea came from the City of Hopewell. That is something that they are doing. So, if I can work with our City Attorney to see about publishing it and what the council member is mentioning is that you have the option and you cannot change, but you can move the stormwater charges to your real estate taxes versus your utility bill. So, what we are looking at doing is having an ordinance to make that change. So, I will work with the City Attorney to bring that on board and bring that back to council. So, he will have to do some research on it."

Mr. Williams stated, "Yes, this is the first that I have heard of it."

Council Member Cuthbert stated, "Is it reasonable to think that at the first meeting in July, which is July 7th that this will be an agenda item?"

Mrs. Benavides stated, "Yes, sir. I know that if it is an ordinance, we will have to schedule a public hearing and find out whatever else is needed. But we will have information and the steps and then we will do that."

Council Member Hill stated, "We have to find a way to streamline our agenda somehow. Because this is to much. It is hard to sit her for eight hours and keep this up without being frustrated. We know that we have business, but we have to do better than this. We have to be more efficient than this. So, if you have questions, please ask your questions to the appropriate directors or City Manager prior to the meeting, please. Unless something comes up that you have never heard of before. Thank you, Mr. Mayor."

18. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

19. BUSINESS OR REPORTS FROM CITY ATTORNEY:

*Audio available upon request.

DRAFT

*No items for this portion of the agenda.

20. ADJOURNMENT:

City Council adjourned at 5:46 p.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

DRAFT

*Audio available upon request.

The special meeting of the Petersburg City Council was held on Tuesday, May 5, 2020, at the Live Stream. Mayor Samuel Parham called the meeting to order at 12:00p.m.

1. **CALL TO ORDER:**

2. **ROLL CALL:**

Present:

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

Absent: None

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

Council Member Hill led the meeting into prayer.

3. REPORTS:

a. FY2020-2021 City of Petersburg Budget Update

Robert Floyd, Director of Budget and Procurement, gave a PowerPoint presentation on the FY20-21 City of Petersburg Budget.

There was discussion among City Council and staff on the collection rate and management of CDBG.

Mrs. Benavides and Mr. Floyd stated that the current collection rate of the City of Petersburg is 89% and that Cathy Parker and Reginald Tabor are managing CDBG. Mr. Floyd stated that there will be an amendment to the budget in December that they will bring back to City Council.

b. Personnel Policy Update

Kimberly Robinson, Human Resource Director, gave an update on the personnel policy.

- Update to personnel policy manuals.
- Electronic copy is available online on the City's website.
- There are nine articles or sections.
- First section is on general provisions as it relates to a government agency. It is basically definitions as it relates to government agencies.
- Second section is on classification and general salary administration.
- Third section is on the recruitment process. The City does not recruit for constitutional officers'

*Audio available upon request.

positions. With Social Services, the State recruits for those positions.
- Section four speaks on general employment practices and what defines a transfer, demotion and promotion.
- They will be introducing a universal leave policy.

Mrs. Benavides stated, "India Adams has been looking at as part of her responsibility looking at policies. What we have decided is that we need to look at the whole thing. So, we are going to go section by section and then bring this back to council. This is what we use to govern our employees. But it also needs to make sure that it is up to date. And as Mrs. Treska mentioned our telecommute process. We didn't have a process, but it must include what are the requirements. And that is what we have learned even now as far as how employee's check-in. The word that is used often is called liberal leave. People are allowed liberal leave which means you can take your leave. So those are things that we will be looking at and we want to bring this back as we go through this. And then have our total document and we will do some workshops on this. We need to focus on what a day looks like within the City of Petersburg as an employee. But also, we find a lot of times when we get to the City Attorney over issues that is where it shouldn't get there. And so, if we address some of our issues early on it will change the dynamics. We just wanted to give you some information on this process. Our goal is to work through this process over the summer and bring you a final product by December of this year. Some areas may come back a little quicker. Our attorney is working on the grievance policy just to make sure that we are up to state code. Because many of our policies aren't just our policies. They are based on federal and state laws that dictate how we must operate."

There was discussion among City Council and staff.

c. FY18/19 CAFR Update

Mrs. Benavides stated, "Mrs. India Adams is on the phone and she just wanted to give council an update on where we are."

Mrs. Adams stated, "As the City Manager just indicated I will be giving a brief overview of the CAFR status FY18/19."

Key points:
- Pre-audit staff and City staff began FY18/19 CAFR audit work in February 2020.
- Staff data collection of pre-audit items were from February-May.
- The initial data collection information provided to the City auditor's, Robinson, Farmer, Cox & Associates (RFCA) on Monday, May 4th.
- In May the auditors working remotely begin the fieldwork of audit items.
- The City staff will continue to respond and provide documentation to additional audit requests, as needed.
- The staff are working to address the FY17/18 CAFR findings.
- In June they will be working to complete the document and analysis. They plan to present the CAFR to City Council on June 30th.

d. Water Collection Emergency Services Update

Lionel Lyons, Deputy City Manager, gave a briefing of the water collection process.

Key points:
- The City of Petersburg has not disconnected any water customers since January 31, 2020, which is 58 days prior to Governor's Northam place order that was issued on March 30, 2020.
- The City of Petersburg currently has 3,210 delinquent accounts.

*Audio available upon request.

DRAFT

- From December 2015 to October 2016, the City of Petersburg ceased all delinquent disconnections, to include charging late fees and penalties.
- By 2017, the City determined to reduce the large number of delinquencies and begin initiating a more aggressive disconnection plan for individuals that were well over 90 days in the delinquency status.
- Since 2017, the City of Petersburg has suspended 2,361 customer water services. The process began of working with the City to re-establish services through full payments and/or payment plans.
- There are 539 stormwater accounts and 12,850 active service addresses.
- There were 320 customers that had their services reconnected by submitting payments on delinquent accounts.
- The City's FY20 Utility Fund was budgeted at $14,722,754.
- It has been determined that the 3,210 delinquent accounts amount to approximately $3,249,791. There is a $50 reconnection fee for each account that needed to be restored.

Mrs. Innis stated that they went out to the properties and found out that from the list 134 had water services, 46 did not, 78 of the properties were vacant and 2 had empty meter boxes. They went through to check who legally and illegally had water services.

There was discussion among City Council and staff.

Mayor Parham made a motion to move forward with the prosecution of improper water services. The motion was seconded by Vice Mayor Hart. There was discussion on the motion among City Council and staff.

CLOSED SESSION:

Mr. Williams stated, "I would entertain a motion to go into closed session pursuant to §2.2-3712 of the Code of Virginia for the purpose of receiving legal counsel regarding matters requiring legal advice of legal counsel.

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

On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Voting No: Wilson-Smith

City Council entered closed session at 1:50p.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."

Council Member Myers 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 Smith-Lee. There was no discussion on

*Audio available upon request.

DRAFT

the motion.

The motion was approved on roll call vote.

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

20-R-22 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 2:10 p.m.

Mayor Parham made a motion to proceed with prosecution of improper water services. The motion was seconded by Vice Mayor Hart. 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

Mayor Parham made a motion to leave water service on for accounts that are not reported in the water system throughout the COVID-19 pandemic until the Governors releases the stay at home order. The motion was seconded by Council Member Wilson-Smith. 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

Mayor Parham made a motion to continue operating without initiating or executing any delinquent accounts for disconnections. 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, Myers, Smith-Lee, Hill, Hart and Parham; Voting No: Wilson-Smith

e. COVID-19 Status Update

Chief Miller, Ms. Tyus and Mrs. Benavides gave an update on the COVID-19 pandemic.

Key points:

- There is a lack of testing in Petersburg and it is limited as well.
- Testing will begin on Thursday by appointment only.
- There will be testing at the high school on Saturday.
- The City buildings are still closed off to the public. The Parks and libraries are still closed as well.
- All City employees are coming back to the offices to work but public facilities will be closed until the Governor lifts his orders.

4. <u>CONSIDERATION:</u>

a. Consideration of the FY2020-2021 Budget Ordinance – 1st Reading

BACKGROUND: The City Manager proposed an All Funds Budget to the City Council on March 31, 2020. After several weeks of analyzing the economic impacts of the COVID-19 Pandemic, the City Manager adjusted the originally proposed budget and subsequently distributed the changes to the City Council. There was a public hearing held on April 28, 2020. This is the first reading of the All Funds budget ordinance.

*Audio available upon request.

RECOMMENDATION: Recommend City Council adopt and appropriate the All Funds Budget for Fiscal Year 2020-21.

Mr. Williams stated, "As indicated earlier the ordinance in the packet has some slight modification to it. It will appear when it comes in front of you for adoption. There is no change of the tax rate when it comes to this budget."

Mayor Parham stated, "Second reading is on the 12th and approval will be on the 19th."

b. Consideration of Water Collection Emergency Services Ordinance – 1st Reading

BACKGROUND: City Administration received concerns from citizens and council in regard to citizens who were without water during the COVID-19 epidemic. The proposed ordinance will allow us to re-establish services with customers who were previously disconnected due to delinquent water accounts.

RECOMMENDATION: To schedule a public hearing for May 19, 2020.

Item was discussed with previous information on water collection.

c. Consideration to schedule a public hearing on May 19, 2020, for an ordinance to endorse a proposed tourism development project and to authorize other actions consistent with the Virginia Tourism Gap Financing.

BACKGROUND: The City of Petersburg City Council established the Petersburg Tourism Zone pursuant to the Virginia Code Section 58.1-3851 by adopting 16-ORD-6 on February 2, 20216. This ordinance is in furtherance of the goals set forth in the City' Comprehensive Plan, Vision 20/20. Compliance with the Virginia Code Section 58.1-3851 requires approval and certification by the Comptroller of the Commonwealth of Virginia, and the execution of a Performance agreement between the Developer and the City of Petersburg.

A Tourism Development Financing Program, administered by the Virginia Tourism Corporation, is a two-tiered gap financing program for qualified tourism development in designated Tourism Zones through a partnership between a Project Developer, the Locality and the Commonwealth of Virginia. The program requires a Performance Agreement between Commonwealth of Virginia, the Locality and the Developer, as well as a Tourism Development Plan.

Once the Project is completed and generating income, the Locality with the Virginia Department of Taxation performs quarterly reviews of Sales and Use taxes collected from the Tourism Development Project. One percent of the quarterly Sales and Use tax revenue generated from the Development Project is the amount each of the three partners contributes toward the debt service of the project until the debt is fully paid.

The Hotel Development Project at 20 West Tabb Street is a qualified tourism development project seeking to participate in the Virginia Tourism Development Financing Program. The total cost of the project is approximately $_____, and it will generate approximately _____part-time and _____full-time jobs. As a qualified Tourism Development Project, the Developer is eligible to apply for up to 30% of the total project costs for gap financing.

RECOMMENDATION: To schedule a public hearing for May 19, 2020.

Carthan Currin, Director of Economic Development, gave a briefing on the request to schedule a public

*Audio available upon request.

hearing.

Council Member Myers stated, "I do have an issue with the agenda request where they had put in the ordinance, 'to endorse'. As far as I am concerned the City of Petersburg should not be endorsing a particular project where there may or may not be a competing interest. I would ask that the word 'endorse' be extracted from this document if it is to move forward at a later date. There may or may not be other competing interest there can be a Li-Tech advantage by endorsing over the other. The weight of the City may very well be an advantage."

Mayor Parham stated, "We will be amending the agenda to go to item 'g'.

Item G – Consideration of authorization to execute a Development Agreement regarding the development of the Harbor Area and amend the ordinance previously adopted.

BACKGROUND: The City received a proposal from Waukeshaw Development, Inc. whose Principal is Dave McCormack, to purchase parcels of property owned by the City of Petersburg, and bounded by River Street to the South, Joseph Jenkins Roberts St. to the West, the Harbor to the North, and Interstate 95 to the East, including the following City-owned properties:

Parcel ID	Property Address	Size	Zoning	Acquisition
011-020006	275 River Street	2.64 ac	M-2	12/16/1998
011-020002	209 Rear River Street	1.01 ac	M-2	02/25/1987
011-020004	209 River Street	.06 ac	M-2	12/16/1988
011-030001	429 Fifth Street	.73	R-4	06/14/1991
012-010001	433 River Street	.67 ac	M-2	
011-020801	501 Second Street	.30 ac	M-2	5/31/1995
011-040002	236 River Street	.17 ac	M-2	12/16/1988
011-040003	240 River Street	.55 ac	M-2	04/15/2014

Portions of the parcels are within the floodway of the Appomattox River and the remainder of the parcels is within the floodplain. A 2015 appraisal of five of the properties estimates the value of five of the properties at $20,000. The proposed purchase price is $100,000.

There are major water and sewer lines beneath the surface of the property and associated vents above grade. Easements will be required to provide access to the infrastructure.

The proposed use for the property is an outdoor event space. The proposed use is in conformance with the Zoning, M-2.

RECOMMENDATION: To schedule a public hearing for May 19, 2020.

There was discussion among council and staff.

Mrs. Benavides stated, "So, I think that we are asking is to bring this back next week. I think what happened is that we moved to a new software for council agenda management. I think somewhere along the way the development agreement in the packet was lost and did not make it council. But we do have meetings next Tuesday which we will give you an opportunity to review the agreement."

d. Resolution authorizing the City Manager Authority to accept donations during the COVID-19

*Audio available upon request.

DRAFT

Pandemic in Furtherance of Continued City Operations.

BACKGROUND: No background information.

RECOMMENDATION: City Council approve the resolution authorizing the City Manager to accept donations during the COVID-19 Pandemic in furtherance of continued city operations.

Council Member Myers made a motion to approve the resolution authorizing the City Manager to accept donations during the COVID-19 Pandemic in furtherance of continued city operations. The motion was seconded by Vice Mayor Hart.

Mayor Parham opened the floor for public comments.

Norma Williams, 409 Walnut Street, stated, "I would like to say that each of you play an important role in the revitalization of our City of Petersburg. And I want to thank you all for what you do. My first concern is not directed to anyone in particular but it is an effort to make Petersburg more transparent. And we thank you for your efforts. One of the things I want to know is that out of the number count on the bill, I do appreciate you all taking action on that. The total count did not come up to 264 it was actually 260. I put a comment in the chat that the number count was 260 for the accounts that are still out there that we do not know that are still about."

Mayor Parham stated, "This is the public comment for the resolution authorizing the City Manager to accept donations for the COVID-19 pandemic."

Ms. Williams stated, "My apology. I thought this was the time for us to make our comments."

Mayor Parham stated, "This is just for the resolution specifically. Comments will be at the next regular scheduled City Council meeting on the 19th. And we will have public comment period for that. This is for the resolution."

Ms. Williams stated, "I will change my focus. With that when donations are made do we have a choice in where they go, and will there be a tracking mechanism? How will the donations be? Will there be a public notice or posted? Let's say I want to make a contribution to utilities. Am I able to make a monetary contribution and state where I would like for that to go? I think that it is a great idea. Thank you."

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

There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Hart and Parham; Absent: Wilson-Smith

20-R-23 A RESOLUTION AUTHORIZING THE CITY MANAGER AUTHORITY TO ACCEPT DONATIONS DURING THE COVID-19 PANDEMIC IN FURTHERANCE OF CONTINUED CITY OPERATIONS.

e. Consideration to schedule a public hearing on May 19, 2020 for re-adoption of Continuity of Government Ordinance.

BACKGROUND: The Continuity of Government Ordinance was adopted by City Council on March 31, 2020 with a sixty day sunset clause unless council re-adopts the ordinance which will extend the ordinance for additional time (six months) from the date of original adoption (October 1, 2020) unless rescinded by Council prior to that date.

