



City of Petersburg Virginia

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April 19, 2022 - Regular City Council Meeting

April 19, 2022
Petersburg Public Library
201 West Washington Street
Petersburg, VA 23803
5:00 PM

City Council

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

Interim City Manager

Kenneth Miller

-
1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Proclamations/Recognitions/Presentation of Ceremonial Proclamations**
 6. **Responses to Previous Public Information Posted**
 7. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. A request for public hearing on the consideration of appropriation for the fiscal year commencing on July 1, 2021 & ending on June 30, 2022, for the American Rescue Plan Act Loss Revenue Appropriation (\$3,925,000.50). (page 4)
 - b. Minutes: (page 6)
March 30, 2022 - City Council Closed Session
April 5, 2022 - City Council Work Session
 8. **Official Public Hearings**
 - a. A public hearing on an ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years. (page 18)
 - b. A public hearing and consideration of naming a private street Civica Way at the request of Phlow Corporation. (page 32)
 - c. A public hearing for the consideration of a resolution by the City Council approving the issuance by the Petersburg Redevelopment and Housing Authority of its multifamily housing revenue bonds for the acquisition, construction, renovation, rehabilitation and equipping of the approximately 98-unit Dorsey Flats Apartments multifamily housing facility located in the City of Petersburg, Virginia. (page 36)

- d. A public hearing on the consideration of an ordinance approving Community Development Block Grant (CDBG) funding for PY21/FY22. (page 43)
- e. A public hearing on April 19, 2022, for the consideration of FY2021-2022 #2 Proposed Schools Operating Budget in the amount of \$1,611,079.77. (page 46)
- f. A public hearing on the consideration of the FY2022-2023 City of Petersburg Proposed All Funds Budget. (page 49)
- g. A public hearing on April 19, 2022, for the consideration of City Council to advertise a maximum tax rate of \$1.27 per \$100 of assessed value. (page 53)
- h. A public hearing on the consideration of an ordinance to amend and re-adopt 106-65 of the City of Code pertaining to the collection of delinquent real property taxes on properties where abatement expenses have been incurred. (page 56)
- i. A public hearing and consideration of an ordinance authorizing the installation of a street mural at the intersection of W. Washington & Market Street (corner of the Petersburg Public Library). (page 58)
- j. A public hearing on April 19, 2022, for the consideration of an ordinance of conveyance of easements to Dominion Energy Virginia in furtherance of the Park & Ride Project. (page 80)
- k. A public hearing on the consideration of an ordinance to amend and re-adopt Section 94-2 of the City Code pertaining to littering. (page 98)
- l. A public hearing on the consideration of an ordinance to amend and readopt Section 2-31 of the Petersburg City Code Pertaining to Salaries of City Council and the Mayor. (page 105)

9. 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**

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

- a. Consideration of a motion to discourage speeding. (page 108)

11. Items removed from Consent Agenda

12. Finance and Budget Report

13. Unfinished Business

14. New Business

- a. A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC. (page 111)
- b. Consideration of an appropriation ordinance of the Middle Atlantic Section Joint Player Development and Junior Golf Committees Grant in the amount of \$3,000 - 2nd Reading (page 125)
- c. Consideration to appropriate \$9,760.88 received from the Virginia Department of Environmental Quality (DEQ) for the City of Petersburg's Litter Prevention and Recycling Program activities for the period July 1, 2021 to June 30, 2022 - 2nd Reading (page 127)
- d. A resolution adopting Petersburg Area Transit's Transit Strategic Plan. (page 131)
- e. A resolution approving the development agreement for development of 301 Rolfe Street, Petersburg, Virginia, between the City of Petersburg and Amanda Green with the proviso that the Deed of Conveyance from the City of Petersburg to the purchaser states that only one single-family dwelling may be constructed on the property that is not subdivided. (page 135)
- f. Consideration of re/appointment to the Economic Development Authority. (page 145)
- g. Consideration of Personnel Policies & Procedures Manual Revisions. (page 150)
- h. Consideration of appointment/s to the South Central Wastewater Treatment Authority Board. (page 173)
- i. Consideration of re/appointment to the Virginia Gateway Region. (page 177)
- j. Consideration of re/appointment to the Petersburg Redevelopment and Housing Authority. (page 180)
- k. Consideration of appointing Tangela Innis as the primary to the Appomattox River Water Authority (ARWA) Board and Randall Williams as the alternate. (page 187)

15. City Manager's Report

16. Business or reports from the Clerk

17. Business or reports from the City Attorney

18. Adjournment



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Brian Moore, Director of Economic Development

FROM: Cynthia Boone

RE: A request for public hearing on the consideration of appropriation for the fiscal year commencing on July 1, 2021 & ending on June 30, 2022, for the American Rescue Plan Act Loss Revenue Appropriation (\$3,925,000.50). (page 4)

PURPOSE: To request an Official Public Hearing Requesting approval from City Council to appropriate the American Rescue Plan Act Loss Revenue funds.

REASON: The City Council approved at the November 3, 2021 City Council meeting the resolution for certain projects to be funded by the American Rescue Plan Act

RECOMMENDATION: Recommend that Council accept and appropriate the Loss Revenue ARPA funds to be spent in FY2021-22.

BACKGROUND: The City Council approved at the November 3, 2021 City Council meeting the resolution for certain projects to be funded by the American Rescue Plan Act.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 5/3/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Citywide

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-ORD-71

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. ARPA Loss Revenue 04.12.22

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022
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, 2021, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2022.

Previously appropriated	\$1,674,999.50
ADD: Loss Revenue	<u>\$2,250,000.00</u>
Total Revenues	<u>\$3,925,000.50</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2021 and ending June 30, 2022, the following sums for the purposes mentioned:

Previously appropriated	\$1,674,999.50
ADD: Loss Revenue	<u>\$2,250,000.00</u>
Total Expenditures	<u>\$3,925,000.50</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: Minutes: (page 6)
March 30, 2022 - City Council Closed Session
April 5, 2022 - City Council Work Session

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. April 5, 2022 Work Session City Council Meeting Minutes
2. March 30, 2022 Closed Session Meeting Minutes

The work session meeting of the Petersburg City Council was held on Tuesday, April 5, 2022, in a virtual meeting. Mayor Parham called the meeting to order at 5:02 p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Treska Wilson-Smith
Vice Mayor Annette Smith-Lee
Mayor Samuel Parham

Absent:

Council Member W. Howard Myers
Council Member Darrin Hill
Council Member Arnold Westbrook, Jr. (arrived after roll call)

Present from City Council Administration:

Clerk of City Council Nykesha D. Jackson
Interim City Manager Kenneth Miller
City Attorney Anthony C. Williams
City Assessor Brian Gordineer

2. PRAYER:

Mayor Parham stated, "At this time Council Member Wilson-Smith will led us in our opening prayer."

Council Member Wilson-Smith led the council meeting in prayer.

3. PLEDGE OF ALLEGIANCE:

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

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum is present. Council Member Hill and Council Member Myers were absent.

5. APPROVAL OF CONSENT AGENDA (TO INCLUDE MINUTES OF PREVIOUS MEETING/S):

a. Minutes:

-March 1, 2022 – City Council Work Session
-March 1, 2022 – Special City Council Meeting
-March 15, 2022 – Closed Session
-March 15, 2022 – Regular City Council Meeting
-March 24, 2022 – Closed Session
-March 24, 2022 – Budget Workshop

b. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance by the City Council authorizing the City Manager to allow the City of Petersburg to be a member of the Virginia's Gateway Region Industrial Facilities Authority in collaboration and cooperation with the City of Colonial Heights, the County of Dinwiddie, the City of Hopewell, the County of Prince George, the County of Surry, and the County of Sussex, to foster economic growth and development of the City of Petersburg and the region pursuant to section 15.2-6400 et seq. of the Code of Virginia (the "Act").

*Audio available upon request.