*Audio available upon request.

DRAFT

RECOMMENDATION: Schedule public hearing for approval of ordinance.

Mr. Williams gave a briefing over the ordinance and the request of re-adoption.

Council Member Myers made a motion to schedule a public hearing for the re-adoption of Continuity of Government Ordinance for May 19, 2020. The motion was seconded by Vice Mayor Hart. 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

f. Consideration of amendment to the Citywide Classification & Compensation System for 2020.

BACKGROUND: The City fired a consultant firm, Management Advisory Group, Inc. (MAG), to conduct a compensation and classification study for the City's classifications. The goal of the project was to provide a foundation for an appropriate classification and compensation system and pay plan based on current compensation levels for similar public-sector employers, municipalities, and local market competitors.

The study resulted in the development of an updated classification plan and the development of a compensation system and pay plan. In December 2015, City Council agreed with the study results and adopted the new Classification & Compensation system. The new system addressed internal/external equity by granting salary adjustments to over 100 employees; eliminated certain outdated classifications; and revised/updated job descriptions.

RECOMMENDATION: Recommend City Council revise the listed classifications and corresponding job descriptions to the City's pay plan and to place each classification in the compensation system, accordingly.

Mrs. Robinson and Mrs. Benavides gave an overview of the revisions.

Council Member Myers made a motion to table action until May 12, 2020, City Council Meeting. The motion was seconded by Council Member Wilson-Smith. 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

5. <u>ADJOURNMENT:</u>

City Council adjourned at 2:57p.m.

_____
Clerk of City Council

APPROVED:

_____
Mayor

*Audio available upon request.

DRAFT

The special meeting of the Petersburg City Council was held on Tuesday, May 12, 2020, on live stream. Mayor Parham called the meeting to order at 12:15p.m.

1. **CALL TO ORDER**

2. **ROLL CALL:**
   Present:

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

   Absent: None

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

Mayor Parham stated, "Now I would like to entertain a motion for a closed session for consultation with legal counsel to the agenda this afternoon."

Council Member Myers moved that the City Council add to the agenda a closed session. The motion was seconded by Council Member Smith-Lee. 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

Mr. Williams stated, "The Mayor would entertain a motion for 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 requiring the provision of legal advice by the City Attorney and matter of actual or probable litigation specifically including but not limited to advice on the City.

City Council entered closed session at 12:17 p.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."

Council Member Smith-Lee made a motion to return City Council into open session and certify the

*Audio available upon request.

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, Hart, and Parham

20-R-24 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 1:08 p.m.

3. CONSIDERATION:

a. Consideration of the FY2020-2021 Budget Appropriation Ordinance.

BACKGROUND: The City Manager proposed an All Funds Budget to the City Council on March 31, 2020. After several weeks of analyzing the economic impacts of the COVID-19 Pandemic, the City Manager adjusted the originally proposed budget and subsequently distributed the changes to the City Council. There was a public hearing held on April 28, 2020. This is the second reading of the All Funds budget ordinance.

RECOMMENDATION: Recommend City Council adopt and appropriate the All Funds Budget for Fiscal Year 2020-2021.

Robert Floyd, Director of Budget and Procurement, gave an overview of the FY2020-2021 Budget Appropriation Ordinance.

Key points:

- Reduction of approximately $2.2 million dollars.
- 10% reduction in healthcare cost
- No changes in the $10 million for Petersburg Public Schools
- Depending on numbers may bring back an amendment for the budget in December
- There are hiring freezes and there is also unfunding of several positions throughout the City (elimination of positions)
- No traveling for training for the next couple of months due

There was discussion among City Council and staff.

b. Consideration of amendments to the Citywide Classification & Compensation System for 2020.

BACKGROUND: The City hired a consultant firm, Management Advisory Group, Inc. (MAG), to conduct a compensation and classification study for the City's classifications. The goal of the project was to provide a foundation for an appropriate classification and compensation system and pay plan based on current compensation levels for similar public-sector employers, municipalities, and local market competitors.

The study resulted in the development of an updated classification plan and the development of a

*Audio available upon request.

DRAFT

compensation system and pay plan. In December 2015, City Council agreed with the study results and adopted the new Classification & Compensation system. The new system addressed internal/external equity by granting salary adjustments to over 100 employees; eliminated certain outdated classifications; and revised/updated job descriptions.

RECOMMENDATION: Recommend City Council revise the listed classifications and corresponding job descriptions to the City's plan to place each classification in the compensation system, accordingly:

Assistant Manager, Billing & Collections
Director of Public Utilities and Capital Projects
IT Analyst
Paralegal

Kimberly Robinson, Director of Human Resources, gave a briefing on consideration of amendments to the Citywide Classification & Compensation System for 2020.

There was discussion among City Council Members and staff.

Council Member Myers made a motion to approve the amendment of the listed classifications and corresponding job descriptions to the City's plan to place each classification in the compensation system, accordingly: Assistant Manager, Billing & Collections; Director of Public Utilities and Capital Projects; IT Analyst and Paralegal. The motion was seconded by Council Member Wilson-Smith. 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

c. Petersburg Fire Station Update

BACKGROUND: No background information.

RECOMMENDATION: To approve motion request.

Chief Miller stated, "Thank you for your time. I am going to let Chief Milazzo give the update. City Council thank you so much for your patience. I would like to thank Chief Milazzo for all the hard work that he has been doing during the pandemic along with his team and as well as this update for City Council."

Mark Milazzo, Petersburg Fire Department, gave an update on fire station.

Key points:

- Brought in a firm for an air quality control test and it was completed, and results should be back by tomorrow.
- Once all the results are in, they will come up with a plan to move forward and then get back with council with further updates.

Mr. Lyons stated, "We did see some challenges there and we are waiting on the final report at the meeting on site. In addition to that, as you all know that you gave the City Manager the authorization to accept some emergency help and things along the way. There have been individuals as we go through this process that have offered to help us in terms of moving in the direction in getting this site back into place. One we are waiting until we get the final report. Second, we are meeting on site. And then third we are working with this firm and we will come back with an action plan on where we go from here."

*Audio available upon request.

DRAFT

Council Member Cuthbert made a motion that City Council ask the City Manager to give the following documents before Tuesday, June 2, 2020: 1) A written plan itemizing the labor and materials required to remove all mold from the Walnut Hill Fire Station and otherwise to make this station safe for those who may work there. Such plan should include an itemized estimate cost in an achievable timetable to complete the work; 2) Each study previously done, mentioning mold in this station. In addition, by this motion council ask the City Manager to move forward with the study and determine the best locations for fire stations citywide, for council's consideration in planning and funding future capital improvement projects. 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

d. Consideration of Petersburg Public Schools Budget Appropriation Ordinance – 1st Reading

BACKGROUND: The total Proposed Budget for Petersburg City Public Schools is $56,810,492. This includes the following breakdown of revenue and expenses:

Revenues:
State Standards of Quality, Lottery Proceeds, Incentive, and Categorical funding - $29,911,571.
State Sales and Use Tax - $4,971,203
Food Service - $2,993,100
Federal Revenue (JROTC) - $47,000
Special Revenue (State and Federal Grants - $8,508,918
Transfer from City General Fund $10,000,000
Local Funding - $378,700

Expenses:
Operating Fund - $45,308,474
Food Service Fund - $2,993,100
Special Revenue Fund - $8,508,918

RECOMMENDATION: Recommend City Council appropriate Petersburg City Public Schools Budget for Fiscal Year 2020-21.

Robert Floyd, Director of Budget and Procurement, gave an overview of the first reading of the Petersburg Public Schools Budget Appropriation Ordinance.

Key points:

- School Board approved on May 6th to approve their budget with a $10 million dollar contribution from the City.
- Their total budget is $56,810,492 with $10 million coming from the City of Petersburg.

e. Consideration of a resolution for Hotel Petersburg

BACKGROUND: No background information.

RECOMMENDATION: No information.

Kelly Evko, Assistant to the City Manager and Carthan Currin, Director of Economic Development, gave an update on the consideration of a resolution for Hotel Petersburg.

Joanne Williams, Jeff Sadler and Paul Cooper gave a briefing of the Hotel Petersburg Project.

Key Points:

*Audio available upon request.

DRAFT

- Last year the region outperformed the state for hotel demand.
- Last year key number was $80 million for Petersburg.
- Petersburg spends about $1.2 million dollars in tourism.
- They are engaged with all their properties and this is something that they are passionate about. Especially with being engaged with the hotels and that guest as well. They are deeply involved in partnerships and with the community.
- They want to attract people to Petersburg for the market, history, restaurants, and view.
- They have tons of experience in marketing knowledge in Virginia.
- They have turnkey services. And they work closely with their clients.
- They have been with their team for about 20 years.
- They have gap financing and they are looking at other options as well if the gap financing does not fill the $3.8 million dollars.
- 3-year permanent term at loan conversion rate estimated at 4.29% with 25-year amortization, or 5-year permanent loan term at loan conversion rate estimated at 4.37% with a 25-year amortization.
- Hotel Petersburg total budget is $13,500,000 and the projected gross revenue yearly is $5,275,770.
- Projected sales tax in year three is $279,615 and the projected lodging and meals tax in year three is $454,327.

Mr. Williams stated, "So, you are going to have two items in the package in front of you. The first item that they are going to present you with is a resolution. This resolution is actually in step two to identify the project and also identify the developer that you are going to work with on the project. That is all that you are doing with this resolution. Saying yes, we are interested in this project and yes, we think the developer would be a good partner to work with and help them obtain this gap financing. So, they are going to ask you to adopt this resolution today based on the presentation. Item F that you are going to come to is actually in step five of that list. As you can see there are a number of things between two and five that need to be done still. And that is why they are asking that you set that for your second meeting in June to give them time to get those things accomplished to the best of their ability prior to that June date. They may not meet everything that VTC wants. The developer said that there is going to be some discussion because the COVID-19 has had some impact on their ability to fulfill some of those things and time has as well. They said that they are going to work to get those reconciled before you actually adopt that ordinance on the 19th. One of those items that need to be accomplished and will be is the amendment to the Comprehensive Plan which is scheduled to be back before council on the 19th of May. So, that is where we are, and I think Carthan would ask that you consider the resolution at this time."

Council Member Myers made a motion to adopt the resolution identifying the developer Tabb Street Development LLC of the project Hotel Petersburg at 22 West Tabb Street with option partner of Tourism Development Finance Program for Gap Financing. The motion was seconded by Council Member Smith-Lee.

Mayor Parham opened the floor for public comments.

Norma Williams, 409 Walnut Street, stated, "What is the cost for Hotel Petersburg? The focal market to draw people into the hotel, what is our central market that we have to attract people to Petersburg and to Hotel Petersburg? Thank you."

Ms. Williams stated, "I can answer part two of the question first and then I will turn it over to Paul. Actually, I can answer both. I believe she asked what the cost of the hotel was. The investment is going to be about $14 million dollars by the developer. Define region for tourist. Petersburg Area Regional Tourism and the City of Petersburg markets to the entire east coast. But we do feel that a lot of tourist coming to this region

*Audio available upon request.

already for events at Virginia Motorsports Park, Virginia State University, at Fort Lee and at the tractor museum. A lot of other attractions in our area will certainly provide a try and tell for this hotel."

Mr. Williams stated, "If we can clarify that the cost to the City is zero. We are simply helping them to get gap financing if you approve it. The program would require a referral of certain taxes generated by the hotel to pay of certain debt services. We are not losing any taxes but for a period of time the tax revenue is being generated will be deferred to pay off certain debt services. So, the City is not spending a time and it is not going to cost the City anything but there is a deferral of certain taxes for debt service."

Nathan Anderson, 1830 Berkeley Avenue, stated, "My main question was answered about the financing. But my secondary question is in the unlikely event that the hotel was to fail does the City take on any debt?"

Ms. Williams stated, "The City is no way financially liable."

Mr. Williams stated, "They are using gap financing. That is the developer responsibility for any debt service. So, to your question the answer is no."

Leonard Curry, 2014 Woodland Road, stated, "There is a definite need for short-term housing in Petersburg. This old bank building would be a tourist attraction."

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated, "I have several questions. One, what is the deferral period with taxes for the hotel?"

Mr. Williams stated, "I think that it is the first two years of operation."

Mr. Fleming stated, "Number two, with the construction, how many job opportunities are being offered to the Petersburg residents or residents in the region for the construction and how many job opportunities after the construction?

Ms. Williams stated, "I do not know the exact number for jobs, but the construction has not been put out for bid yet."

Mr. Cooper stated, "We are looking at around 65-75 full-time employees for the hotel and restaurant and event space. On the construction and subcontract side and I do not have those numbers right now, but I can certainly follow up."

Mr. Fleming stated, "That would be good if we follow up on the employment aspect of it. The unemployment rate in Petersburg is high. I think that this would help the citizens here with some type of employment."

Ms. Williams stated, "I made a note on that and certainly apply that to employment."

Jeff Sadler, developer, stated, "We have projections of 68 full-time jobs once it open and 40 part-time jobs. It will vary tremendously based on how busy business is. Along with the hospitality jobs it will be some higher skilled management jobs. It will be first gig jobs for the current Petersburg residents."

Mr. Cooper went through the job titles that will be employed at the Petersburg Hotel.

There was discussion among the developers and citizens.

*Audio available upon request.

DRAFT

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

There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Smith-Lee, Hill, and Parham; Absent: Hart; Abstain: Cuthbert

20-R-25 A RESOLUTION IDENTIFYING DEVELOPER TABB STREET DEVELOPMENT, LLC AND PROJECT HOTEL PETERSBURG 22 W. TABB STREET AS APPLICANT PARTNER FOR THE TOURISM DEVELOPMENT FINANCING PROGRAM FOR GAP FINANCING.

f. A request to schedule a public hearing for an ordinance for a proposed tourism development project, and to authorize other actions consistent with Virginia Tourism Gap Financing.

BACKGROUND: The City of Petersburg City Council established the Petersburg Tourism Zone pursuant to the Virginia Code Section 58.1-3851 by adopting 16-ORD-6 on February 2, 2016. This ordinance is in furtherance of the goals set forth in the City's Comprehensive Plan, Vision 20/20. Compliance with the Virginia Code Section 58.1-3851 requires approval and certification by the Comptroller of the Commonwealth of Virginia, and the execution of a Performance agreement between the Developer and the City of Petersburg.

A Tourism Development Financing Program, administered by the Virginia Tourism Corporation, is a two-tiered gap financing program for qualified tourism development projects in Virginia. The Tourism Development Financing Program provides gap financing to support tourism-related development in designated Tourism Zones through a partnership between a Project Developer, the Locality and the Commonwealth of Virginia. The program requires a Performance Agreement between Commonwealth of Virginia the Locality and the Developer, as well as a Tourism Development Plan.

Once the Project is completed and generating income, the Locality with the Virginia Department of Taxation performs quarterly reviews of Sales and Use taxes collected from the Tourism Development Project. Once percent of the quarterly Sales and Use tax revenue generated from the Development Project is the amount each of the three partners contributes toward the debt service of the project until the debt is fully paid.

The Hotel Development Project at 20 West Tabb Street is a qualified tourism development project seeking to participate in the Virginia Tourism Development Financing Program. The total cost of the project is approximately $_____, and it will generate approximately _____ part-time and _____ full-time jobs. As a qualified Tourism Development Project, the Developer is eligible to apply for up to 30% of the total project costs for gap financing.

RECOMMENDATION: To schedule a public hearing.

Council Member Myers made a motion to schedule a public for an ordinance for a proposed tourism development project, and to authorize other actions consistent with Virginia Tourism Gap Financing. The motion was seconded by Council Member Smith-Lee. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Smith-Lee, Hill, and Parham; Absent: Hart; Abstain: Cuthbert

4. <u>ADJOURNMENT:</u>

City Council adjourned at 2:19p.m.

_____
Clerk of City Council

*Audio available upon request.

DRAFT

APPROVED:

_____

Mayor

DRAFT

*Audio available upon request.

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 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 to consider the rezoning of the property at 607 High Street, Tax Parcel 010-170017, formerly the site of the High Street United Methodist Church, from R-3, Two-Family Residence district to PUD, Planned Unit Development.**

PURPOSE: To hold a public hearing and consider the rezoning of the property at 607 High Street.

REASON: Rezoning of property requires a Public Hearing and approval by the City Council.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and considers approval of the rezoning of the property at 607 High Street from R-3 to PUD.

BACKGROUND: The City of Petersburg received a request from SC Maplewood Ave, LLC (Mark Baker) to rezone the site of the former High Street United Methodist Church, from R-3 to PUD, to permit a mixed-use development that would include multi-family residential and commercial uses.

As required, signs were posted June 17, 2020, ads were submitted June 17, 2020 and June 24, 2020, and 27 Adjacent Property Notifications were sent June 24, 2020.

The Planning Commission held a public hearing and considered the petition during their July 1, 2020 meeting.

During the public hearing both comments in favor of and in opposition to the proposed rezoning were heard.

The Planning Commission voted to recommend City Council approval of the rezoning request with staff recommendations and the condition that an on-site management office be maintained.

Staff Recommendations included:

1) That the design of the proposed redevelopment of the existing structure located at 607 High Street substantially conform to the submitted 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 High 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 and understands that any/all signage must be reviewed by the Architectural Review Board (ARB) prior to erection or placement. All exterior alterations and changes must also be reviewed and approved by the ARB after submitted application is reviewed by the City of Petersburg's Preservation Planner.

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. ** Preservation Planner should be notified of any materials used to change parking surface and coloring. Parking requirements: Church or civic associations – One (1) space for every four (4) seats; Multi-family – One (1) space per each one-bedroom unit
Two (2) spaces per every two (2) or more bedroom units; Yoga studio – One (1) space for every 200 square feet of floor space.

7) That no advertising or other signs be placed on the building without the review and approval of the ARB.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Tax Revenue from the redevelopment of vacant property.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Department of Planning and Community Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0701_2020PropertyRecordCard607HighSt
2. 0901_2020Rezoning607HighSt

3. 0624_2020RezonongReport607HighSt
4. 0624_2020HistoricLandmarkCard607HighSt

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	010-170017	Account Number	
Prior Parcel ID	--		
Property Owner	607 HIGH ST LLC	Property Location	607 HIGH ST
		Property Use	Urban Res
Mailing Address	116 E FRANKLIN ST	Most Recent Sale Date	12/20/2004
		Legal Reference	2004-5688
City	RICHMOND	Grantor	
Mailing State	VA Zip 23219-2118	Sale Price	40,000
ParcelZoning	R-3	Land Area	acres

Current Property Assessment

Card 1 Value	Building Value	Xtra Features Value	Land Value	Total Value
	12,500	0	53,200	65,700

Building Description

Building Style	2STORY	Foundation Type		Flooring Type	CARPET
# of Living Units	1	Frame Type		Basement Floor	N/A
Year Built	1844	Roof Structure		Heating Type	HEATPUM
Building Grade	AVERAGE	Roof Cover	METAL	Heating Fuel	N/A
Building Condition	N/A	Siding		Air Conditioning	
Finished Area (SF)		Interior Walls	DRYWALL	# of Bsmt Garages	0
Number Rooms	0	# of Bedrooms	0	# of Full Baths	
# of 3/4 Baths		# of 1/2 Baths		# of Other Fixtures	

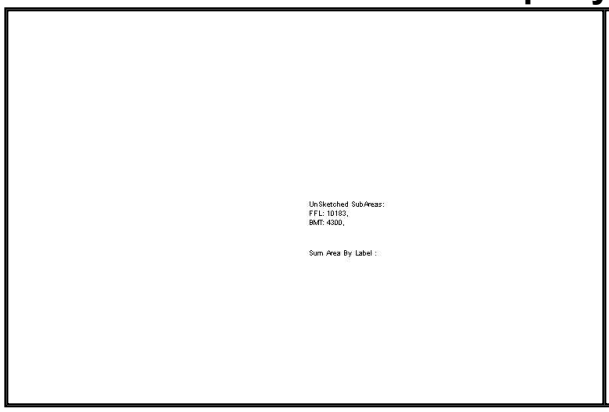
Legal Description

PARCEL B 0.665 ACRES

Narrative Description of Property

This property contains acres of land mainly classified as Urban Res with a(n) 2STORY style building, built about 1844 , having exterior and METAL roof cover, with 1 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 warranteed.

City Council Public Hearing September 1, 2020

Proposed Rezoning

607 High Street

20-REZ-PUD-01

1

Planning Commission Public Hearing – July 1, 2020

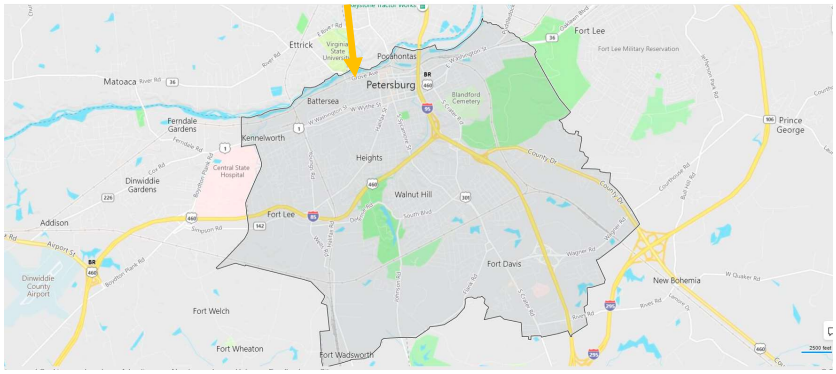
Request from SC Maplewood Ave, LLC (Mark Baker)

- To rezone the site of the former High Street United Methodist Church, to permit a mixed-use development that would include multi-family residential and commercial uses.
- As required:
  - Signs were posted June 17, 2020
  - Ads were submitted June 17, 2020 and June 24, 2020
  - 27 Adjacent Property Notifications were sent June 24, 2020

607 High Street	T.P. 010-170017	
From: R-3, Two-Family Residence district	To: PUD, Planned Unit Development	1.091 Acres

2

Parcel Locations



3

Parcel Location

4

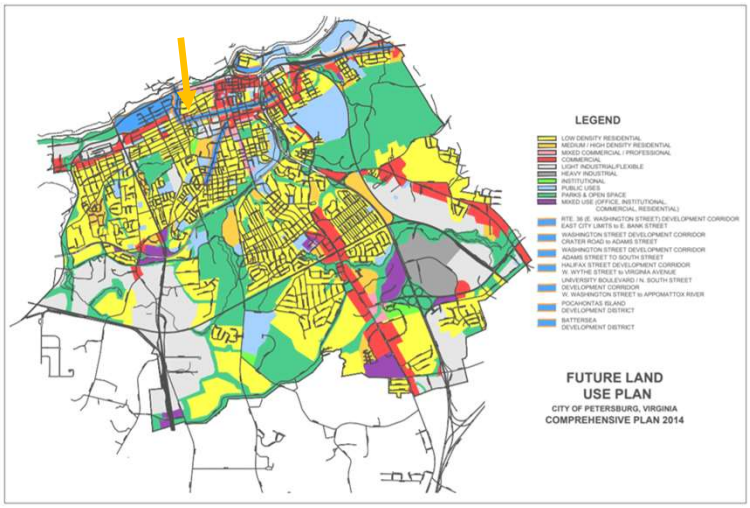
Multi-Family Developments in the Vicinity of 607 High Street

5

Zoning of Multi-Family Developments in the Vicinity of 607 High Street

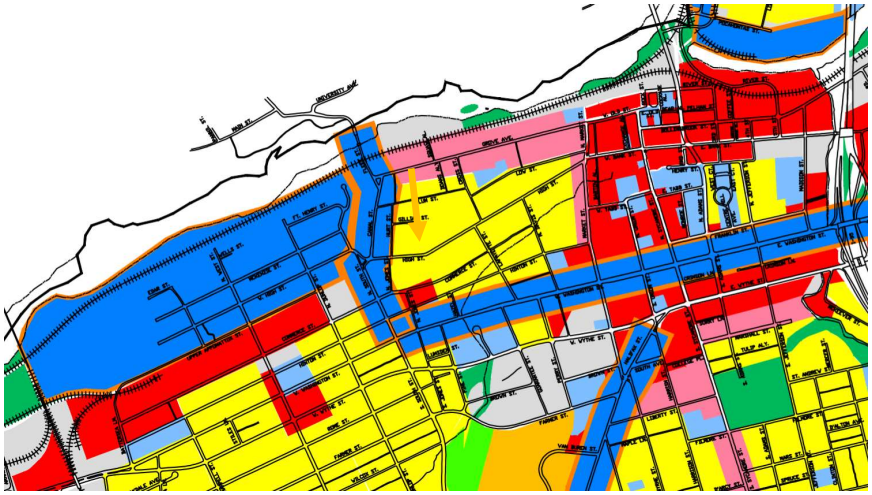
6

Comprehensive Plan
Future Land Use Plan



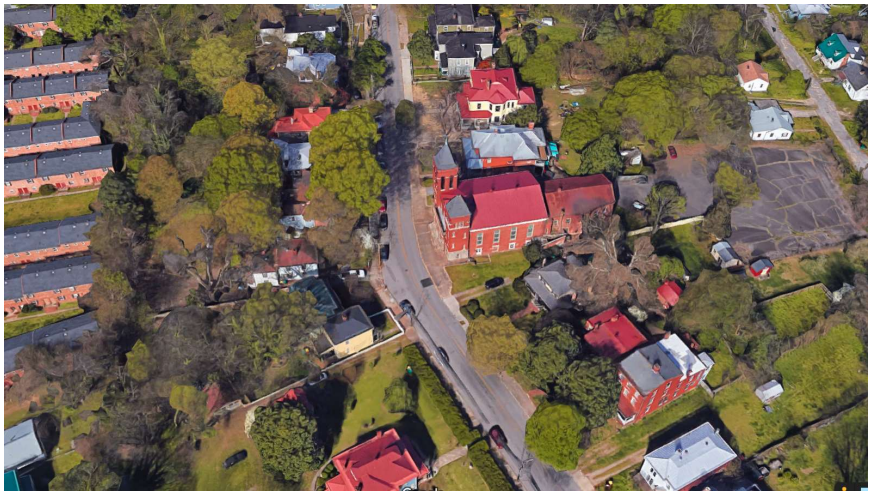
7

Comprehensive Plan
Future Land - Residential



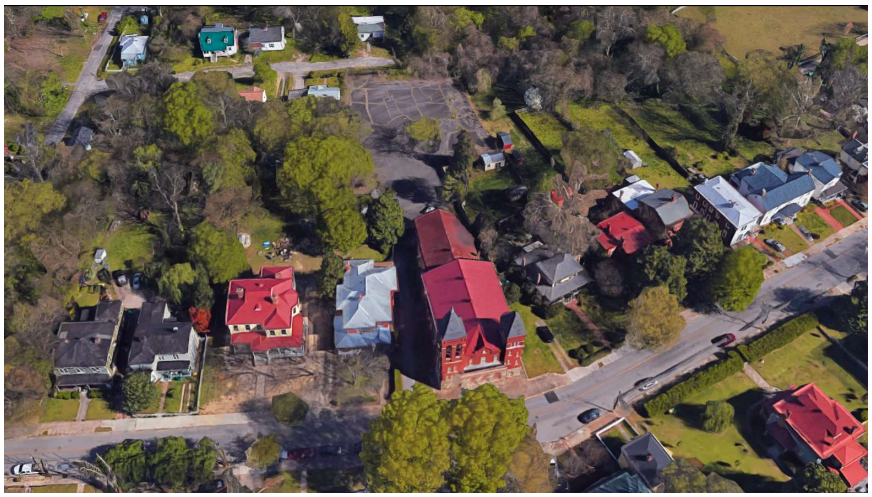
8

Aerial looking West



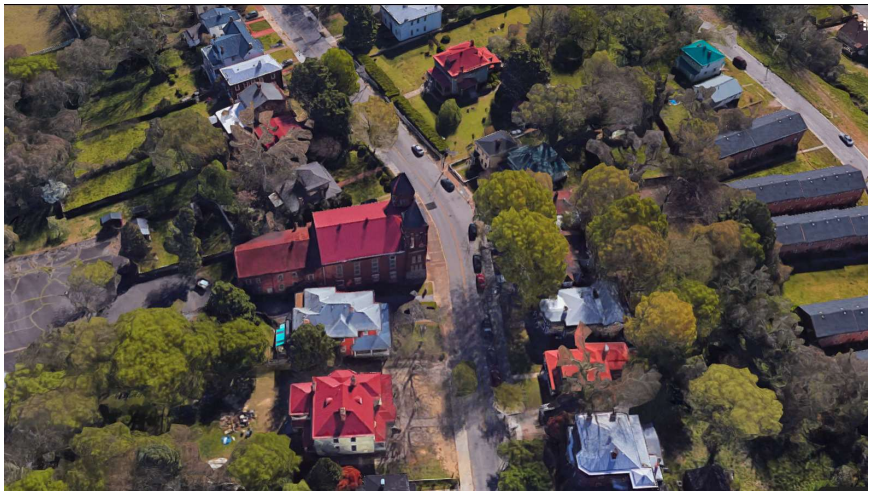
9

Aerial looking North



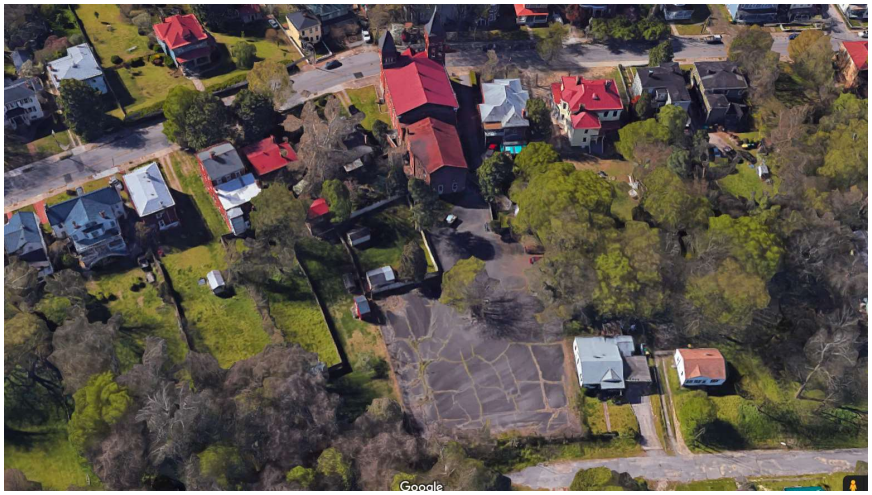
10

Aerial looking East



11

Aerial looking South



12

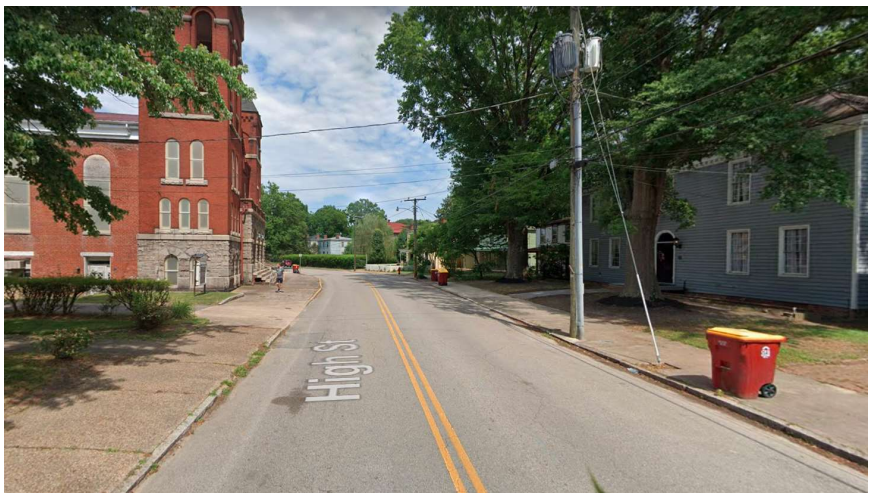
Aerial looking South

13

High Street
Looking West

14

High Street
Looking East



15

High Street
West Side of Building

16

High Street
East Side of Building

17

REZONING REPORT SUMMARY

TO: **Chairman Alexander and Members of the Petersburg Planning Commission**

FROM: **Reginald Tabor, Interim Planning Director and Sandra A Robinson, Zoning Administrator**

SUBJECT: **Case 20-REZ-02**

Tax Map Parcel 010-170017

607 High Street, Petersburg, VA. 23803

A petition by SC Maplewood Ave, LLC (Mark Baker) to rezone 607 High Street, T.P. # 010-170017, formerly the High Street United Methodist Church, from R-3, Two-Family Residence District to PUD, Planned Unit Development District. The rezoning is requested to permit a mixed-use development that would include multifamily residential and light intensity commercial uses.