- c. A request to schedule a public hearing on April 19, 2022, for the consideration of a resolution by the City Council approving the issuance by the Petersburg Redevelopment and Housing Authority of its multifamily housing revenue bonds for the acquisition, construction, renovation, rehabilitation and equipping of the 98-unit Dorsey Flats Apartments multifamily housing facility located in the City of Petersburg, Virginia.
- d. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located with the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years.
- e. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance to amend and re-adopt Section 94-2 of the City Code pertaining to littering.
- f. A request to schedule a public hearing on April 19, 2022, for the purpose of consideration of a resolution to authorize the City Attorney to proceed with condemnation of a portion of parcel 065-110004, 2793 Soth Crater Road.
- g. A request to schedule a public hearing on April 19, 2022, for the consideration of adoption of an ordinance to amend and readopt Section 2-31 of the Petersburg City Code pertaining to salaries of City Council and the Mayor.
- h. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance of conveyance of easements to Dominion Energy Virginia in furtherance of the Park & Ride Project.
- i. A request to schedule a public hearing on April 19, 2022, for the consideration of the FY2021-2022 #2 Proposed Schools Operating Budget in the amount of \$1,611,079.77.
- j. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance to authorize the city to enter into a lease agreement of City-owned conserved property at 24909 Ferndale Road, Petersburg, VA 23803, to the Friends of the Lower Appomattox River (FOLAR).
- k. A request to schedule a public hearing on April 19, 2022, for the consideration of the FY2022-2023 City of Petersburg Proposed All Funds Budget.
- l. A request to schedule a public hearing on April 19, 2022, for the consideration of City Council to advertise a maximum tax rate of \$1.27 per \$100 of assessed value.
- m. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance to amend and re-adopt 106-65 of the City Code pertaining to the collection of delinquent real property taxes on properties where abatement expenses have been incurred.
- n. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance authorizing the installation of a street mural at the intersection of W. Washington & Market Street (corner of the Petersburg Public Library).
- o. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance approving Community Development Block Grant (CDBG) funding for FY21/FY22.
- p. A request to schedule a public hearing on June 21, 2022, for the consideration of an ordinance approving amendments to the proffered conditions associated with the zoning of the properties located at 1200 Harrison Creek Boulevard, TP #040030805, 1225 Harrison Creek Blvd, TP# 040030806, and 1255 Harrison Creek Boulevard, TP# 040030807 from PUD, B-2 General Commercial District with conditions to PUD, with amended conditions.

Council Member Cuthbert stated, "Mr. Mayor, I have a question about two of the items and I realize that there is no slot for discussion of items removed from the consent agenda. So, I am a little uncertain on how to handle this. I look to you for guidance. But the items on the consent agenda that I have a question about are '5f' and '5j' and different questions for each one. For item '5f' it talks about scheduling a public hearing for April 19th for the purpose of considering a resolution to authorize condemnation of a portion of a piece of property on South Crater Road. And I really wonder whether we have to condemn, or we can reach an agreement that will be more of a better use of city funds and city time then going through a condemnation which is pretty elaborate and expensive proposition."

*Audio available upon request.

Mr. Miller stated, "Mr. Barnes is out sick today. Can we table that please and we will get back to you Mr. Cuthbert? You are on to something."

Council Member Cuthbert stated, "Sure. So, that means that we will not schedule a public hearing tonight for item 'f'? Is that correct Mr. Miller?"

Mr. Miller stated, "Yes. That is correct sir."

Council Member Cuthbert stated, "Okay. Great. It may be that as we discuss further at some other time that we put this back on the consent agenda for a public hearing on another day. Thank you, Mr. Miller, and thank you Mr. Mayor. Let us go to item 'j.' It talks about a lease with FOLAR. And I did not see a proposed lease agreement in the packet. And I really wonder how we can have a public hearing on a lease without having the terms of the lease in front of us. So, I think that the order of things logically from our side of the table is that FOLAR needs to be forthcoming with a lease and then we schedule a public hearing on the lease. So, that the public knows what we are scheduling a public hearing about, and council can be thinking about the terms of the proposed lease. It is premature to schedule a public hearing on the lease until we see the lease. I like the concept, but the devil is in the details and there is an awfully a lot of details here. I just don't have a clue what the details are. Liability, who is responsible for the money change in hands, and all kinds of things."

Mayor Parham stated, "Council Member Cuthbert at this time I have Heather and Wendy both here from FOLAR. Can you come up and speak on behalf of this item?"

Wendy Austin, Executive Director of FOLAR, gave some information on the request of the public hearing.

There was some discussion among City Council and representatives from FOLAR.

Council Member Cuthbert stated, "I would suggest that we not schedule a public hearing on item '5j' at this time."

There was discussion among City Council and staff on the public hearing request for item "5g"?

Vice Mayor Smith-Lee made a motion to approve the consent agenda with the removal of items "5f" and "5j". Council Member Westbrook seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham; Absent: Hill and Myers

6. SPECIAL REPORTS:

- a. Presentation and announcement of the Black History Essay Contest Winners.

Marquis Allen, Director of Parks and Recreation, stated, "Today is a good day. We are going to announce our Black History winners. The Black History Theme was black health. That was the theme for that. I wanted to invite the Black History Committee up and Dr. Pitre-Martin as we present the awards."

The winners were Cara Tolbert (Runner Up-\$75 gift card), Kaniya Burgess (1st Place-\$100 gift card), and Albert Farley, III (Elementary School Winner-\$50 gift card).

- b. ARPA Municipal Utility Relief Update

*Audio available upon request.

Tangela Innis, Deputy City Manager, gave an overview of the Municipal Utility Relief.

Key points:

- On October 29, 2021, the City of Petersburg was awarded \$3.67 million for utility relief for residential customers after applying for the relief to provide relief to residential customers experiencing economic hardships from the pandemic.
- On February 4, 2022, the City of Petersburg received \$3.67 million for utility relief for residential customers.
- After applying the guidelines of the program, it was determined that \$1.83 million would be applied to approximately 2,700 residential accounts.
- Letters including award amounts were mailed to those that qualified for utility relief on March 24, 2022.
- Per the program instructions of the remaining \$1.84 million was returned to the state by the March 31, 2022, deadline.

c. Presentation on housing in the City of Petersburg.

Taylor Ryan, Youth Homelessness Program Coordinator, and Ara Mendoza, Balance of State CoC Program Manager, gave an overview of the PowerPoint presentation.

Key points:

- Housing First is an approach to connect individuals and families experiencing homelessness quickly and successfully to permanent housing without preconditions and barriers to entry, such as sobriety, treatment, or services participation requirements.
- Supportive services are offered to maximize housing stability and prevent returns to homelessness as opposed to addressing predetermined treatment goals prior to exit to permanent housing.
- Recognized by Federal and State government as a best practice and it is evidence-based.
- Goals are to work with the City of Petersburg.

Council Member Wilson-Smith stated, "I do not have any questions. I get it first-hand. But thank you for coming and thank you for what you can do."

Mayor Parham stated, "Thank you all very much. We appreciate all your work."

7. MONTHLY REPORTS:

*There are no items for this portion of the agenda.

8. FINANCE AND BUDGET REPORT:

*There are no items for this portion of the agenda.

9. CAPITAL PROJECTS UPDATE:

*There are no items for this portion of the agenda.

10. UTILITIES:

*There are no items for this portion of the agenda.

*Audio available upon request.

11. STREETS:

*There are no items for this portion of the agenda.

12. FACILITIES:

*There are no items for this portion of the agenda.

13. ECONOMIC DEVELOPMENT:

- a. To provide the City Council an update on current Economic Development Projects.

Mayor Parham stated, "This is tabled until the April 19th meeting."

14. CITY MANAGER'S AGENDA:

- a. Update from Police Department on Traffic.

Mr. Miller stated, "Mr. Mayor, Chief Christian would have been here, but he is in training right now. If I can, while Chief Chambliss comes up, council has some information from me with respect to a question that was asked from Mr. Cuthbert concerning the properties that were taken in tax sale. You have a copy in front of you. Mr. Mayor, we will give a shout out to all of our staff. In my week or two weeks of sitting in this chair I have gotten some responses. Trash has been a big issue with us, and 8.6 tons of trash has been removed off our streets. There is more to go. There have been 1,094 potholes have been filled. We have a budget workshop for the community on next week, the 13th and 14th. Ms. Joanne Williams will be putting that out on social media as well as on the website. You also have some interesting things in front of you. Mr. Mayor, you have a document I gave you with respect to the City of Chesapeake and what they are doing working with traffic and school zones. And working in collaboration with the Redflex camera system that we have. And on that note and I am going to let the wonder Chief Chambliss take it away."

Chief Emmanuel Chambliss, Petersburg Police Department, gave an update and overview on traffic in the City of Petersburg.

Key points:

- On Sycamore Street there were 135 traffic summonses written. The recommendation is that there be continued traffic enforcement, placement of stop signs on Sycamore Street and Fillmore creating a 4-way stop at this intersection.
- On West Washington Street there were 68 traffic summonses written. The recommendation is that continued traffic enforcement take place, place traffic signal at the intersection of Washington Street and Perry Street.
- On Grove Avenue there were 16 traffic summonses written in that area. The recommendation is that there be continued traffic enforcement.
- On South Park Drive there were 12 traffic summonses written. The recommendation is continued traffic enforcement.
- On Jefferson Street there were 4 traffic summonses written. The recommendation is continued traffic enforcement.
- For McKeever and St. Andrew Street it is recommended that signs be placed at Mingea Street and McKeever Street advising no large trucks. There is also a rumble strip that has been placed on St. Andrew Street.

*Audio available upon request.

- There is a recommendation for a four-way stop signs on Liberty Street. There have not been any tickets for Liberty Street. There were units placed on that street and there were no speeders during that time.

There was discussion among City Council and staff.

Mr. Miller stated, "On the summary sheet it states that I will get back with 5 & 6. But I will be working with the city attorney to get some proper guidance with respect to this and answers to both of those questions."

Council Member Cuthbert stated, "To be determined is what it amounts to and that is fine."

Mr. Miller stated, "Expediently. We do not have to wait on that stuff. The city attorney and I will meet, and I will get back to council."

Council Member Cuthbert stated, "Do you think you can get back to us at our April 19th meeting?"

Mr. Miller stated, "I think that we will have to look at it from an ordinance perspective. It might be a bit early. I will send an email out to council requesting time slots."

Council Member Cuthbert stated, "It is an awful lot of reverberation in these mics. But do you think that you can bring back a recommendation on 5 & 6 at our May work session then?"

Mr. Miller stated, "Yes, sir."

Council Member Cuthbert stated, "That will be great. It is an interesting idea. This reducing of the speed limit from 25 to 20. I certainly do not think that it will be done on a wholesale basis. But stop signs have not solved the problem for the residence on High Street and it was a residence on High Street that pointed out this ordinance to me that authorizes the reduction of the speed limit all the way down to 15. That is a little extreme. But reducing the speed limit would be a help. And may a rumble strip in conjunction with a stop sign on High Street might be worthwhile. I am not sure how we can conclude this. Your team, Mr. Miller, is doing a great job going through this but I think that we have got some issues yet to be resolved. So, how do you propose to go from here Mr. Miller? Do we vote on anything, does the police department just go ahead and do it, do we wait for every issue to be addressed before decisions are made? How do you think we ought to proceed?"

Mr. Miller stated, "Staff is prepared to proceed as council directs us. So, I know items 5 & 6 we will get back to you on but the other items that Chief Chambliss has already gone over, I think that council can make some decisions their and we are ready to execute."

Council Member Cuthbert stated, "So, I think what that boils down to is we have a public hearing on April 19th on the recommendation that the police department has made and then council will vote at that time. Does that make sense Mr. Mayor as the way to proceed?"

Mayor Parham stated, "That makes sense."

Council Member Cuthbert stated, "Okay. Well, why don't we do that and then we will leave 5 & 6 unresolved and get a report at our May work session. and then if it is the will of council at that May work session, we can schedule a public hearing for our May business meeting to adopt or consider the recommendations of the police department as to 5 & 6. Make sense as a way to proceed?"

Mayor Parham stated, "Makes sense."

*Audio available upon request.

Council Member Cuthbert stated, "Well thank you. I know an awfully lot of work is going into this, and I am certainly impressed and all of us are impressed with the seriousness that the police department has considered in addressing this issue. It really is along with picking up garbage. The most complaints I get from constituents has to do with speeding. So, it may not seem important, but I think that the police department realizes how important that it really is. I for one is very grateful to you. Thank you."

15. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

16. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:

Mayor Parham stated, "We have closed session that we need to do. At this time would enter a motion to add a closed session for consultation with legal counsel to tonight's meeting at the city attorney's request."

Council Member Cuthbert made a motion to add closed session for consultation with legal counsel to the agenda on April 5, 2022. Vice Mayor Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham; Absent: Myers and Hill

Mayor Parham stated, "I would entertain a motion to convene in closed session pursuant to §2.2-3711(A)(7) AND (8) 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 litigation, specifically including but not limited to discussion regarding Petersburg Circuit Court Case No.: CL21000495-00.

CLOSED SESSION:

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(7) AND (8) 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 litigation, specifically including but not limited to discussion regarding Petersburg Circuit Court Case No.: CL21000495-00.

Vice Mayor Smith-Lee made a motion that the City Council go into closed session for the purposes noted. Council Member Westbrook seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

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

City Council entered closed session at 6:10 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

*Audio available upon request.

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 Smith-Lee made a motion to return City Council into open session and certify the purposes of the closed session. Council Member Cuthbert seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

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

22-R- 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 open session at 6:23 p.m.

Mayor Parham stated, “In open session, I would like to entertain a motion from council to suspend the Rules of Council and add a resolution of committing support and fund match requirements for the Locks Water Main Replacement and the Citywide Public Safety Mission Critical Communication System support of all Petersburg citizens and businesses to tonight’s agenda.”

Vice Mayor Smith-Lee made a motion to add the resolution to the agenda. Council Member Westbrook seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham: Absent: Hill and Myers

Mayor Parham stated, “At this time can Ms. Joanne Williams come up front please. We have possibly a few questions on the resolution. Can you just give us a quick background?”

Joanne Williams, Director of Communications, Marketing and Government Relations, stated, “This is for earmark funds for the Senate and House. And they highly recommended a resolution. And these are the projects that we will submit. It does require, if we are so fortunate to get them, a 20% match.”

Mayor Parham stated, “Council Member Cuthbert, do you have any questions?”

Council Member Cuthbert stated, “I have no questions. It is a great idea. We all thank Ms. Williams for making this opportunity available to us.”

Vice Mayor Smith-Lee made a motion to approve the resolution. Council Member Wilson-Smith seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham: Absent: Hill and Myers

22-R-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA COMMITTING SUPPORT AND FUND MATCH REQUIREMENTS FOR LOCKS WATER MAIN REPLACEMENT AND THE CITYWIDE PUBLIC SAFETY MISSION CRITICAL COMMUNICATION SYSTEM SUPPORT OF ALL PETERSBURG CITIZENS AND BUSINESSES.

*Audio available upon request.

17. PUBLIC COMMENTS:

Marcus Omar Squires, 1701 Monticello Street, stated, "I am here tonight to ask the city if they have looked into naming numerous alleyways throughout the city. As I am working on starting to renovate some abandoned properties that I have brought here in the City of Petersburg, I have noticed that multiple alleyways don't have names. So, when I try to report the names to city staff members, they are unaware of these alleys. And my second question is that I see that you are responsible for the maintenance of these alleyways, I also like to bring up the issue of the Titmus Optical facility and Peabody. And I hope that the city is currently looking at doing something with these facilities as they are falling apart. Thank you for your time and consideration."

18. ADJOURNMENT:

City Council adjourned at 6:28 p.m.

Clerk of City Council

APPROVED:

Mayor

The Closed Session Meeting of the Petersburg City Council was held on Wednesday, March 30, 2022, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 2:15 p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr
Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Council Member Darrin Hill
Mayor Samuel Parham

Absent: Vice Mayor Annette Smith-Lee

Present from City Administration:

Clerk of Council Nykesha D. Jackson
City Attorney Anthony Williams
Interim City Manager Kenneth Miller

2. CLOSED SESSION:

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(7) AND (8) 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, specifically including but not limited to discussion regarding a real property conveyance; *and pursuant to §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 negotiations strategy of the public body, specifically including but not limited to the acquisition and disposition of real property.*

Council Member Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Cuthbert seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

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

City Council entered closed session at 2:17 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."

*Audio available upon request.

Council Member Hill made a motion to return City Council into open session and certify the purposes of the closed session. Council Member Wilson-Smith seconded the motion. 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, Westbrook, Hill, and Parham; Absent: Smith-Lee

22-R-15 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 open session at 2:44 p.m.

Mayor Parham stated, "At this time I would entertain a motion to add a motion to the agenda for today's meeting."

Council Member Hill made a motion to add a motion to today's council meeting. Council Member Wilson-Smith seconded the motion. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, and Parham; Absent: Smith-Lee

Mayor Parham stated, "Now at this time I will entertain a motion to authorize the interim city manager to execute the first amendment to an infrastructure development agreement between the City of Petersburg, Virginia and Phlow Corporation regarding a 2080 Normandy Drive and to authorize the city manager and city attorney to take all necessary action to facilitate the issuance of the license and conveyance described therein."