APPLICANT: **SC Maplewood Ave, LLC (Mark Baker-Presenter)**

DATE: Delivery to the Planning Department on May 26, 2020 for consideration during the July 1, 2020 meeting of the Planning Commission.

I. APPLICANT'S PROPOSAL

Mr. Mark Baker of Baker Development Resources, Richmond, VA., submitted the petition on behalf of SC Maplewood, LLC. The applicant proposes the conversion of an existing two-story brick & granite church structure located at 607 High Street (formerly the High Street Methodist Church), a 1.091 acre parcel approximately 28,991.79 square feet of lot area. The parcel has a street frontage of 110.93 and rear yard of 66.06 feet. There is a long extended paved driveway on the West side of the church structure which enters into the rear of the asphalt, off-street parking lot with approximately 25+ spaces. The parking lot is screened by a privacy fence on the East, a mature, vegetative, tree lined buffer along the rear, North boundary of the parcel and a fence along the West side of the property. The property is currently zoned R-3, Two Family Residence District and owned by 607 High St LLC, Richmond, VA 23219.

It is the request of the applicant/developer to convert or reuse (repurpose) the existing structure to accommodate up to 24 dwelling units and a commercial use.

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

The conversion of the building for up to 24 dwelling units is proposed to be completed in two phases. The first phase would include the conversion of the rear addition and the ground floor area for use as 10 to 14 dwelling units and the use of the original church sanctuary as an event space, yoga studio, church or other activities. Phase II would entail the completion of the final dwelling/apartment unit count.

II. CHARACTER OF THE AREA

The parcels in the vicinity of this parcel adjacent to the North are zoned R-3, Two-Family Residential, MXD-1, Mixed Use District and MXD-2 along Grove Avenue, M-1, Light Industrial District along Hinton, Commerce, Lafayette, Davis, and N. South Streets. The properties located along the South side are zoned R-3, Two-Family Residence and PUD, Planned Unit Development Districts. There are approximately 6 Multi-family developments in the immediate vicinity of the property for rezoning. Those apartments are as follows: 1) The High Street Lofts units – Phase II; 2) High Street Lofts units– Phase IV, 3) High Street Lofts units – "Old Town 2 RA LP"; 4) Old Town 2 RA LP (Retail/Residential) Charlottes; 5) Commerce Street Apts; 6) Lundsford Holdings LLC; and 7) DF Lundsford Construction LLC. The number of units in each complex varies from 5 and above. Each of the properties with the exception of Commerce Street required a rezoning action and were rezoned to a PUD. There are clusters of homes in the area still being used as single-family and two-family residences (duplex) as well as apartments. (See Site Plan, depicting Zoning Information.) There are scattered B-2, General Commercial District designations at the corner of High Street & University Boulevard.

The subject property is currently vacant. The church is of historical significance to the City of Petersburg and is located in a Local Historic District as well as considered contributing to the Virginia Landmarks Register and National Register Districts.

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 subject property is located close to Virginia State University Gateway which sits atop a rolling landscape just north of the Appomattox River and near several professional, business and retail establishments. The property is centrally located to all major thoroughfares including Fort Lee, Army base.

The City's Current Comprehensive Plan, updated in 2014 Future Land Use Plan. The City has rezoned several properties in the area for the repurposing or reuse of structures such 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.

III. ZONING ORDINANCE

Article 26. "PUD" Planned Unit Development District of the Zoning Ordinance offers developers the opportunity to overcome traditional zoning limitations, and is intended to encourage innovative design approaches to large-scale subdivisions or 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 supporting infrastructure;
2) Encourage flexibility in design to retain natural 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 the 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.

IV. FINDINGS

The proposed rezoning will not impact the public welfare of either the neighborhood or the City as the proposed reuse of the property for the conversion to up to 24 dwelling units is a reasonable density and provides for density that are compatible with other uses in the area/neighborhood.

Off-street parking is provided on the current 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 be placed on the city's "Blight List."

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

The proposed Phase I use of the sanctuary with as event space, yoga studio, or potential church 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 structure located in an R-3, Two-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.

V. 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 607 High Street substantially conform to the submitted 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 High 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 and understands that any/all signage must be reviewed by the Architectural Review Board (ARB) prior to erection or placement. All exterior alterations and changes must also be reviewed and approved by the ARB after submitted application is reviewed by the City of Petersburg's Preservation Planner.
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. ** Preservation Planner should be notified of any materials used to change parking surface and coloring. Parking requirements: Church or civic associations – One (1) space for every four (4) seats; Multi-family – One (1) space per each one-bedroom unit Two (2) spaces per every two (2) or more bedroom units; Yoga studio – One (1) space for every 200 square feet of floor space.
7) That no advertising or other signs be placed on the building without the review and approval of the ARB;

VI. EXHIBITS

- Tax Parcel Map Extract

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

CASE NUMBER 2020 RE2 02

Applicant: Mark Baker
Baker Development Resources
1519 Summit Avenue, Suite 102
Richmond, Virginia 23230

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. SC Maplewood Ave, LLC c/o Parmeet Soin, **do hereby petition to rezone the following described properties from zoning district** R-3 Two-Family Residence District **to zoning district** PUD District **to permit** the redevelopment of a existing building in two phases with up to 24 dwelling units, with phase one including use of the main sanctuary within the building as an event space, yoga studio, church or similar use.
2. **Legal Description: (Use attachment if necessary) - Identify proposed Use**
   Conversion of the existing building on the site for use as up to 24 dwelling units, to be completed in two phases. The first phase would include the conversion of a rear addition and ground floor area for use as 10 to 14 dwelling units and the use of the original church sanctuary as an event space, yoga studio, church or similar use. The second phase would include the conversion of the sanctuary for use as dwellings with the final dwelling unit count being 24.
3. **Tax Parcel Identification Number(s):**

Map	Block	Lot
Parcel ID 010-170017		

4. **Current Street Address(es): - (if assigned)** 607 High Street, Petersburg, VA 23803
5. **Approximate Area:** 28991.79 **sq. ft.** 0.6656 **acres**
6. **Public Street Frontage** High Street: 110.93 **ft.** Gilliam Street: 66.06 **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:**
   There are no applicable deed restrictions to our knowledge.

9. **Brief:**

Said deed restrictions will expire on : Not applicable

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 former church building on the property is historically significant, having been built circa 1844, and is a part of the neighborhood fabric. Occupancy of the building has not been achievable under the limitations of the current zoning. Prolonged vacancy challenges building upkeep and puts this community asset at risk of further deterioration. Consistent with the PUD regulations, this request would allow for the imaginative and respectful reuse of the building thereby preserving the building and providing for its future ongoing maintenance.

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 proposed zoning change and use will not impact the public welfare of either the City or nearby neighborhoods. The proposed dwellings represent a reasonable density and provide for a use that is compatible with other uses in the vicinity. Parking meeting normal zoning requirements would be provided on site for the dwellings within an existing parking area and access would continue as it was historically provided, thereby preventing any detrimental impacts related to parking or traffic.

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 rehabilitation will remove the potential for the unoccupied building to become a blighting influence in the neighborhood while providing an asset for the community. The request will provide for new, unique, and desirable market rate housing options to the City and will help support a range of housing options in the neighborhood. The proposed Phase I use of the sanctuary with a use such as an event space, yoga studio, or church would serve the community and provide access for the public to enjoy this significant building.

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).**

   This request is driven by the need to rehabilitate an existing building in an R-3 Two-Family Residential District. As applied in this vicinity in the past, the PUD district has been used 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 would allow the building to repurposed in a way that acknowledges its historical significance and which would otherwise be prohibited by the current zoning.

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

_____

City Attorney

Signed: _____

Mailing Address: 3420 Pump Road, #148
Henrico, VA 23233

Phone Number: (804)867-8565

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

ACTION RECORD

Date Filed (with Planning Department) 5-18-2020

Date of Planning Commission Public Hearing 6-3-2020

Planning Commission Action(s) _____

Date of City Council Hearing: _____

City Council Action(s): _____

SC MAPLEWOOD AVENUE, LLC
c/o PARMEET SOIN
DEVELOPER: MARK BAKER
T. P. 010170017
2020 REZ-02 (REZONE: R-3 TO PUD)

607 HIGH STREET
PETERSBURG, VA 23803

MARK BAKER
BAKER DEVELOPMENT RESOURCES
1519 SUMMIT AVENUE, SUITE 102
RICHMOND, VIRGINIA 23230

SC MAPLEWOOD AVENUE, LLC
c/o PARMEET SOIN
3420 PUMP ROAD, #148
HENRICO, VA 23233

Robert E. & Cynthia Jenkins
561 High Street
Petersburg, VA 23803

Judson Leach
557 High Street
Petersburg, VA 23803

Thomas B. & Brenda K. Redfern, III
P. O. Box 2525
Petersburg, VA 23803

Occupant
625 High St.
Petersburg, VA 23803

Darren A. & Cathy White
625 High St.
Petersburg, VA 23803

Decole Properties
7708 Tanner Robert Ct.
Springfield, VA 22153

Occupant
624 Gilliam St.
Petersburg, VA 23803

Kevin Allen Desmond
7708 Tanner Robert Ct.
Springfield, VA 22153

Occupant
618 High St.
Petersburg, VA 23803

Charles W. & Mary Virginia Sheltman
5504 Oakdell Ct.
Richmond, VA 23237

SC MAPLEWOOD AVENUE, LLC
c/o PARMEET SOIN
DEVELOPER: MARK BAKER
T. P. 010170017
2020 REZ-02 (REZONE: R-3 TO PUD)

607 HIGH STREET
PETERSBURG, VA 23803

Occupant
618 High St.
Petersburg, VA 23803

Gianna Grier
c/o Mvmt Mtg, LLC
P. O. Box 10610
Virginia Beach, VA 23450

Occupant
614 High St.
Petersburg, VA 23803

Patrick A. Hagerich
602 High St.
Petersburg, VA 23803

William Lee Gipson
558 High St.
Petersburg, VA 23803

Occupant
558-568 High St.
Petersburg, VA 23803

Risha L. Stebbins
610 High St.
Petersburg, VA 23803

Vickie L. McCall
604 High St.
Petersburg, VA 23803

Labrador Properties, LLC
G. E. Matthews
2425 Boulevard #6
Colonial Heights, VA 23834

Occupant
615 Gilliam St.
Petersburg, VA 23803

Plum Street Partners, LLC
230 E. Bank St.
Petersburg, VA 23803

Occupant
601 Gilliam St.
Petersburg, VA 23803

SC MAPLEWOOD AVENUE, LLC
c/o PARMEET SOIN
DEVELOPER: MARK BAKER
T. P. 010170017
2020 REZ-02 (REZONE: R-3 TO PUD)

607 HIGH STREET
PETERSBURG, VA 23803

Occupant
617 Gilliam St.
Petersburg, VA 23803

PC MEETING DATE: July 1, 2020 @ 6:00 P.M.
APPLICANT: SC Maplewood Avenue, LLC
c/o Parmeet Soin (Mark Baker, Applicant)
2020 REZ-02
USE: Rezone: "R-3" - (Two-Family Residential District)
to "PUD" (Planned Unit Development)
T. P. 010-170017

Mark Baker, Applicant
Baker Development Resources
1519 Summit Avenue, Suite 102
Richmond, VA 23230

Card 1 of 1

Location 607 HIGH ST	Property Account Number	Parcel ID 010-170017

Old Parcel ID --

Current Property Mailing Address

Owner 607 HIGH ST LLC	City RICHMOND
	State VA
Address 116 E FRANKLIN ST	Zip 23219-2118
	Zoning R-3

Current Property Sales Information

Sale Date 12/20/2004	Legal Reference 2004-5688
Sale Price 40,000	Grantor(Seller)

Current Property Assessment

	Card 1 Value
Year 2020	Building Value 12,500
	Xtra Features Value 0
Land Area 0.828 acres	Land Value 53,200
	Total Value 65,700

Narrative Description

This property contains 0.828 acres of land mainly classified as Urban Res with a(n) 2STORY style building, built about 1844 , having N/A exterior and METAL roof cover, with 1 unit(s), 0 total room(s), 0 total bedroom(s), 2 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).

Legal Description

PARCEL B 0.665 ACRES

Property Images

UnSketched SubAreas:
FFL: 10183,
BMT: 4300,

Sum Area By Label :

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	010-200013	Account Number	High Street Lofts - Phase II
Prior Parcel ID	--		
Property Owner	HIGH STREET LOFTS LLC	Property Location	422 HIGH ST
		Property Use	Other Multi
Mailing Address	116 E FRANKLIN ST.	Most Recent Sale Date	2/13/2006
		Legal Reference	2006-721
City	RICHMOND	Grantor	
Mailing State	VA Zip 23219	Sale Price	0
ParcelZoning	PUD	Land Area	acres

Current Property Assessment

Card 1 Value Building Value 2,963,200	Xtra Features Value 0	Land Value 10,300	Total Value 2,973,500

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

FORMER CONDOMINIUM - PARCEL A-2A .20 ACRES

Narrative Description of Property

This property contains acres of land mainly classified as Other Multi 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 warranteed.

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	010-180800	Account Number	High St. Lofts Phase IV
Prior Parcel ID	40000 -691000-690000		
Property Owner	HIGH STREET LOFTS LLC	Property Location	526 HIGH ST
		Property Use	21/More
Mailing Address	116 E FRANKLIN ST	Most Recent Sale Date	1/2/2013
		Legal Reference	2013-19
City	RICHMOND	Grantor	
Mailing State	VA Zip 23219	Sale Price	0
ParcelZoning	M-1	Land Area	acres

Current Property Assessment

Card 1 Value Building Value 691,000	Xtra Features Value 0	Land Value 10,000	Total Value 701,000

Building Description

Building Style 3STORY	Foundation Type	Flooring Type CARPET
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
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

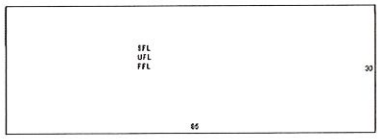
Legal Description

PARCEL A-10.126 ACRES

Narrative Description of Property

This property contains acres of land mainly classified as 21/More with a(n) 3STORY 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 warranteed.

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	023-020004	Account Number	714 High St. Lofts
Prior Parcel ID	--		
Property Owner	OLD TOWN 2 RA LP	Property Location	714 HIGH ST
		Property Use	5-20 Units
Mailing Address	927 HULL ST	Most Recent Sale Date	12/3/2012
	UNKNOWN	Legal Reference	2012-2876
City	RICHMOND	Grantor	CANTERBURY ENTERPRISES LLC
Mailing State	VA Zip 23224	Sale Price	90,000
ParcelZoning	B-2	Land Area	acres

Current Property Assessment

Card 1 Value Building Value 625,800	Xtra Features Value 0	Land Value 49,200	Total Value 675,000

Building Description

Building Style Retail/Apts	Foundation Type	Flooring Type CARPET
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
Building Grade AVERAGE	Roof Cover BUILTUP	Heating Fuel N/A
Building Condition N/A	Siding	Air Conditioning
Finished Area (SF)	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 8	# of Bedrooms 8	# of Full Baths
# of 3/4 Baths	# of 1/2 Baths	# of Other Fixtures

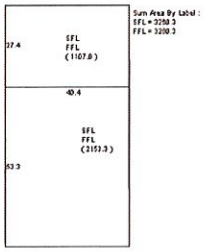
Legal Description

LOT 1 BLK AP W SMITH PROP PLAT (1939)

Narrative Description of Property

This property contains acres of land mainly classified as 5-20 Units with a(n) Retail/Apts style building, built about N/A , having exterior and BUILTUP roof cover, with 0 unit(s), 8 room(s), 8 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 warranteed.

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	010-150016	Account Number	
Prior Parcel ID	--		
Property Owner	OLD TOWN 2 RA LP	Property Location	719 HIGH ST
		Property Use	Retail-Res
Mailing Address	927 HULL ST	Most Recent Sale Date	12/3/2012
	UNKNOWN	Legal Reference	2012-2877
City	RICHMOND	Grantor	OLD MANCHESTER PLAZA III
Mailing State	VA Zip 23224	Sale Price	55,000
ParcelZoning	R-3	Land Area	acres

Current Property Assessment

Card 1 Value Building Value 170,100	Xtra Features Value 0	Land Value 22,600	Total Value 192,700

Building Description

Building Style Retail/Apts	Foundation Type	Flooring Type CARPET
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type WOOD
Building Grade FAIR	Roof Cover METAL	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

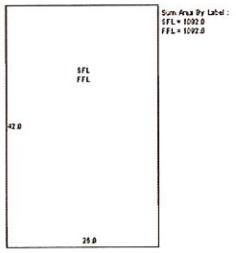
Legal Description

28.93 x 123.70

Narrative Description of Property

This property contains acres of land mainly classified as Retail-Res with a(n) Retail/Apts style building, built about N/A , having exterior and METAL 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 warranteed.

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	023-020002	Account Number	Former Southern Hardware
Prior Parcel ID	--		
Property Owner	LUNSFORD HOLDINGS LLC	Property Location	225 SOUTH ST
		Property Use	Multi-Retail
Mailing Address	4017 BIRCHETT PLACE	Most Recent Sale Date	4/22/2019
		Legal Reference	2019-0991
City	PRINCE GEORGE	Grantor	DF LUNSFORD CONSTRUCTION LLC,
Mailing State	VA Zip 23875	Sale Price	0
ParcelZoning	B-2	Land Area	acres

Current Property Assessment

Card 1 Value Building Value 165,000	Xtra Features Value 0	Land Value 30,000	Total Value 195,000

Building Description

Building Style Multi Retail	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 AVERAGE	Roof Cover BUILTUP	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

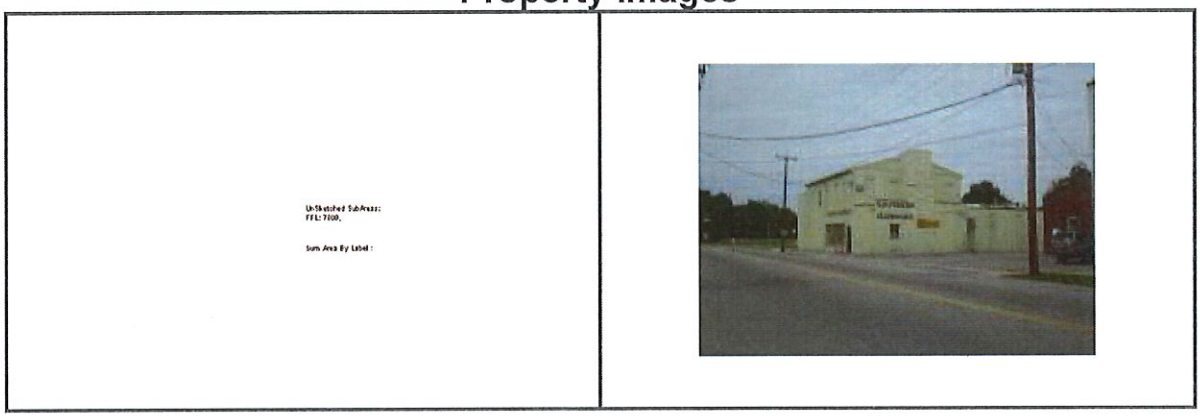
Legal Description

105.2-61.7X169.6-133.8

Narrative Description of Property

This property contains acres of land mainly classified as Multi-Retail with a(n) Multi Retail style building, built about N/A , 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 warranteed.

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	023-020800	Account Number	
Prior Parcel ID	--		
Property Owner	DF LUNSFORD CONSTRUCTION LLC	Property Location	217-221 SOUTH ST
		Property Use	Warehouse
Mailing Address	4017 BIRCHETT PLACE	Most Recent Sale Date	9/15/2016
		Legal Reference	2016-2196
City	PRINCE GEORGE	Grantor	SMITHTIMOTHY C
Mailing State	VA Zip 23875	Sale Price	122,900
ParcelZoning	M-1	Land Area	acres

Current Property Assessment

Card 1 Value Building Value 241,500	Xtra Features Value 0	Land Value 28,500	Total Value 270,000

Building Description

Building Style Multi Wrehse	Foundation Type	Flooring Type CARPET
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built 1895	Roof Structure	Heating Type NONE
Building Grade AVERAGE	Roof Cover BUILTUP	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

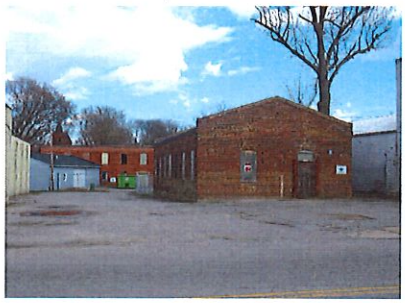
Legal Description

45.12 FEET

Narrative Description of Property

This property contains acres of land mainly classified as Warehouse with a(n) Multi Wrehse style building, built about 1895 , 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 warranteed.

Property Record Card - Petersburg, VA

General Property Data

Parcel ID	010-170005	Account Number	
Prior Parcel ID	--		
Property Owner	PRADIA MITCHELL P. PERITA A	Property Location	517 HIGH ST
		Property Use	Urban Res
Mailing Address	517 HIGH ST	Most Recent Sale Date	2/25/2003
		Legal Reference	2003-730
City	PETERSBURG	Grantor	
Mailing State	VA Zip 23803	Sale Price	279,000
ParcelZoning	R-3	Land Area	acres

Current Property Assessment

Card 1 Value Building Value 250,400	Xtra Features Value 0	Land Value 33,700	Total Value 284,100

Building Description

Building Style 2STORY	Foundation Type	Flooring Type CARPET
# of Living Units 1	Frame Type	Basement Floor N/A
Year Built 1894	Roof Structure	Heating Type HEATPUM
Building Grade GOOD	Roof Cover METAL	Heating Fuel N/A
Building Condition N/A	Siding	Air Conditioning
Finished Area (SF)	Interior Walls DRYWALL	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths
# of 3/4 Baths	# of 1/2 Baths	# of Other Fixtures

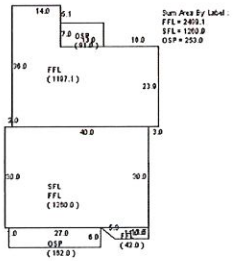
Legal Description

113.72 x 150

Narrative Description of Property

This property contains acres of land mainly classified as Urban Res with a(n) 2STORY style building, built about 1894 , having exterior and METAL roof cover, with 1 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 warranteed.

ARTICLE 26. "PUD" PLANNED UNIT DEVELOPMENT DISTRICT*

Section 1. Purpose.

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)

Section 2. Definition.

A *planned unit development* is herein defined as a complete development scheme. This scheme should include development programs and plans for all land and structural improvements within the planned area and should be in accord with the comprehensive plan and other such guidelines and objective as may be established by the city council. Such development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control.

*Editor's note – Ord. No. 89-103, adopted October 3, 1989, amended Art. 26, § § 1-6, to read as herein set out with similar provisions in §§ 1-9; § 3 of said former Art. 26 was amended by Ord. No. 85-105, adopted Oct. 1, 1985; the remaining sections (1 and 2, and 4-6) bore no history notes.

Notwithstanding the provisions of this section, an application for a planned unit development on a tract of land less than ten (10) acres may be filed, and a public hearing shall be held thereon as hereinafter provided, but no recommendation for approval of such an application shall be given by the planning commission unless the commission shall find, upon a showing by the land-owner, that the minimum number of acres required should be waived because a planned unit development is in the public interest and that one or more of the following conditions exist:

(1) Because of unusual features of the property itself or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a physical or topographic feature of importance to the city;

(2) The property or its neighborhood possesses an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development; or

(3) The property is adjacent to or across the street from property which has been developed or redeveloped under the Planned Unit Development District, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring property.

(Ord. No. 89-103, 10-3-89)

Section 3. Application.

In areas where a planned unit development is contemplated, the owner or owners shall file an application for inclusion of the area within a PUD zone. Such applications should be filed with the planning commission accompanied by a fee as established by the city council. Such applications shall be accepted for consideration under the following conditions:

(1) The area proposed shall be in unified ownership or control and the application filed jointly by all of the owners of the properties included in the plan;

(2) The plan should consider and work toward the implementation of the purposes of the planned unit development zoning district established in this article.

(Ord. No. 89-103, 10-3-89)

Section 4. Data to accompany application.

Together with the application for zoning reclassification of the area and evidence of unified control of the proposed development unit, the following information shall be submitted in triplicate:

(1) A map or maps showing the proposed development in relation to its surrounding area depicting relative size and location of streets, utilities, schools and commercial facilities expected to serve the area;

(2) A summary and report covering soil conditions, drainage, topography, location and character of surface water and other such information as may be required to determine if the site is suitable for unit development without hazards to occupants or adjoining properties;

(3) An overall preliminary development plan which shall show:

a. Proposed major vehicular and pedestrian circulation systems;
b. Proposed land uses of each lot or tract within the development;
c. Proposed reservations for parks, parkways, playgrounds, school sites and other community facilities, including open spaces;
d. Relationship to existing land uses in the surrounding areas;
e. Proposed landscaping which shall be intended to provide shading, screening, erosion and sedimentation control and a sense of privacy and separation between uses;
f. Proposed numbers and size of parking spaces, parking lot surfaces and landscaping of parking lots as required by article 19 of the zoning ordinance; and
g. Proposed locations and dimensions of commercial signage.

(4) A development schedule of the project if planned in stages.

All maps should be four-hundred-foot scale or less to the inch. Illustrations at this stage may be in generalized form; nothing herein contained shall be deemed to forbid or discourage informal consultations between the developer and the staff of the planning department prior to the filing of an application provided that no statement or representation by a member of the staff shall be binding upon the planning commission or city council. (Ord. No. 89-103, 10-3-89)

Section 5. Planning commission consideration.

Upon receipt of an application for a planned unit development meeting the foregoing requirements, the planning commission shall take the same under consideration after review and recommendations by other city departments. The commission shall consider the general plan of the development using as its guide the comprehensive plan, zoning ordinance and other such guides and objectives as established by city council.

Upon review of the tentative plan, the commission shall advertise the proposed planned unit development for public hearing in accordance with the provisions of article 28 of the zoning ordinance.

The commission may recommend approval of the final plan as submitted or, before taking action, may recommend that the applicant modify, alter adjust or amend the plan.

The planning commission may designate divisible geographic sections of the entire parcel to be developed as a planned unit development and shall, in such case, specify reasonable periods within which development of each such section must be commenced and may permit in each section deviations from the number of dwelling units per acre established for the entire planned unit development provided such deviation shall be adjusted for in other sections of the development so that the number of dwelling units per acre authorized for the entire planed unit development is not affected. The period of the entire development and the commencement date for each section thereof may be modified from time to time by the planning commission upon the showing of good cause by the developer. The developer shall make such easements, covenants and other arrangements as may be determined by the planning commission to be reasonably required to assure performance in accordance with the plan and to protect the public interest in the event of abandonment of said plan before completion. (Ord. No. 89-103, 10-3-89)

Section 6. Final consideration.

The planned unit proposal shall be presented to the city council in accordance with article 28 of the zoning ordinance. If the planned unit development is approved by the city council, the developer before beginning development shall submit final plans phase by phase to the city planning department for staff review and approval. Department approval shall be based on substantial compliance with the comprehensive plan, guides, objective and other such standards as may be established by city council. No building permits or certificates of occupancy shall be issued until final approval of the development plans is given by the department of planning. No structure or use other than those indicated on final approval plans shall be permitted. (Ord. No. 89-103, 10-3-89)

Section 7. Amendment.

An approved plan of development for a planned unit development may be amended in concept or in minor details by application by the owner, owners or an authorized representative of same:

(1) Where the proposed change is not clearly in keeping with the concept of the plan of development as approved by city council, such change or amendment shall be approved only in the manner of approval of the original plan of development. Any changes to housing type, density, allowed land uses, open space area, type of community facilities, method of management of common land and facilities, location of any of the elements or overall design layout shall be considered to be changes in concept.

(2) Where the proposed change is one of minor detail, the planning director may approve an amendment to the plan of development, upon being presented a written request clearly stating the nature and reason for the proposed change, including any necessary graphic representations. Changes in the location or design of structures, but not number and height, street utilities, parking, community facilities and landscaping shall be considered to be changes of minor detail. (Ord. No. 89-103, 10-3-89)

Section 8. Abandonment.