Council Member Hill made a motion to authorize the interim city manager to execute the first amendment to an infrastructure development agreement between the City of Petersburg, Virginia, and Phlow Corporation regarding a 2080 Normandy Drive and to authorize the city manager and city attorney to take all necessary action to facilitate the issuance of the license and conveyance described therein. Council Member Wilson-Smith seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee and Parham; Absent: Smith-Lee

3. ADJOURNMENT:

City Council adjourned at 2:47 p.m.

Clerk of City Council

APPROVED:

Mayor

*Audio available upon request.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Tangela Innis, Deputy City Manager
Kenneth Miller, Interim City Manager

FROM: Brian Moore

RE: **A public hearing on an ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years. (page 18)**

PURPOSE: An ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years.

REASON: An ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves the ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years

BACKGROUND: The Virginia Department of Housing and Community Development established The Virginia Enterprise Zone (VEZ) program. It is a partnership between state and local governments that encourages job creation and private investment. VEZ accomplishes this by designating Enterprise Zones throughout the state and providing two state grant-based incentives, the Job Creation Grant (JCG) and the Real Property Investment Grant (RPIG), to qualified investors and job creators within those zones, while the locality provides local incentives.

On June 21, 2005, the City of Petersburg City Council adopted a resolution to establish a local Enterprise Zone in the City of Petersburg. The enterprise zone provides incentives to existing and new businesses such as permit fee waivers, façade improvement grants, and architectural assistance grants.

To continue to encourage development in the City of Petersburg, the Department of Economic Development is recommending that the City adopts a modification to the Real Estate Rebate program by adding an additional year to the program with an exemption of 100% to qualified commercial and industrial businesses located

within the Enterprise Zone. This will change the term of the program from 5 years to 6 years for the commercial and industrial businesses in the enterprise zone.

Eligibility and Qualification

Eligibility and qualifications is determined by the commercial and industrial business being located within the Enterprise Zone. A summary of the structure: minimum age requirements, necessary value increase, limitations of new square footage and maximum exemption amounts are as follows:

Area	Structure Age	Value Increase	Addition Maximum	Maximum Credit
Commercial- Enterprise Zone	25+	60%+	15%+	\$2,000,000

COST TO CITY: Real Estate Taxes for a period not to exceed 6 years.

BUDGETED ITEM: N/A

REVENUE TO CITY: Real Estate Taxes paid to the City after year 6

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor Office

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 05-R-50

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Real Estate Tax Abatement Ordinance
2. Real Estate Tax Abatement Modification 2022

An ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone which will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years

WHEREAS, The Virginia Department of Housing and Community Development established The Virginia Enterprise Zone (VEZ) program. It is a partnership between state and local government that encourages job creation and private investment. VEZ accomplishes this by designating Enterprise Zones throughout the state and providing two grant-based incentives, the Job Creation Grant (JCG) and the Real Property Investment Grant (RPIG), to qualified investors and job creators within those zones, while the locality provides local incentives.

WHEREAS, On June 21, 2005, the City of Petersburg City Council adopted a resolution to establish a local Enterprise Zone in the City of Petersburg. The enterprise zone provides incentives to existing and new businesses such as permit fee waiver, façade improvement grants, and architectural assistance grant; and,

WHEREAS, To continue to encourage development in the City of Petersburg, the Department of Economic Development is recommending that the City Council adopts the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years; and,

WHEREAS, Eligibility and qualifications is determined by the commercial and industrial business being located within the Enterprise Zone. A summary of the structure minimum age requirements, necessary value increase, limitations of new square footage and maximum exemption amounts are as follows:

Area	Structure Age	Value Increase	Addition Maximum	Maximum Credit
Commercial-Enterprise Zone	25+	60%+	15%+	\$2,000,000

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby approves the City Manager to adopt the ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located within the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years

Presentation for Council Real Estate Tax Abatement Modification Consideration



**Brian A. Moore
Director of Economic Development
Petersburg, Virginia
March 1, 2022**

Introduction

This presentation will provide information on the process for the consideration of modifying the existing Real Estate Tax Abatement within the Enterprise Zone.

Background

- ▶ The Virginia Enterprise Zone program was established by the Virginia Department of Housing and Community Development.
- ▶ The goal of the program is to encourage job creation and private investment.
- ▶ The program provides two grant-based State incentives:
 - ▶ Job Creation Grant
 - ▶ Real Property Investment Grant
- ▶ These grants are provided to qualified investors and job creators within the Enterprise Zone.
- ▶ A locality can also provide local incentives.

Background

(Continued)

- ▶ The City Council adopted a resolution to establish a local Enterprise Zone on June 21, 2005.
- ▶ The Enterprise Zone provides the following local incentives to new businesses:
 - ▶ Permit fee waivers
 - ▶ Façade Improvement grants
 - ▶ Architectural assistance grants

Current Tax Abatement program

Petersburg, VA

5-Year program

Area	Structure Age	Value Increase	Addition Maximum	Maximum Credit
Commercial-Enterprise Zone	25+	60%+	25%	\$2,000,000

- Tax Exemption is equal to 100% for entire 5-Year period.

Proposed Tax Abatement program

Petersburg, VA

6-Year program

Area	Structure Age	Value Increase	Addition Maximum	Maximum Credit
Commercial- Enterprise Zone	25+	60%+	25%	\$2,000,000

- Tax Exemption is equal to 100% for entire 6-Year period.
- The additional year is only for commercial properties in the enterprise zone.

Proposed Tax Abatement program

Petersburg, VA

6-Year program

(Continued)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	
Assessed Value	\$2,405,700	\$2,405,700	\$2,405,700	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	
Real Estate Tax	\$32,476.95	\$32,476.95	\$32,476.95	\$135,000.00	\$135,000.00	\$ 135,000	
Tax Waived 100% with Incentive	\$32,476.95	\$32,476.95	\$32,476.95	\$32,476.95	\$32,476.95	\$ 135,000	
Total Taxes Waived for 6 years							\$297,385

- Tax Exemption is equal to 100% for entire 6-Year period.
- The additional year is only for commercial properties in the enterprise zone.

Current Tax Abatement program

Lynchburg, Virginia

10-Year Program

Area	Structure Age	Value Increase	Addition Maximum	Maximum Credit
Commercial-Enterprise Zone	25+	60%+	15%	None

- Tax Exemption is equal to the difference between the increase in assessed value resulting from the substantial rehabilitation/renovation of a structure and the beginning assessed value as determined by the City assessor.
- The tax exemption is reduced by 25% each year on July 1st during the last three years of the program, with the final year being 25% of the initial exemption.

Current Tax Abatement program

Staunton, VA

5- Year Program

Area	Structure Age	Value Increase	Addition Maximum	Maximum Credit
Commercial-Enterprise Zone	None	40%+	None	None

- Any property owner who makes repairs, renovations, or other structural or interior improvements to his/her industrial or commercial property such that its assessed value increases by at least 40% will receive a 5-year exemption on the increased real property taxes associated with the improvements.

Current Tax Abatement program Fredericksburg, VA 7-Year Program

Area	Structure Age	Value Increase	Addition Maximum	Maximum Credit
Commercial-Enterprise Zone	40+	30%+	15%	None

- For those properties that qualify, the initial increase in real estate taxes caused by rehabilitation will be excused for two (2) years and will continue on a declining scale for (5) more years.

Summary

- It is recommended by the Department of Economic Development that City Council would consider the recommendation for consideration of modifying the existing Real Estate Tax Abatement within the Enterprise Zone.
- The tax exemption is equal to 100% for entire 6-Year period.
- The additional year is only for commercial properties in the enterprise zone.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Tangela Innis, Randall Williams

RE: A public hearing and consideration of naming a private street Civica Way at the request of Phlow Corporation. (page 32)

PURPOSE: To name an unnamed private street

REASON: Property owner, Phlow Corporation, has submitted a request to name an unnamed private street Civica Way.

RECOMMENDATION: The Public Works Department recommends the unnamed private street be named Civica Way.

BACKGROUND: The Phlow Corporation, owner of the property for the Civica facility has submitted a request to name a private unnamed street on the property to Civica Way.