A development plan or section thereof, after being given final approval, shall be declared abandoned after the applicant or his successors notify the city council in writing of said abandonment or in the event the applicant or his successors fail to commence the planned unit development within two (2) years after final approval has been granted. The applicant or his successor, however, may be granted by city council upon recommendation by the planning commission a single extension of two (2) year in which to commence construction provided the applicant or his successor submits a written request and demonstrates good cause for such extension. Upon termination of an approved plan of development, the remaining undeveloped property shall automatically revert to the original zoning, and the planning commission shall determine if the zoning classification of the developed portion of the planned unit development shall be revised to reflect any changes brought by the proposed development. (Ord. No. 89-103, 10-3-89)

Section 9. Exemption of currently approved PUD.

This ordinance shall become effective immediately provided, however, that any currently approved planned unit developed shall be governed by the terms of the city's planned unit development ordinance in effect prior to the passage of this article. (Ord. No. 89-103, 10-3-89)

ARTICLE 26A. CONDITIONAL ZONING

Section 1. Declaration of policy.

It is the policy of the city in accordance with the provisions of Article 2 to provide for the orderly development of land, for all purposes, through zoning and other land development regulation. Frequently, where competing and incompatible uses conflict, traditional zoning methods and procedures are inadequate. In these cases, more flexible and adaptable zoning methods are needed to permit differing land uses, and at the same time to recognize effects of change. It is the purpose of this article to provide a more flexible and adaptable zoning method to cope with situations found in such zones through conditional zoning, whereby a zoning reclassification may be allowed subject to certain conditions proffered by the zoning applicant for the protection of the community that are not generally applicable to land similarly

ARTICLE 26A. CONDITIONAL ZONING

Section 1. Declaration of policy.

It is the policy of the city in accordance with the provisions of Article 2 to provide for the orderly development of land, for all purposes, through zoning and other land development regulation. Frequently, where competing and incompatible uses conflict, traditional zoning methods and procedures are inadequate. In these cases, more flexible and adaptable zoning methods are needed to permit differing land uses, and at the same time to recognize effects of change. It is the purpose of this article to provide a more flexible and adaptable zoning method to cope with situations found in such zones through conditional zoning, whereby a zoning reclassification may be allowed subject to certain conditions proffered by the zoning applicant for the protection of the community that are not generally applicable to land similarly zoned. The provisions of this article shall not be used for the purpose of discrimination in housing and shall conform to the 1950 Code of Virginia, as amended, Section 15.1 – 491.1. (Ord. No. 86-90, § 2, 10-7-86)

Section 2. Conditions as part of rezoning or amendment to zoning map.

Any applicant may proffer in writing any reasonable conditions, prior to a public hearing before the city council, in addition to the regulations provided for within the rezoning district by this chapter, as part of a rezoning or amendment to the zoning map; provided that:

(1) The rezoning itself must give rise for the need for the conditions;

(2) Such conditions shall have a reasonable relation to the rezoning;

(3) Such conditions shall not include a cash contribution to the city;

(4) Such conditions shall not include mandatory dedication of real or personal property for open space, parks, schools, fire departments or other public facilities not otherwise provided for;

(5) Such conditions shall no include payment for or construction of off-site improvements except those provided for in City Codes;

(6) No conditions shall be proffered that are not related to the physical development or physical operation of the property; and

(7) All such conditions shall be in conformity with the general plan as defined in proffers.

A draft of all of the applicant's proffers shall be submitted as part of the application in a format established by the zoning administrator. The city council reserves the right to reject or amend any proffer prior to making a decision on the map amendment to the zoning ordinance.

Prior to final action by the city council, the proffers shall be completed and signed by the applicant and shall be binding on the applicant once the application is approved. (Ord. No. 86-90, § 2, 10-7-86)

Section 3. Enforcement and guarantees.

The zoning administrator shall be vested with all necessary authority on behalf of the city council to administer and enforce conditions attached to a rezoning or amendment to the zoning map, including:

(1) The ordering in writing of the remedy of any noncompliance with such conditions;

(2) The bringing of legal action to ensure compliance with such conditions, including injunction, abatement or other appropriate action or proceeding; and

(3) Requiring a guarantee, satisfactory to the city council, in an amount sufficient for and conditioned upon the construction of any physical improvements required by the conditions, or a contract for the construction of such improvements and the contractor's guarantee, in like amount and so conditioned, which guarantee shall be reduced or released by the city, upon the submission of satisfactory evidence that construction of such improvements and the contractor's guarantee, in like amount and so conditioned, which guarantee may be reduced or released by the city, upon the submission of satisfactory evidence that construction of such improvements has bee completed in whole or in part.

Failure to meet all conditions shall constitute cause to deny the issuance of any of the required use, occupancy or building permits. (Ord. No. 86-90, § 2, 10-7-86)

Section 4. Zoning map to show conditions; conditional zoning index.

The zoning map shall show by an appropriate symbol, the existence of conditions attaching to the zoning on the map. The zoning administrator shall keep and make available for public inspection a conditional zoning index. The index shall provide ready access to the ordinance creating conditions, in addition to the regulations provided for in a particular zoning district or zone. (Ord. No. 86-90, § 2, 10-7-86)

Section 5. Petition for review of decision.

Any zoning applicant who is aggrieved by the decision of the zoning administrator pursuant to the provisions of Article 27 may petition the board of zoning appeals for the review of the decision of the zoning administrator. (Ord. No. 86-90, § 2, 10-7-86)

Section 6. Amendments and variations of conditions.

There shall be no amendment or variation of conditions created pursuant to the provisions of Article 26A until after a public hearing before the city council advertised pursuant to the provisions of Article 28. (Ord. No. 86-90, § 2, 10-7-86)

Roll 3026, Frames 10-13

VIRGINIA HISTORIC LANDMARKS COMMISSION

(179.)

ARCHITECTURAL-HISTORIC INVENTORY CARD

LOCATION AND OWNERSHIP

County
City or Town: Petersburg, Va.
Name of Structure: High Street Methodist Church
Street Address
Present Owner: High Street Methodist Church
Mailing Address
Original Owner

CLASSIFICATION

District ___ Site ___ Building X Object ___

ARCHITECT OR BUILDER
DATE OF CONSTRUCTION: rear-1844, front remodeled 1897
SOURCE OF DATE
PRESENT USE: Church
ORIGINAL USE: Church
ACCESSIBLE TO PUBLIC? No
ARCHITECTURAL STYLE/PERIOD: Late Romanesque Revival

PHYSICAL DESCRIPTION

Facade Materials (Street Facade)
WOOD: Clapboards ___ Shingle ___ Other ___
MASONRY: Brick X Stone X Concrete ___
NUMBER OF STORIES 2
SIGNIFICANT INTERIOR DETAILS

SIGNIFICANT OUTBUILDINGS, IF ANY

Type
Condition

PHYSICAL CONDITION	Excellent	Good	Fair	Poor
Structure	X			
Grounds	X			
Neighborhood		X		

LEGAL DESCRIPTION

Assessor's Book
Assessor's Plat
Block and Lot Number: Blk. 29 - # 20
Land Tax Assessment
Building Improvement
Total Assessment

LOCATION OF LAST RECORDED DEED

APPROXIMATE LOT SIZE ___ X ___ or ___ Acres
PROPERTY CURRENTLY ZONED: R-3
REPRESENTATION IN OTHER SURVEYS

ARCHITECTURAL SIGNIFICANCE (Including interiors)

1. Outstanding X 3. Notable ___
2. Excellent ___ 4. Worthy of Mention ___

IMPORTANCE TO NEIGHBORHOOD
Great X Moderate ___ Minor ___

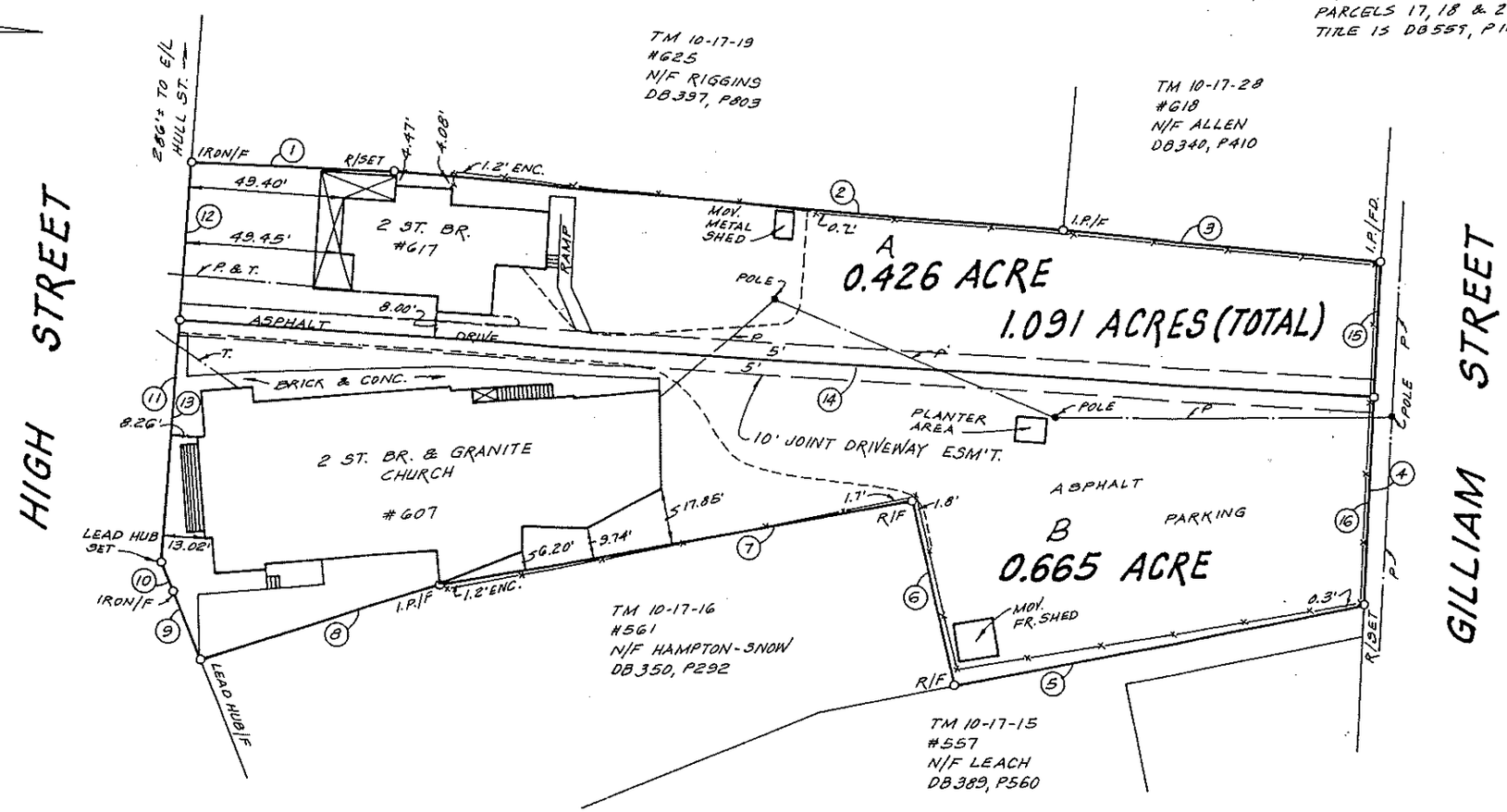
INCIDENCE IN AREA
Unique X Rare ___ Frequent ___

ALTERATION OF ORIGINAL DESIGN
None ___ Moderate ___ Considerable X

EXPLANATORY NOTES:
2 story churc building. Romanesque Revival front added in 1897. Symmetrical composition, two assymetrically designed towers. Fine example of Romanesque Revival Architecture; beautiful stained glass windows.

Date 7/12/74 Filed By

NOTE: PROPERTY CONSISTS OF TM 10-17 PARCELS 17, 18 & 29. SOURCE OF TITLE IS DB 559, P 149.



NO.	BEARING	DISTANCE
1	N2°08'00"E	65.00'
2	N4°55'19"E	213.43'
3	N5°49'00"E	102.00'
4	S87°17'06"E	109.47'
5	S11°09'10"E	132.45'
6	S77°20'10"W	60.50'
7	S10°13'04"E	153.13'
8	S17°40'51"E	79.48'
9	S67°42'17"W	23.47'
10	S67°42'17"W	10.02'
11	N86°12'00"W	127.61'
12	N86°12'00"W	50.17'
13	N86°12'00"W	77.44'
14	N3°40'00"E	381.12'
15	S87°17'06"E	43.41'
16	S87°17'06"E	66.06'

COMMONWEALTH OF VIRGINIA
MICHAEL E. BRISTOW
No. 1305
9-9-97
LAND SURVEYOR

"This is to certify that on 9-9-97 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."

Michael E. Bristow

IMPROVEMENT ON
607 & 617 HIGH ST.
IN THE CITY OF PETERSBURG, VA.

The Survey is subject to any easement of record and other pertinent facts which a title search might disclose.

I, Michael E. Bristow, do certify

this property Is Not (ZONE C) in a H.U.D. defined flood hazard area.
Michael E. Bristow, C.L.S.

HARVEY L. PARKS, INC.
LAND SURVEYORS
4508 W. HUNDRED RD.
CHESTER, VA.
748-8641 748-0515

DATE- 9-9-97 SCALE: 1" = 40'
DRAWN BY- M.E.B. & T.L.G.
CHECKED BY- M.E.B.
F. BK.- 342 PG.- 20

574657

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 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, Reginald Tabor

RE: **A Request to consider an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of City-owned property that includes properties in Ward 5**

PURPOSE: For the City Council to consider an Ordinance authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City-owned property for develop of parcels zoned residential in Ward 5.

REASON: To consider an Ordinance that authorizes the City Manager to execute a Purchase Agreement and proceed with the sale of City-owned property in accordance with applicable legal requirements.

RECOMMENDATION: It is recommended that the City Council considers adoption of an Ordinance approving and authorizing the City Manager to execute a Purchase Agreement and proceed with the sale of City-owned property in accordance with applicable legal requirements.

BACKGROUND: The City received a proposal from PB Petersburg Owner LLC to purchase City-owned properties.

During the April 28, 2020 City Council meeting, the City Council adopted 20-ORD-17 an ordinance to approve and authorize the City Manager to 1000 Diamond Street to PB Petersburg Owner LLC for $10 provided that by a binding agreement on all future owners that include the following provisions: 1)occupancy is limited to senior citizens and veterans; 2) no more than half of the apartments will be two bedrooms and rest one bedroom; 3) the promises made by PB Petersburg owners LLC in agenda item 11f are kept and 4) the owner will accept the current assessment for the next three years.

Also during the April 28, 2020 City Council meeting, the City Council adopted a motion that a matter regarding the sale of parcels in Ward 5 be moved to the Planning Commission for its study and recommendation to City Council, specifically, City Council ask the Planning Commission to recommend action for council to take after the Planning Commission has explored all aspects for this proposed sale deemed relevant by the Planning Commission. Including but not limited to: 1) What is the developer promising to do and how can these promises be made and enforceable by the City; 2) The likely fair market value of the houses when construction is completed and when the houses are 15 years old; 3) Whether the developer will be obligated to accept Section 8 housing vouchers as rent payments; 4) The likely cost of additional municipal

services such as public school education and the amount of likely additional revenue such as real estate taxes if the lots are developed as proposed; and 5) Whether it would be the City's advantage to offer these lots for sale by issuing a request for proposal open to all interested potential purchasers.

During the July 21, 2020 City Council meeting, the City Council adopted the unanimous decision by the Planning Commission and voted to move forward with the disposal of properties that are listed and negotiated by the City Manager and staff.

Also during the July 21, 2020 City Council meeting, the City Council adopted a resolution approving the development agreement for the Virginia Avenue School property and the parcels in Ward 5.

The City Council had previously approved an ordinance authorizing the sale of the property at 1000 Diamond Street, however the ordinance authorizing the sale of the residential parcels was tabled until after a recommendation from the Planning Commission.

The Planning Commission recommendation was approved and this is a request to officially approve the ordinance authorizing the City Manager to execute the purchase agreement for the residential parcels that was previously tabled until after the Planning Commission recommendation was received.

COST TO CITY: Costs associated with Conveyance of the property.

BUDGETED ITEM: N/A

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

CITY COUNCIL HEARING DATE: 4/28/2020

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Resolution approving the Development Agreement on July 21, 2020

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0901_2020OrdinanceWard5Lots
2. 0901_2020PropertyListB
3. PB Petersburg - Real Estate Purchase Agreement (Clean)

ORDINANCE

This is an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of Forty-Nine (49) parcels of City-owned property in Ward 5

WHEREAS, the City of Petersburg has received a proposal from PB Petersburg Owner LLC to purchase Forty-Nine (49) parcels in Ward 5 of City-owned property to development 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 PB Petersburg Owner LLC toward the Sale and development of Forty-Nine (49) parcels in Ward 5 of City-owned property.

City of Petersburg

Ward 5 Residential Properties Proposed for Purchase and Development

#	Parcel ID	Premise	Street	Total Assessed Value	Land Area (ac)	Zoning	# of Homes Est	Year Acquired	Min Width	Area SF
1	030-180009	709	Ann St	$25,800	0.31	R-3	2	2001	122	20,825
2	031-230009	742	Blick St	$9,000	0.18	R-3	1	2005	76	7,448
3	031-040003	436	Byrne St	$4,500	0.15	R-3	1	2004	29	6,351
4	030-040002	1004	Farmer St	$6,500	0.14	R-3	1	2005	42	6,300
5	030-200011	735	Halifax St	$17,400	0.31	R-3	2	1997	90	13,500
6	030-250011	808	Halifax St	$10,400	0.2	R-2	1	2003	71	10,934
7	030-240007	811	Halifax St	$8,000	0.2	R-3	1	2000	58	10,614
8	031-200046	627	Harding St	$9,000	0.18	R-3	1	2008	55	7,975
9	031-250012	716	Harding St	$7,400	0.22	R-3	1	1996	80	9,600
10	031-250014	724	Harding St	$9,600	0.21	R-3	1	2007	42	9,240
11	022-350010	334	Harrison St	$6,900	0.29	R-5	1	2003	47	13,630
12	023-110002	516	Hinton St	$16,500	0.18	R-3	1	2012	50	7,600
13	023-110001	522	Hinton St	$38,400	1.07	R-3	1	1998	275	41,250
14	030-200018	803	Jones St S	$18,100	0.29	R-3	1	2006	192	15,360
15	030-230012	804	Jones St S	$7,400	0.17	R-3	1	2003	50	7,250
16	030-240014	809	Jones St S	$10,100	0.15	R-3	1	2007	83	6,640
17	030-240011	829	Jones St S	$11,129	0.19	R-3	1	1999	58	7,192
18	045-060002	839-41	Jones St S	$11,800	0.2	R-3	1	2005	58	5,104
19	031-260022	230	Kentucky Ave Rea	$2,800	0.16	R-3	1	2006	76	7,524
20	031-200028	135	Kentucky Ave	$11,000	0.17	R-3	1	2005	90	7,200
21	031-260037	202	Kentucky Ave	$4,500	0.11	R-3	1	2000	42	4,746
22	031-260036	204	Kentucky Ave	$5,400	0.12	R-3	1	2004	46	5,198
23	045-380033	708-10	Kirkham St	$6,800	0.22	R-2	1	2002	61	9,455
24	045-380032	712-14	Kirkham St	$5,000	0.16	R-2	1	2002	44	7,040
25	045-380031	716	Kirkham St	$6,300	0.2	R-2	1	2002	54	8,640
26	030-220012	742	Mount Airy St	$7,800	0.2	R-3	1	1999	80	110
27	044-110020	249	North Carolina Av	$6,600	0.21	R-2	1	2001	57	8,550
28	044-200001	52	North Carolina Av	$9,800	2.15	R-2	3	1959	340	187,000
29	030-090003	612	Pegram St	$14,400	0.43	R-3	2	2004	90	18,900
30	023-400025	852	Rome St	$7,400	0.14	R-3	1	2000	78	6,123
31	031-380004	322	Shore St	$6,000	0.13	R-2	1	2000	51	5,610
32	031-380003	328	Shore St	$6,600	0.14	R-2	1	2001	57	6,270
33	031-390005	408	Shore St	$6,900	0.15	R-2	1	2003	59	6,608
34	030-250003	604	Shore St	$17,300	0.27	R-2	1	2000	91	11,921
35	044-280002	500	St John St	$1,900	0.79	R-2	2	2005	228	40,584
36	044-210001	246	St Luke St	$8,400	1.84	R-2	6	1899	470	79,900
37	044-090016	151	St Mark St	$34,100	0.39	R-2	2	1987	150	17,100
38	044-050011	521	St Mark St	$5,000	0.12	R-2	1	2005	36	5,328
39	031-390009	415	St Matthew St	$11,800	0.15	R-2	1	2009	59	6,490
40	030-260005	517	St Matthew St	$9,400	0.23	R-2	1	2005	59	8,024
41	031-250024	725	Sterling St	$2,800	0.12	R-3	1	2001	130	5,200
42	031-310011	980	Sycamore St S	$10,900	0.23	R-2	1	1899	100	10,000
43	031-320023	151	Virginia Ave	$6,900	0.11	R-2	1	2002	41	4,674
44	023-110025	539	Washington St W	$16,600	0.11	R-3	1	1997	32	4,576

City of Petersburg

Ward 5 Residential Properties Proposed for Purchase and Development

#	Parcel ID	Premise	Street	Total Assessed Value	Land Area (ac)	Zoning	# of Homes Est	Year Acquired	Min Width	Area SF
45	029-150006	425	West St S	$15,700	0.27	R-3	1	2000	105	11,550
46	030-090035	715	West St S	$10,300	0.24	R-3	1	2002	50	10,500
47	030-090029	731	West St S	$3,000	0.12	R-3	1	2011	25	5,250
48	024-270022	919	Wythe St W	$6,300	0.12	R-3	1	2005	35	5,250
			Assessed value:	$501,929	37.2		61			
			PCPS MOU:	$600,000						

REAL ESTATE PURCHASE AGREEMENT

Assessed Value: $501,929.00

Consideration: $ 500.00

Tax Map No.: _____

This Commercial Real Estate Purchase Agreement (the "Agreement") is dated September__ , 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, and PB Petersburg Owner, LLC, hereinafter referred to as "Purchaser", and party of the second part, and Coward & Pender (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: See Exhibit A for a list of addresses and Tax Map Numbers, collectively (the "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 Five-Hundred Dollars ($500.00) (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, $Fifty Dollars ($50.00) (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 many 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 execute a Development Agreement in conformance with the proposal presented to and approved by City Council on July 21, 2020. Such Development Agreement shall be reviewed by the City to determine its feasibility and consistency with the original proposal made on July 21, 2020. 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 Period, the Purchaser determines that some or any of the lots proposed for the purchase in this Agreement are not buildable or otherwise consistent with their planned development, Purchaser may request removal of said property(ies) from the list of properties being purchased with a corresponding per lot reduction in the overall purchase price.

c. 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.

d. If the parties are unable execute 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. 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: PB Petersburg Owner, LLC

24851 Quimby Oaks Place

Aldie, VA 20105

COPY TO: Alexander C. Graham, Jr.

Williams Mullen

P.O. Box 1320

Richmond, VA 23219

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 parities 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: N/A

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 18 months.

28. Compliance with Zoning, land use and Development requirements: N/A

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

PURCHASER: PB Petersburg Owner, LLC

By: Avram Fechter

Title: Manager

Date: _____

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

EXHIBIT A

Exhibit A

Preliminary Property Disposition List
PB Petersburg Owner LLC

	Parcel ID	Premise	Street	Total Assessed Value	Land Area (ac)	Zoning	Home estimate
4	044-200001	52	North Carolina Av	$9,800	2.15	R-2	3
5	044-210001	246	St Luke St	$8,400	1.84	R-2	6
7	023-110001	522	Hinton St	$38,400	1.07	R-3	1
8	044-280002	500	St John St	$1,900	0.79	R-2	2
9	030-090003	612	Pegram St	$14,400	0.43	R-3	2
10	044-090016	151	St Mark St	$34,100	0.39	R-2	2
11	030-180009	709	Ann St	$25,800	0.31	R-3	2
12	030-200011	735	Halifax St	$17,400	0.31	R-3	2
13	022-350010	334	Harrison St	$6,900	0.29	R-5	1
14	030-200018	803	Jones St S	$18,100	0.29	R-3	1
15	030-250003	604	Shore St	$17,300	0.27	R-2	1
16	029-150006	425	West St S	$15,700	0.27	R-3	1
17	030-090035	715	West St S	$10,300	0.24	R-3	1
18	031-040057	449	Harding St	$6,300	0.23	R-3	1
19	030-260005	517	St Matthew St	$9,400	0.23	R-2	1
20	031-310011	980	Sycamore St S	$10,900	0.23	R-2	1
21	031-250012	716	Harding St	$7,400	0.22	R-3	1
22	045-380033	708-10	Kirkham St	$6,800	0.22	R-2	1
23	031-250014	724	Harding St	$9,600	0.21	R-3	1
24	044-110020	249	North Carolina Av	$6,600	0.21	R-2	1
25	030-250011	808	Halifax St	$10,400	0.2	R-2	1
26	030-240007	811	Halifax St	$8,000	0.2	R-3	1
27	045-060002	839-41	Jones St S	$11,800	0.2	R-3	1
28	045-380031	716	Kirkham St	$6,300	0.2	R-2	1
29	030-220012	742	Mount Airy St	$7,800	0.2	R-3	1
30	030-240011	829	Jones St S	$11,129	0.19	R-3	1
31	031-230009	742	Blick St	$9,000	0.18	R-3	1
32	031-200046	627	Harding St	$9,000	0.18	R-3	1
33	023-110002	516	Hinton St	$16,500	0.18	R-3	1
34	030-230012	804	Jones St S	$7,400	0.17	R-3	1
35	031-200028	135	Kentucky Ave	$11,000	0.17	R-3	1
36	031-260022	230	Kentucky Ave Rea	$2,800	0.16	R-3	1
37	045-380032	712-14	Kirkham St	$5,000	0.16	R-2	1
38	031-040003	436	Byrne St	$4,500	0.15	R-3	1
39	030-240014	809	Jones St S	$10,100	0.15	R-3	1
40	031-390005	408	Shore St	$6,900	0.15	R-2	1
41	031-390009	415	St Matthew St	$11,800	0.15	R-2	1
42	030-040002	1004	Farmer St	$6,500	0.14	R-3	1
43	023-400025	852	Rome St	$7,400	0.14	R-3	1

Preliminary. Subject to further due diligence

Preliminary Property Disposition List
PB Petersburg Owner LLC

44	031-380003	328	Shore St	$6,600	0.14	R-2	1
45	031-380004	322	Shore St	$6,000	0.13	R-2	1
46	031-260036	204	Kentucky Ave	$5,400	0.12	R-3	1
47	044-050011	521	St Mark St	$5,000	0.12	R-2	1
48	031-250024	725	Sterling St	$2,800	0.12	R-3	1
49	030-090029	731	West St S	$3,000	0.12	R-3	1
50	024-270022	919	Wythe St W	$6,300	0.12	R-3	1
52	031-260037	202	Kentucky Ave	$4,500	0.11	R-3	1
53	031-320023	151	Virginia Ave	$6,900	0.11	R-2	1
54	023-110025	539	Washington St W	$16,600	0.11	R-3	1
			Assessed value:	$501,929	37.2		**61**

Preliminary. Subject to further due diligence

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Carthan Currin

RE: **A request to consider an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City -owned property located at 1203 W Washington Street .**

PURPOSE: For the City Council to hold a public hearing on April 28, 2020 regarding a Proposal to Purchase and Develop City -owned property at 1203 W Washington Street ,consideration of an Ordinance Authorizing the City Manager to execute a Purchase agreement toward the sale of the City -owned property .

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

RECOMMENDATION: It is recommended that the City Council holds a public hearing on March 3, 2020 and subsequently considers adoption of an Ordinance approving and authorizing the City Manager to execute a Purchase Agreement and proceed with the sale of City -owned prproerty in accordance with applicable legal requirements

BACKGROUND: The City has received a proposal from Ms Kathrine Patterson to purchase the following City -owned property .

Parcel ID	Premise	Street	Proposed Use
024-220019	1203	W Washington	Single Family Home

Ms Kathrine Patterson proposes to develop the property as an owner -occupied singe family residence .The parcel is located in a residential neighborhood and the building on the parcel has been vacant for several years .The building is a former single family residence .The site includes a .144 -acre parcel with a building that is 1,544sf. Potential benefits include a revitalized vacant residential building increased value of the property and , revenue from the City -owned property back on the tax roll . The assessed-value of the property is $ 32,700 .the offer price is $ 20,000,and the proposed private investment is $ 35,000.
In accordance with applicable legal requirements , A public hearing is required to approaching and authorizing

the sale of the City -owned property. During the April 14, 2020 City Council meeting the City Council scheduled a public hearing to consider this item on April 28,2020

COST TO CITY: Conveyance of real proerty

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the sale of the 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

Staff: Carthan F .Currin Director for Economic Development .

ATTACHMENTS:

1. 1203 Washington Street
2. Ordinance 1203 W Washington Street

Proposal to Purchase City-Owned Property

Purchaser

Project Name	1203 W Washington Street		
Property Address	1203 W Washington Street		
Parcel Number	024-220019	Acreage 0.144	Bldg SF 1544
Year Constructed	1921		
Project Developer	Katherine Patterson		
Contact Name	Katherine Patterson		
Address	1149 Farmer St	Phone	(540) 273-3628
	Petersburg, VA 23803		
Email	pmgi.kp@gmail.com		
Experience/Qualifications	20 years investing/renovating properties. Owns 5 properties in Petersburg		
Development Description	Owner-occupied Single-Family Residence		
Offered Purchase Price	$ 20,000	Total Investment	$ 35,000
Description of Financing (%)	100% Owner Equity		
Community Benefit	Occupancy of vacant property. New Residential Property. Revenue from fmr City Property		
Due Diligence Period (months)	30 Days		
Construction Start Date		Completion Date	120 Days after Closing
Number of Projected Jobs	Temp/Const. Jobs 5	Permanent Jobs	
Average Wage			
Contingencies			

City Assessment

			Yes	No
Outstanding Obligations				
Proposed Land Use	SF Residential			
Comp Plan Land Use	SF Residential	Conformance	X	
Zoning	R-3	Conformance	X	
Enterprise Zone	N/A			N/A
Rehab/Abatement			X	
New Construction				X
Historic District	N/A			
Assessed Value	$ 32,700	Appraised Value	$ -	Date
City Revenue from Sale	$ (12,700)			

Projected Tax Revenue	Abatement	Year 1	Year 5	Year 20
Real Estate Tax	$ -	$ 171.45	$ 3,411.45	$ 46,284,847.88
Personal Property Tax	$ -	$ -	$ -	$ -
Machinery and Tools Tax	$ -	$ -	$ -	$ -
Sales and Use Tax	$ -	$ -	$ -	$ -
Business License Fee	$ -	$ -	$ -	$ -
Lodging Tax	$ -	$ -	$ -	$ -
Meals Tax	$ -	$ -	$ -	$ -
Other Taxes or Fees	$ -	$ -	$ -	$ -
Total Tax Abatement	$ -	$ -	$ -	$ -
Total Tax Revenue	$ -	$ -	$ -	$ 46,284,847.88
Costs to the City	$ -	$ -	$ -	$ -
City ROI (Revenue - Cost)	$ -	$ -	$ -	$ -

Staff Recommendation			
Committee Recommendation		Comm. Review Date	
Last Use (Public)			
Council Decision		Council Review Date	
Disposition Ord #		Ord Date	

1205 W Washington Street

Exhibit A

I. Scope of the Project

A quantitative and qualitative description of the Development. 1203 W. Washington St.