COST TO CITY: \$0

BUDGETED ITEM: No

REVENUE TO CITY: \$473.00

CITY COUNCIL HEARING DATE: 3/15/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: §98-51

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Civica Way, Council Resolution 3-15-2022
2. Petition to Change Street Name

**A RESOLUTION TO NAME A PRIVATE STREET
CIVICA WAY FROM NORTH NORMANDY
DRIVE TO END**

WHEREAS, pursuant to §98-51 of the Petersburg City Code, Council for the City of Petersburg, Virginia desires to name a unnamed private street Civica Way from North Normandy Drive to its end; and

WHEREAS, the City of Petersburg’s Department of Public Works has determined that the adjacent property owner is the applicant, Phlow Corporation; and

WHEREAS, no property owners either opposed or objected to the renaming; and

WHEREAS, to avoid duplication, the proposed name change was submitted to the Crater Planning District Commission (CPDC) which found the name Civica Way does not exist elsewhere in south central Virginia; and

WHEREAS, the private street is currently unnamed and the property owner, Phlow Corporation, desires to name the private street after the Civica Facility.

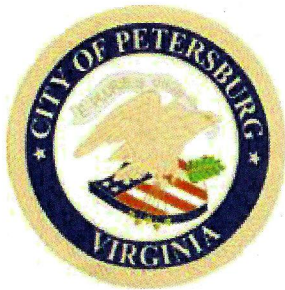
NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Petersburg, Virginia that the new unnamed private street beginning at North Normandy Drive and extending to its terminus is hereby named Civica Way.

Samuel Parham, Mayor

ATTEST:

Nykesha D. Jackson, Clerk of Council

Adopted by the Council of Petersburg, Virginia, this ____ day of _____, 2022.



CITY OF PETERSBURG

DEPARTMENT OF PUBLIC WORKS AND PUBLIC UTILITIES

103 WEST TABB STREET, PETERSBURG, VIRGINIA 23803

PHONE (804) 733-2355 FAX (804) 732-2030

PETITION TO CHANGE STREET NAME

(Please type or print neatly)

1. **Petitioner(s) Name:** Phlow Corporation

Petitioner(s) Address: 2821 Normandy Drive

Daytime Phone: 804.207.4893 (o) 703.509.4056 (m)

Fax Number: N/A

Email Address: rdemeria@phlow-usa.com

2. **Current Street Name and Route Number (if applicable):**

N/A (Private road not currently named) 2821 Normandy Dr.

Building # 9500

3. **Proposed Street Name:**

Civica Way

4. **Please describe the reason(s) why you are seeking the street name change:**

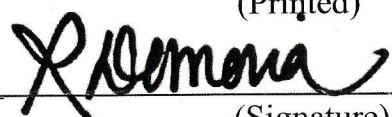
This road is being built on private land and will lead to the Civica facility

FILING REQUIREMENTS CHECKLIST

1. The petition with the original signature(s).
2. One (1) copy of a location map accurately showing the location of the referenced street reduced to a paper size not more than 11" x 17".
3. A list of the names and addresses of all persons, firms, or corporations owning all properties affected by the street name change and the tax map number of such properties.

Note to the Petitioner: It is highly recommended that the petitioner seek input from affected property owners and solicit their support of the street name change prior to filing the request with the Engineering and Stormwater Management Division. It is the City's policy that one hundred percent (100%) of all affected property owners must agree to street name changes initiated by a citizen, or the request will not be approved.

I, the undersigned Petitioner, certify that to the best of my knowledge, all statements in this application are accurate and complete, including all required information and submittals. I understand that the costs associated with this request, including postage, the creation and posting of new street signs, is my responsibility and agree to pay all costs associated with this request.

Name: Robby Demeria
(Printed)

(Signature)



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager

FROM: Brian Moore

RE: **A public hearing for the consideration of a resolution by the City Council approving the issuance by the Petersburg Redevelopment and Housing Authority of its multifamily housing revenue bonds for the acquisition, construction, renovation, rehabilitation and equipping of the approximately 98-unit Dorsey Flats Apartments multifamily housing facility located in the City of Petersburg, Virginia. (page 36)**

PURPOSE: A public hearing for the consideration of a resolution by the City Council approving the issuance by the Petersburg Redevelopment and Housing Authority of its multifamily housing revenue bonds for the acquisition, construction, renovation, rehabilitation and equipping of the approximately 98-unit Dorsey Flats Apartments multifamily housing facility located in the City of Petersburg, Virginia.

REASON: To consider a resolution approving the issuance by the Petersburg Redevelopment and Housing Authority of its multifamily housing revenue bonds for the acquisition, construction, renovation, rehabilitation and equipping of the approximately 98-unit Dorsey Flats Apartments multifamily housing facility located in the City of Petersburg, Virginia

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves the resolution approving the issuance by the Petersburg Redevelopment and Housing Authority of its multifamily housing revenue bonds for the acquisition, construction, renovation, rehabilitation and equipping of the approximately 98-unit Dorsey Flats Apartments multifamily housing facility located in the City of Petersburg, Virginia

BACKGROUND: On March 16, 2021, the City Council adopted a resolution 21-R-27 approving the issuance by the by the Petersburg Redevelopment and Housing Authority of its Multifamily Housing Revenue Bonds for the acquisition, construction, renovation, rehabilitation, and equipping of the approximately 98-Unit Dorsey Flats Multifamily Housing Facility located in Petersburg, VA. This resolution has expired. Staff is requesting that the City Council approve the updated resolution below for the issuance of the bond.

The City Council adopted 20-ORD-17 on April 28, 2020, approving and authorizing the City Manager to sell 1000 Diamond Street to PB Petersburg Owner LLC to construct multifamily residential development that requires: 1) occupancy limited to senior citizens and veterans; 2) no more than half of the apartments will be

two-bedrooms and the remainder one-bedroom units; 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. The City Council also adopted 20-ORD-40, on September 1, 2020, authorizing the City Manager to execute a purchase agreement toward the sale of forty-nine (49) parcels of city owned property in Ward 5 to PB Petersburg, LLC, with amendments approved on July 20, 2021 with the removal of 11 parcels from the original purchase agreement (21-ORD-44)

The Petersburg Redevelopment and Housing Authority (the "Authority") has considered the application of PB Petersburg Owner II LLC, a Virginia limited liability company ("PB Petersburg II"), and PB Petersburg Owner IV LLC, a Virginia limited liability company ("PB Petersburg IV," and together with PB Petersburg II, the "Borrowers"), requesting that the Authority issue up to \$15,000,000 of its revenue bonds, tax-exempt loans or notes, in one or more series (collectively, the "Bonds") to assist the Borrowers or an affiliated entity in financing or refinancing a portion of the cost of acquiring, constructing, renovating, rehabilitating and equipping a multifamily residential rental housing project containing approximately 98 units, including approximately 50 units for seniors, as well as related community space and recreation facilities (collectively, the "Project") and the costs of issuance incurred in connection with the issuance of the Bonds (together with the Project, the "Plan of Finance"). The approximately 50 units for seniors to be known as Virginia Avenue School (the "Apartments Project") will be located at 1000 Diamond Street, in the City of Petersburg, Virginia, formerly the Virginia Avenue Elementary School, and the other approximately 48 units to be known as Dorsey Flats (the "Homes Projects") will be located on 38 lots at the following addresses, all of which are in the City of Petersburg, Virginia:

612 Pegram Street
151 St. Mark Street
709-711 Ann Street
735 Halifax Street
334 Harrison Street
803 South Jones Street
604 Shore Street
425 South West Street
715 South West Street
517 St. Matthew Street
716 Harding Street

708-710 Kirkham Street
249 North Carolina Avenue
808 Halifax Street
811 Halifax Street
839-841 South Jones Street
716 Kirkham Street
742 Mount Airy Street
829 South Jones Street
742 Blick Street
627 Harding Street
804 South Jones Street
135 Kentucky Avenue
712-714 Kirkham Street
809 South Jones Street
408 Shore Street
415 St. Matthew Street
1004 Farmer Street
852 Rome Street

328 Shore Street
322 Shore Street
204 Kentucky Avenue
521 St. Mark Street
725 Sterling Street
731 South West Street
919 Wythe Street W
202 Kentucky Avenue
151 Virginia Avenue