Number of to be constructed: This project is a single family home, zone as a 2 family would like to keep 2 family zoning for later use.

- Single-Family homes
- duplexes

A description of the homes Single-Family and Duplexes to be constructed

- square feet 1544 sq ft
- number of bedrooms/bathrooms 2 bedrooms / 2 baths
- amenities, etc. deck.

II. Budget

An itemized list of the costs associated with the Development.

A list of the expenses to be incurred to construct the homes including property acquisition (estimate) Acquisition Cost $20,000 – Rehab Cost $25-$30,000

III. Sources and Uses of Funding Private Funding – $100% owner financed

A listing of the Funding Sources and Use of the funding to pay the expenses in the budget associated with the Development (estimate)

IV. Development Schedule

A timetable for the Development from the beginning to the anticipated completion of the development, including:

- the number of days/months after closing you anticipate starting the permit approval process Within 30 days
- the number of days/months of construction after permits are approved for the first home Within 90 days
- the number of days/months of construction after permits are approved for the last home
- the number of days/months associated with any other steps in the development process: 30 days

V. Additional information related to the development N/A

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: **April 28, 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

FROM: Reginald Tabor, Economic Development Manager

RE: **A Request to hold a Public Hearing on April 28, 2020 regarding a Proposal to Purchase and Develop City-owned property at 1203 W Washington Street and consideration of an Ordinance authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City-owned property**

PURPOSE: For the City Council to hold a public hearing on April 28, 2020 regarding a Proposal to Purchase and Develop City-owned property at 1203 W Washington Street and, consideration of an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City-owned property.

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

RECOMMENDATION: It is recommended that the City Council holds a public hearing on March 3, 2020, and subsequently considers adoption of an Ordinance approving and authorizing the City Manager to execute a Purchase Agreement and proceed with the sale of City-owned property in accordance with applicable legal requirements.

BACKGROUND: The City has received a proposal from Ms. Katherine Patterson to purchase the following City-owned property:

Parcel ID	Premise	Street	Proposed Use
024-220019	1203	W Washington Street	Single Family Home

Ms. Katherine Patterson proposes to develop the property as an owner-occupied single-family residence.

The parcel is located in a residential neighborhood and the building on the parcel has been vacant for several years. The building is a former single-family residence. The site includes a .144-acre parcel with a building that is 1,544 sf. Potential benefits include, a revitalized vacant residential building, increased value of the property, and revenue from a City-owned property back on the tax roll.

The assessed value of the property is $32,700.00. The offer price is $20,000, and the proposed private investment is $35,000.

In accordance with applicable legal requirements, A public hearing is required prior to approving and authorizing the sale of City-owned property.

During the April 14, 2020 City Council meeting the City Council scheduled a public hearing to consider this item on April 28, 2020.

COST TO CITY: Conveyance of Real Property

BUDGETED ITEM: N/A

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

CITY COUNCIL HEARING DATE: April 28, 2020

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTIOIN: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Ordinance, Assessment, Property Report, Maps

STAFF: Reginald Tabor, Economic Development Manager

ORDINANCE

This is an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City-owned property at 1203 W Washington Street

WHEREAS, the City of Petersburg has received a proposal from Katherine Patterson to purchase the City-owned property at 1203 W Washington Street for a single-family residential development; and

WHEREAS, the potential benefits to the City include a revitalized vacant residential building, increased value of the property, and revenue from a City-owned property back on the tax roll; 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 Katherine Patterson toward the Sale and development of the City-owned property at 1203 W Washington Street.

ORDINANCE

This is an Ordinance Authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City-owned property at 1203 W Washington Street

WHEREAS, the City of Petersburg has received a proposal from Katherine Patterson to purchase the City-owned property at 1203 W Washington Street for a single-family residential development; and

WHEREAS, the potential benefits to the City include a revitalized vacant residential building, increased value of the property, and revenue from a City-owned property back on the tax roll; 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 Katherine Patterson toward the Sale and development of the City-owned property at 1203 W Washington Street.

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Randall Williams, Assistant Director Capital Budgeting

FROM: Robert Floyd

RE: **Consideration of an appropriation for the Virginia Department Emergency Management's Emergency Management Performance Grant (LEMP) in the amount of $10,675.**

PURPOSE:

The Commonwealth of Virginia, Department of Emergency Management allocates funding through the Federal Emergency Management Agency (FEMA) for the purpose of Emergency Management and Response. This funding is provided for the purpose of preparedness and response to incidents and disasters, both natural and man-made.

REASON: The Emergency Management Performance Grant is designed to provide resources for improving response capabilities for jurisdictions as related to the preparedness, response, mitigation and recovery from incidents and disasters which impact the economics and stability of the city and its citizens.

RECOMMENDATION: Recommend that Council approve the re-appropriation of any current and future unspent funding to be carried over to the following fiscal year budget of the Department of Fire, Rescue and Emergency Services for use in accordance with § 44-146.18:1, amended in the Code of Virginia.

BACKGROUND: The City of Petersburg receives grants annually to assist with training and equipment to assist in response to radiological emergencies. These funds are programmed for the upkeep and expansion of equipment for responders in hazardous materials environments.

COST TO CITY: $10,675

BUDGETED ITEM: No

REVENUE TO CITY: $10,675

CITY COUNCIL HEARING DATE: 9/1/2020

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. 2020 LEMPG VDEM Appropriation Balance forwarded
2. LEMP Ordinance

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: August 17, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha R. Ferrell-Benavides, City Manager

FROM: Kenneth A. Miller – Managing Director of Public Safety
James H. Reid – Deputy Fire Chief (Interim)

RE: **Virginia Department of Emergency Management – Emergency Management Performance Grant (LEMPG) (Carry over from FY 2019)**

PURPOSE: The Commonwealth of Virginia, Department of Emergency Management allocates funding through the Federal Emergency Management Agency (FEMA) for the purpose of Emergency Management and Response. This funding is provided for the purpose of preparedness and response to incidents and disasters, both natural and man-made.

REASON: The Emergency Management Performance Grant (EMPG or LEMPG) is designed to provide resources for improving response capabilities for jurisdictions as related to the preparedness, response, mitigation and recovery from incidents and disasters which impact the economics and stability of the city and its citizens.

RECOMMENDATION: Recommend that Council approve the re-appropriation of any current and future unspent funding to be carried over to the following fiscal year budget of the Department of Fire, Rescue and Emergency Services for use in accordance with § 44-146.18:1, amended in the Code of Virginia.

BACKGROUND: The City of Petersburg receives grants annually to assist with training and equipment to assist in response to radiological emergencies. These funds are programmed for the upkeep and expansion of equipment for responders in hazardous materials environments.

COST TO CITY: $10,675

BUDGETED ITEM: No

REVENUE TO CITY: $10,675

CITY COUNCIL HEARING DATE: September 1, 2020

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: Code of Virginia Title § 44-146.18:1, Radiological Emergency Preparedness letter from Virginia Department of Emergency Management.

STAFF: Kenneth A. Miller – Managing Director of Public Safety
James H. Reid – Deputy Chief of Fire (Interim)

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:	
3-200-024040-0615-0-208 Fire LEMP	**$10,675.00**
Total Revenues	**$10,675.00**

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:	
4-200-032100-0000-0-208 Fire LEMP	**$10,675.00**
Total Expenses	**$10,675.00**

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Randall Williams, Assistant Director Capital Budgeting

FROM: Robert Floyd

RE: **Consider appropriating funds for a Radiological Emergency Preparedness Grant from the Virginia Department of Emergency Management in the amount of $4,199.98.**

PURPOSE: The Commonwealth of Virginia, Department of Emergency Management allocates funding form Dominion Energy for the purpose of radiological preparedness. This funding is a result of the City's close proximity to the Surry Nuclear Power Station and the potential for radiological emergencies resulting from transportation incidents.

REASON:

To provide training and equipment for firefighters and hazardous material response in and around our jurisdictions.

RECOMMENDATION: Recommend that Council approve the re-appropriation of any current and future unspent funding to be carried over to the following fiscal year budget of the Department of Fire, Rescue and Emergency Services for use in accordance with 44-146.33 as amended in the Code of Virginia.

BACKGROUND: The City of Petersburg receives grants annually to assist with training and equipment to assist in response to radiological emergencies. These funds are programmed for the upkeep and expansion of equipment for responders in hazardous materials environments.

COST TO CITY: $4,199.98

BUDGETED ITEM: No

REVENUE TO CITY: $4,199.98

CITY COUNCIL HEARING DATE: 9/1/2020

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. 2020 Radiological Emerg Preparedness (REPG) grant VDEM Carried over
2. Radiological Emergency Preparedness Grant (REPG) Ordinance

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: August 17, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha R. Ferrell-Benavides, City Manager

FROM: Kenneth A. Miller – Managing Director of Public Safety
James H. Reid – Deputy Fire Chief (Interim)

RE: **Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant (REPG) (Carry over from FY 2020)**

PURPOSE: The Commonwealth of Virginia, Department of Emergency Management allocates funding form Dominion Energy for the purpose of radiological preparedness. This funding is a result of the City's close proximity to the Surry Nuclear Power Station and the potential for radiological emergencies resulting from transportation incidents.

REASON: To provide training and equipment for firefighters and hazardous material response in and around our jurisdictions.

RECOMMENDATION: Recommend that Council approve the re-appropriation of any current and future unspent funding to be carried over to the following fiscal year budget of the Department of Fire, Rescue and Emergency Services for use in accordance with 44-146.33 as amended in the Code of Virginia.

BACKGROUND: The City of Petersburg receives grants annually to assist with training and equipment to assist in response to radiological emergencies. These funds are programed for the upkeep and expansion of equipment for responders in hazardous materials environments.

COST TO CITY: $4,199.98

BUDGETED ITEM: No

REVENUE TO CITY: $4,199.98

CITY COUNCIL HEARING DATE: September 1, 2020

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: Code of Virginia Title §44-146.33, Radiological Emergency Preparedness letter from Virginia Department of Emergency Management.

STAFF: Kenneth A. Miller – Managing Director of Public Safety
James H. Reid – Deputy Chief of Fire (Interim)

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:	
3-200-024040-0615-0-212 Dept of Emerg Mgmt REPG Radiological Emergency Preparedness Grant (REPG)	**$4,199.98**
Total Revenues	**$4,199.98**

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:	
4-200-032104-3190-0-211 Dept of Emerg Mgmt REPG Radiological Emergency Preparedness Grant (REPG)	**$4,199.98**
Total Expenses	**$4,199.98**

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 2020

TO: The Honorable Mayor and Members of City Council

THROUGH: Aretha Ferrell-Benavides, City Manager

FROM: Nykesha Jackson

RE: **Consideration of re/appointment to the Economic Development Authority.**

PURPOSE: To consider re/appointments to the Economic Development Authority.

REASON: There is one vacancy available currently on the board.

RECOMMENDATION: Recommend Council make an appointment to the Economic Development Authority.

BACKGROUND: The Economic Development Authority consists of 7 members appointed by City Council. The duties of the board include, but are not limited to, the following: the Authority shall have the powers to acquire, own, lease, and dispose of properties. Such authority may be able to promote industry and develop trade by inducting manufacturing, industrial, governmental and commercial enterprises to locate in or remain in the Commonwealth and further the use of its agricultural products and natural resources; to issue its bonds for the purpose of carrying out any of its power.

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:

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Economic Development Authority 2020

	ECONOMIC DEVELOPMENT AUTHORITY			
	Number of members: 7			
TERMS	**APPOINTMENTS**	**WARDS**	**NEW APPLICANTS**	**WARDS**
05/15/2018-09/30/21			Gerry Rawlinson, 1749 S. Sycamore Street	
05/15/18 - 09/30/21	Richard B. Taylor, 828 W. Tuckahoe Street	Ward 3	Abdullah Ahkinyala, 1600 Sycamore Street	Ward 3
07/16/19 - 09/30/23	Lafayette Jefferson, 1746 Brandon Avenue	Ward 2		3
10/20/15 - 09/30/18	Michael Packer, 1245 Woodland Road	Ward 3		
9/20/16 - 09/30/20	Winston T. Sanders, 1221 Woodland Road	Ward 3		
9/20/16 - 09/30/20	Samuel Rhue, 1952 S. Westchester Drive			
6/7/16 - 09/30/20	Orlando M. James, 14324 Woodland Hills Drive	Colonial Heights		
	AUTHORITY:		**COMPOSITION:**	
	Economic Development & Revenue Bond Act (Chapter 33, Title 15.1, Code of Virginia); City Council Ordinance No. 6913, passed 11/20/73		Seven (7) members constitute a Board of Director	
	MEETING DATE AND TIME:		**DUTIES:**	
	TBD		The Authority shall have the powers to acquire, own, lease, and dispose of properties. Such authority may be able to promote industry and develop trade by inducting manufacturing, industrial, governmental and commercial enterprises to locate in or remain in the Commonwealth and further the use of its agricultural products and natural resources; to issue its bonds for the purpose of carrying out any of its powers.	
	STAFF LIAISON:			
	Director of Economic Development		**TERMS:**	
	400 East Washington Street		Four (4) year staggered terms	
	Petersburg, VA 23803			

	(804) 733-2352			

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 1, 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 Anti-Poverty Commission.**

PURPOSE: To consider appointments to the Anti-Poverty Commission.

REASON: To appoint new members to the Anti-Poverty Commission.

RECOMMENDATION: Recommend City Council appoint members 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.

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. Anti-Poverty Commission 2020

Anti-Poverty Commission 2020

ANTI-POVERTY COMMISSION 2020				
	Members:			
TERM	**APPOINTMENT**	**APPOINTED**	**NEW APPLICANT**	
5/7/2019-	Rosezelia Roy, 2942 Homestead Drive	5/7/2019	Chloe N. Carter, 250 E. Bank Street, Apt 203	
5/7/2019-	Jonathan Tolbert, 418 Beauregard Avenue	5/7/2019	Keitoya N. Taylor, 10806 South Crater Road	
5/7/2019-	Monika Huddleston-Elrod, 3366 Normandy Drive	5/7/2019		
5/7/2019-	Linwood Christian, 613 St. Matthew St	5/7/2019		
5/7/2019-	Deborah Buford, 1144 W. Normandale Avenue	5/7/2019		
	Michael Shannon, 15824 Windseeker Court			
	Barbara Hoosier, 2335 Anderson Street			
	Florence Rhue, 1952 S. Westchester Drive	7/16/2019		
	Information: 15-R-41 (Resolution)			