The City Council of the City of Petersburg, Virginia (the "Council") has held a public hearing in connection with the Plan of Finance on April 19, 2022 (the "Public Hearing"). Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the applicable elected representatives of the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of such bonds. The Authority issues its bonds on behalf of the City of Petersburg, Virginia (the "City") and the Project is located in the City. The Authority, as the issuing governmental unit with respect to the Bonds, has no applicable elected representative, the City constitutes the next highest governmental unit with such a representative, and the members of the Council constitute the applicable elected representatives of the City. The Authority has recommended that the Council approve the issuance of the Bonds. A copy of the Authority's resolution approving the issuance of the Bonds and the fiscal impact statement concerning the Plan of Finance have been filed with the Council.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-R-27, 20-ORD-17, and 21-ORD-44

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Active_157130213_3_Dorsey Flats - City Council Resolution

**RESOLUTION APPROVING THE ISSUANCE BY THE
PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY OF ITS
MULTIFAMILY HOUSING REVENUE BONDS FOR THE ACQUISITION,
CONSTRUCTION, RENOVATION, REHABILITATION AND EQUIPPING
OF THE APPROXIMATELY 98-UNIT DORSEY FLATS APARTMENTS
MULTIFAMILY HOUSING FACILITY LOCATED IN THE
CITY OF PETERSBURG, VIRGINIA**

WHEREAS, the Petersburg Redevelopment and Housing Authority (the "Authority") has considered the application of PB Petersburg Owner II LLC, a Virginia limited liability company ("PB Petersburg II"), and PB Petersburg Owner IV LLC, a Virginia limited liability company ("PB Petersburg IV," and together with PB Petersburg II, the "Borrowers"), requesting that the Authority issue up to \$15,000,000 of its revenue bonds, tax-exempt loans or notes, in one or more series (collectively, the "Bonds") to assist the Borrowers or an affiliated entity in financing or refinancing a portion of the cost of acquiring, constructing, renovating, rehabilitating and equipping a multifamily residential rental housing project containing approximately 98 units, including approximately 50 units for seniors, as well as related community space and recreation facilities (collectively, the "Project") and the costs of issuance incurred in connection with the issuance of the Bonds (together with the Project, the "Plan of Finance"). The approximately 50 units for seniors to be known as Virginia Avenue School (the "Apartments Project") will be located at 1000 Diamond Street, in the City of Petersburg, Virginia, formerly the Virginia Avenue Elementary School, and the other approximately 48 units to be known as Dorsey Flats (the "Homes Projects") will be located on 38 lots at the following addresses, all of which are in the City of Petersburg, Virginia:

612 Pegram Street
151 St. Mark Street
709-711 Ann Street
735 Halifax Street
334 Harrison Street
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604 Shore Street
425 South West Street
715 South West Street
517 St. Matthew Street
716 Harding Street
708-710 Kirkham Street
249 North Carolina Avenue
808 Halifax Street
811 Halifax Street
839-841 South Jones Street
716 Kirkham Street
742 Mount Airy Street
829 South Jones Street
742 Blick Street
627 Harding Street

804 South Jones Street
135 Kentucky Avenue
712-714 Kirkham Street
809 South Jones Street
408 Shore Street
415 St. Matthew Street
1004 Farmer Street
852 Rome Street
328 Shore Street
322 Shore Street
204 Kentucky Avenue
521 St. Mark Street
725 Sterling Street
731 South West Street
919 Wythe Street W
202 Kentucky Avenue
151 Virginia Avenue

WHEREAS, the City Council of the City of Petersburg, Virginia (the "Council") has held a public hearing in connection with the Plan of Finance on April 19, 2022 (the "Public Hearing"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the applicable elected representatives of the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of such bonds; and

WHEREAS, the City of Petersburg, Virginia (the "City") by and through its duly elected City Council has jurisdiction over the Authority, which serves as issuer of the private activity bonds being issued, and over the area in which the project being financed with the proceeds of such private activity bonds is located; and

WHEREAS, by resolution adopted on March 16, 2021, by the City Council, public approval of the issuance of the Bonds was obtained as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code (as hereinafter defined), as applicable to housing authorities;

WHEREAS, upon the expiration of one year from the date of such public approval, the Code and the regulations of the U.S. Department of the Treasury promulgated thereunder, require a subsequent public hearing be held and public approval be obtained;

WHEREAS, the Authority has recommended that the Council approve the issuance of the Bonds; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds and the fiscal impact statement concerning the Plan of Finance have been filed with the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA:

1. The Council approves the issuance of the Bonds by the Authority for the benefit of the Borrowers, as required by Section 147(f) of the Code, Section 15.2-4906, as applicable to housing authorities, of the Code of Virginia of 1950, as amended (the "Virginia Code") and Section 36-19(9) of the Virginia Code to permit the Authority to assist in the financing of the Plan of Finance.
2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Plan of Finance or the Borrower.
3. The Bonds shall provide that neither the City nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and monies pledged thereto and that neither the faith and credit nor the taxing power of the City or the Authority is pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto.
4. In adopting this resolution, the City, including its elected representatives, officers, employees and agents, shall not be liable for, and hereby disclaim all liability for, any damages to any person, direct or consequential, resulting from the Authority's failure to issue the Bonds for any reason.
5. This resolution shall take effect immediately upon its adoption.

Adopted by the City Council of the City of Petersburg, Virginia this 5th day of April, 2022.

CERTIFICATE

Record of the roll-call vote by the City Council of the City of Petersburg, Virginia, upon reading on a resolution titled "**RESOLUTION APPROVING THE ISSUANCE BY THE PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE BONDS FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, REHABILITATION AND EQUIPPING OF THE APPROXIMATELY 98-UNIT DORSEY FLATS APARTMENTS MULTIFAMILY HOUSING FACILITY LOCATED IN THE CITY OF PETERSBURG, VIRGINIA,**" taken at a meeting of the City Council held on April 19, 2022:

	AYE	NAY	ABSTAIN	ABSENT
Hon. Samuel Parham, Mayor				
Hon. Annette Smith-Lee, Vice Mayor				
Hon. Treska Wilson-Smith				
Hon. Darrin Hill				
Hon. Charlie Cuthbert				
Hon. W. Howard Myers				
Hon. Arnold Westbrook, Jr.				

Dated: _____, 2022

CITY COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA

The undersigned Clerk of the City Council of the City of Petersburg, Virginia, hereby certifies that the foregoing is a true, correct, and complete copy of a resolution adopted by the City Council at its meeting duly called and held on April 19, 2022, in accordance with law, and that such resolution has not been repealed, revoked, rescinded, or amended, but is in full force and effect as of the date hereof.

WITNESS my hand and the seal of the City of Petersburg, Virginia this 5th day of April, 2022.

[SEAL]

Clerk, City Council of the City of
Petersburg, Virginia



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager

FROM: Reginald Tabor

RE: **A public hearing on the consideration of an ordinance approving Community Development Block Grant (CDBG) funding for PY21/FY22. (page 43)**

PURPOSE: To hold a public hearing on the consideration of an ordinance approving Community Development Block Grant (CDBG) funding for PY21/FY22.

REASON: To comply with applicable procedures and laws regarding the consideration of expenditures.

RECOMMENDATION: It is recommended that the City Council considers approval of CDBG funding for PY21/FY22.

BACKGROUND: The City of Petersburg receives funding through the U.S. Department of Housing and Community Development (HUD) Community Development Block Grant (CDBG) Program. The City distributes the funding to projects to address housing and community development needs. Since 2016, some projects previously approved for funding were cancelled or completed without expending all of the approved funding, resulting in a fund balance.

Up to 15% of CDBG funding can be allocated to public service activities, 20% of CDBG funding can be allocated to administration, and the remainder to housing and community development projects.

The following is project funding requested for approval:

AP Hill Renovations	\$ 50,000.00
Low Street Project	\$ 20,000.00
CDBG Code Enforcement	\$ 55,000.00
CDBG Administration	\$ 20,000.00
Comprehensive Plan	\$150,000.00

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

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

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

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. ORDINANCE_CDBGPY21_FY22

AN ORDINANCE APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR PROGRAM YEAR (PY)21/FISCAL YEAR (FY)22

WHEREAS, the City of Petersburg receives funding through the U.S. Department of Housing and Community Development (HUD) Community Development Block Grant (CDBG) Program; and

WHEREAS, the City distributes the funding to projects to address housing and community development needs; and

WHEREAS, since 2016, some projects previously approved for funding were cancelled or completed without expending all of the approved funding, resulting in a fund balance; and

WHEREAS, up to 15% of CDBG funding can be allocated to public service activities, 20% of CDBG funding can be allocated to administration, and the remainder to housing and community development projects; and

WHEREAS, the following is project funding requested for approval:

AP Hill Renovations \$ 50,000.00

Low Street Project \$ 20,000.00

CDBG Code Enforcement \$ 55,000.00

CDBG Administration \$ 20,000.00

Comprehensive Plan \$150,000.00

WHEREAS, pursuant to the requirements of the Code of Virginia, as amended, a public hearing was held by the City Council prior to consideration of the approval of this ordinance and the public hearing was advertised, in accordance with applicable laws.

NOW, THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg adopts this ordinance and approves the proposed allocation of CDBG funding.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Stacey Jordan

RE: A public hearing on April 19, 2022, for the consideration of FY2021-2022 #2 Proposed Schools Operating Budget in the amount of \$1,611,079.77. (page 46)

PURPOSE: To have City Council discuss and consider an additional supplement request for FY2021-2022 Schools Budget.

REASON:

The City of Petersburg must approve the Budget Supplement for Petersburg City Public Schools.

RECOMMENDATION:

Recommend City Council to approve the Budget Supplement for the Petersburg City Public Schools for FY2021-2022 in the amount of \$1,611,079.77.

BACKGROUND: In February City Council approved the 1st round of supplements, bringing the total appropriation to \$71,117,861. Petersburg Public Schools is bringing a 2nd round of supplements for approval in the amount of \$2,001,759.10. This additional appropriation will bring schools' revenues for FY2022 total to \$73,119,620.10.

COST TO CITY: 10,000,000

BUDGETED ITEM: YES

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Petersburg Public Schools

AFFECTED AGENCIES: Petersburg Public Schools

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Budget Supplements January - March



Petersburg City Public Schools

Maria Pitre-Martin, Ph.D., Superintendent

To: Honorable School Board Members

From: Dr. Maria Pitre-Martin
Superintendent

Date: April 20, 2022

Subject: FY2021-2022 Budget Supplements #3

This is a request to approve and appropriate revenue and expenditures revisions into the FY2021-2022 budget.

	Amount	Use of Funds	Funding Source	Oversight
New Grants				
Journey into Teaching	\$ 15,000.00	SPED Teacher Tuition Assistance	Federal	Paige Tucker
Emergency Operating Food Service	\$ 50,000.00	Food Service Needs	Federal	S. Stokes
Educator Recruitment/Retention	\$ 100,000.00	Teacher Recruitment and Retention	Federal	P. Tucker
McKinney-Vento ARP Homeless	\$ 127,348.06	Homeless Student Needs	Federal	D. Rogers
Mental Health Grant	\$ 129,016.00	Mental Health Needs	Federal	T. Manson
Gear-Up	\$ 26,000.00	VJMS Program	Federal	P. Glenn
ARP Electric Bus	\$ 900,000.00	To replace 3 older buses	Federal	Blunt/Squire
	\$ 1,347,364.06	Total New Funds		
Grant Revisions				
Title I	\$ 271,921.00	Additional award from DOE	Federal	A. Blunt
Project Graduation	\$ (10,866.01)	Reduce to actual award	State	R. Bibbins
School Security Grant	\$ 6,682.00	Security equipment for schools	State	A. Squire
PBIS	\$ 1,000.00	Additional award from DOE	State	D. Rogers
Mental Health Grant	\$ (10,021.28)	Unused portion of carried over amount from FY21	Federal	T. Manson
McKinney-Vento Homeless	\$ 5,000.00	Additional award	Federal	D. Rogers
	\$ 263,715.71	Total Grant Revisions		
	\$ 1,611,079.77	Total Appropriation Changes		

These revisions result in an appropriation increase of \$1,611,079.77

Recommendation / Action Requested: It is the Superintendent's recommendation that the Board approve the budget supplements as presented and increase the appropriation for FY2021-2022 by \$1,611,079.77.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Stacey Jordan

RE: A public hearing on the consideration of the FY2022-2023 City of Petersburg Proposed All Funds Budget. (page 49)

PURPOSE:

To have City Council discuss and consider the All Funds Budget for Fiscal Year Ending June 30, 2023 in the amount of \$104,201,022.

REASON:

A Public Hearing was held in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the proposed budgets of the various funds, known as All Funds, in the amount of \$104,201,023. The All Funds Budget for the Fiscal Year commencing July 1, 2022 and ending June 30, 2023 requires approval, adoption and appropriation by City Council.

RECOMMENDATION: Recommend City Council to adopt and appropriate the All Funds Budget for Fiscal Year 2022-23.

BACKGROUND: The Interim City Manager proposed an All Funds Budget to the City Council and the Public on March 24, 2022.

COST TO CITY: \$104,201,023

BUDGETED ITEM: Yes

REVENUE TO CITY: \$104,201,023

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: All Departments

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. FY2022-2023 Proposed All Funds Budget 04.12.2022

AN ORDINANCE MAKING APPROPRIATIONS IN
THE ALL FUNDS BUDGET
FOR THE FISCAL YEAR COMMENCING ON
JULY 1, 2022 AND ENDING JUNE 30, 2023.

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

- I. That appropriations for the fiscal year commencing July 1, 2022 and ending June 30, 2023, in the All Funds Budget are made from the following resources and revenues of the City, for the fiscal year ending June 30, 2023.

Revenue

General Fund Revenue	\$73,856,740
General Property Taxes	\$36,957,828
Other Local Taxes	\$13,577,400
Licenses, Permits and Fees	\$302,840
Fines and Forfeitures	\$405,000
Revenue from Use of Money and Property	\$110,000
Revenue from Other Agencies	\$18,723,284
Charges for Services	\$2,625,008
Recovered Costs	\$40,500
Miscellaneous Revenues	\$914,880
Non-Revenue Receipts	\$200,000
Grants Fund Revenue	\$1,002,267
Community Development Block Grant	\$628,399
VDOT Highway Maintenance Urban Allocation	\$5,984,699
Utilities	\$15,116,132
Mass Transit	\$4,974,745
Dogwood Trace Golf Course	\$1,379,028
Stormwater	\$1,259,012
Total Revenue	\$104,201,022

- II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing on July 1, 2022 and ending June 30, 2023 the following sums for the purposes mentioned:

Expenses

General Fund Expenditures	\$73,856,740
General Government	\$6,380,474
Constitutional Offices	\$5,287,980
Public Safety	\$17,785,504
Courts & Other Public Safety	\$273,360
General Services	\$5,536,145
Social Services	\$14,596,193
Recreation & Community Engagement	\$1,977,763

Development Services	\$2,427,008
Debt Service	\$3,127,269
Fund Balance Restoration	\$1,000,000
Schools Transfer	\$10,000,000
Non-Departmental	\$3,902,716
Transfers to other Funds	\$1,562,329
Grants Fund	\$1,002,267
Community Development Block Grant	\$628,399
VDOT Highway Maintenance Urban Allocation	\$5,984,699
Utilities	\$15,116,132
Mass Transit	\$4,974,745
Dogwood Trace Golf Course	\$1,379,028
Stormwater	\$1,259,012
Total Expenses	\$104,201,022

This budget recommends a reduction in the Real Estate Tax Rate from \$1.35 to \$1.27: No change to the Personal Property Tax Rate of \$4.90: or the Machinery & Tools Tax Rate of \$3.80.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Tangela Innis

RE: A public hearing on April 19, 2022, for the consideration of City Council to advertise a maximum tax rate of \$1.27 per \$100 of assessed value. (page 53)

PURPOSE: A request to hold a public hearing on April 19, 2022 for the consideration of City Council to advertise a maximum tax rate of \$1.27 per \$100 of assessed value.

REASON: A request to hold a public hearing on April 19, 2022 for the consideration of City Council to advertise a maximum tax rate of \$1.27 per \$100 of assessed value.

RECOMMENDATION: The Interim City Manager recommends that the City Council approves the reduction of the Real Estate tax rate by \$.08, reducing the rate from \$1.35 to \$1.27 per \$100 of assessed value to allow residents economic relief.

BACKGROUND: The lowered rate is necessary to offset increased assessment values: The City of Petersburg is proposing to adopt a tax rate of \$1.27 per \$100 of assessed value. The difference between the lowered tax rate and the proposed tax rate would be \$.08 per \$100. The difference will be known as the “effective tax rate decrease.”

COST TO CITY: \$1,748,758

BUDGETED ITEM: Yes

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 4/19/2022

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. NOTICE OF PROPOSED REAL PROPERTY TAX DECREASE

NOTICE OF PROPOSED REAL PROPERTY TAX DECREASE



The City of Petersburg proposes to decrease property tax levies.

1. **Assessment Decrease:** Total assessed value of real property, excluding assessments due to new construction and improvements to property, exceeds last year's total assessed value of real property by 13 percent.
2. **Lowered Rate necessary to Offset Increased Assessment:** The tax rate which would levy a reduction in the amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusion mentioned above, would be \$1.27 per \$100 of assessed value. This rate will be known as the "lowered tax rate."
3. **Effective Rate Decrease:** The City of Petersburg is proposing to adopt a tax rate of \$1.27 per \$100 of assessed value. The difference between the lowered tax rate and the proposed tax rate would be \$.08 per \$100. The difference will be known as the "effective tax rate decrease."

Individual property taxes many, however, increased at a percentage greater than or less than the above percentage.

4. **Proposed Total Budget Increase:** Based on the proposed real property tax rate and changes in other revenues, the total budget of the City of Petersburg will exceed last year's by .3264 percent.

A public hearing on the decrease will be held on April 19, 2022, at the Petersburg Public Library, 201 West Washington Street, Petersburg, Virginia.

A review of assessment can be requested by completing a review of assessment application by March 1, 2022. Applications are available at www.petersburg.gov/148/City-Assessor, via telephone at (804) 733-2336, or may be obtained at the City Assessor's Office.

Appeal Deadline to the City Assessor's Office:	March 1, 2022
Appeal Deadline to the Board of Equalization:	April 1, 2022
Board of Equalization Applications will be disposed by:	June 30, 2022

Taxpayers may request to examine appraisal cards, working papers and other information regard the methodology employed in calculating the assessed value.

Brian Gordineer
City Assessor

Issued in accordance with § 58.1-3321, Code of Virginia, 1950, as amended.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Tangela Innis

RE: A public hearing on the consideration of an ordinance to amend and re-adopt 106-65 of the City of Code pertaining to the collection of delinquent real property taxes on properties where abatement expenses have been incurred. (page 56)

PURPOSE: Consideration of amending an ordinance and readopt Section 106-65 of the city code.

REASON: To amend and readopt the city code.

RECOMMENDATION: To schedule a public hearing for April 19, 2022.

BACKGROUND: See attached ordinance.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 20220328_180448_087382_Sec._106_65.____Additional_authority_to_sell_land_for_delinquent_taxes

**AN ORDINANCE TO AMEND AND RE-ADOPT 106-65 OF THE CITY CODE
PERTAINING TO THE COLLECTION OF DELINQUENT REAL PROPERTY TAXES
ON PROPERTIES WHERE ABATEMENT EXPENSES HAVE BEEN INCURRED**

WHEREAS, the City has defined certain instances where real property may be sold for delinquent taxes in the City of Petersburg under Section 106-65 of the Code of Virginia; and

WHEREAS, the City has obtained Special Legislation from the General Assembly under Section 58.1-3965 of the Code of Virginia which shortens the period of time within which the City can collect delinquent real property taxes to six months; and

WHEREAS, it is the wish of City Council to have these provisions implemented and incorporated into the City's published Code of Ordinances.

NOW therefore be it ORDAINED that Section 106-65 of the City Code is hereby amended and re-adopted as follows:

Sec. 106-65. Additional authority to sell land for delinquent taxes.

In addition to the authority provided by Code of Virginia, § 58.1-3965, subsection A, as amended, and in accordance with Code of Virginia § 58.1-3965.1, the city may also institute proceedings to sell in accordance with law any real estate when taxes on such real estate are delinquent on December 31 following the first anniversary of the date on which such taxes have become due. The ordinance from which this section derives shall stand as the ordinance of institution for each and every such proceeding commenced in accordance with this section. Notice shall be given in accordance with relevant law.

However, to the extent that Petersburg is a qualifying locality, as defined in § 58.1-3221.6 of the Code of Virginia, whenever:

(a) taxes on any real estate are delinquent upon the expiration of six months following the date on which such taxes became due **and**

(b) the locality has incurred abatement costs which remain unpaid upon the expiration of six months following the date on which the abatement costs were first incurred, real estate meeting the conditions described as follows:

- (i) any structure that has been condemned by the local building official pursuant to applicable law or ordinance;
- (ii) any nuisance as that term is defined in § 15.2-900 of the Code of Virginia;
- (iii) any derelict building as that term is defined in § 15.2-907.1; or
- (iv) any property that has been declared to be blighted as that term is defined in § 36-49.1:1 of the Code of Virginia

may be sold for the purpose of collecting all delinquent taxes and abatement costs on such property. For the purposes of this section, "abatement costs" means costs incurred by a locality that result from the conditions described in clause (i), (ii), (iii), or (iv).

(Ord. No. 01-09, 3-6-2001) State Code reference: 58.1-3965 and 58.1-3965.1



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Reginald Tabor

RE: **A public hearing and consideration of an ordinance authorizing the installation of a street mural at the intersection of W. Washington & Market Street (corner of the Petersburg Public Library). (page 58)**

PURPOSE: A public hearing on the consideration of an ordinance authorizing the installation of a street mural at the intersection of W. Washington Street (corner of Petersburg Public Library).

REASON: To increase safety and provide accessible active transportation (walking) opportunities to and between downtown community sites, businesses and residences.

RECOMMENDATION: It is recommended that the City Council approves an ordinance authorizing the installation of a street mural at the intersection of W. Washington & Market Street (corner of Petersburg Public Library).

BACKGROUND: During the March 1, 2022, City Council meeting, Ms. Fancie Terrell and Ms. Lisa Homa of Petersburg Healthy Options Partnerships (PHOPs) made a presentation regarding 'Tactical Urbanism' and a request to install a street mural at the intersection of W. Washington & Market Streets (corner of Petersburg Public Library). The purpose of the street mural is to increase safe and accessible active transportation (walking) opportunities to and between downtown community sites, businesses and residences.

This street mural project is a part of the 2021-2022 Virginia Walkability Action Institute cohort's (Petersburg team) action plan to create safe and accessible walking opportunities to reach the POP! Mobile Farmers' Market and the Market @ PPL (farm market) at the Petersburg Public Library along with multiple other local businesses, community sites and residences in downtown.

Outcomes of this project are to:

1. Support safe crossing across a main downtown and intersecting street.
2. Increase access to local farm markets available at the Petersburg Public Library.
3. Create a community-driven artistic rendering in a highly-trafficked location.

Funding for the project is to be paid through grant funding.

Logistics will be coordinated with the City's Department of Public Works.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Public Library
Public Works

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: This program would be an exception to City Code 6-6, which prohibits painting of streets and sidewalks.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. ORDINANCE_StreetMural
2. Aerial_StreetMuralLocation
3. 04_2022AerialWWashingtonAndMarketSt
4. Tactical Urbanism - Petersburg Project Proposal

AN ORDINANCE AUTHORIZING THE INSTALLATION OF A STREET MURAL AT THE INTERSECTION OF W. WASHINGTON & MARKET STREET (CORNER OF THE PETERSBURG PUBLIC LIBRARY)

WHEREAS, during the March 1, 2022, City Council meeting, Ms. Fancie Terrell and Ms. Lisa Homa of Petersburg Healthy Options Partnerships (PHOPs) made a presentation regarding 'Tactical Urbanism' and a request to install a street mural at the intersection of W. Washington & Market Streets (corner of Petersburg Public Library); and

WHEREAS, the purpose of the street mural is to increase safe and accessible active transportation (walking) opportunities to and between downtown community sites, businesses and residences; and

WHEREAS, this street mural project is a part of the 2021-2022 Virginia Walkability Action Institute cohort's (Petersburg team) action plan to create safe and accessible walking opportunities to reach the POP! Mobile Farmers' Market and the Market @ PPL (farm market) at the Petersburg Public Library along with multiple other local businesses, community sites and residences in downtown; and

WHEREAS, Outcomes of this project are to; 1. Support safe crossing across a main downtown and intersecting street, 2. Increase access to local farm markets available at the Petersburg Public Library, 3. Create a community-driven artistic rendering in a highly-trafficked location; and

WHEREAS, the funding for the project is to be paid through grant funding; and

WHEREAS, logistics will be coordinated with the City's Department of Public Works; and

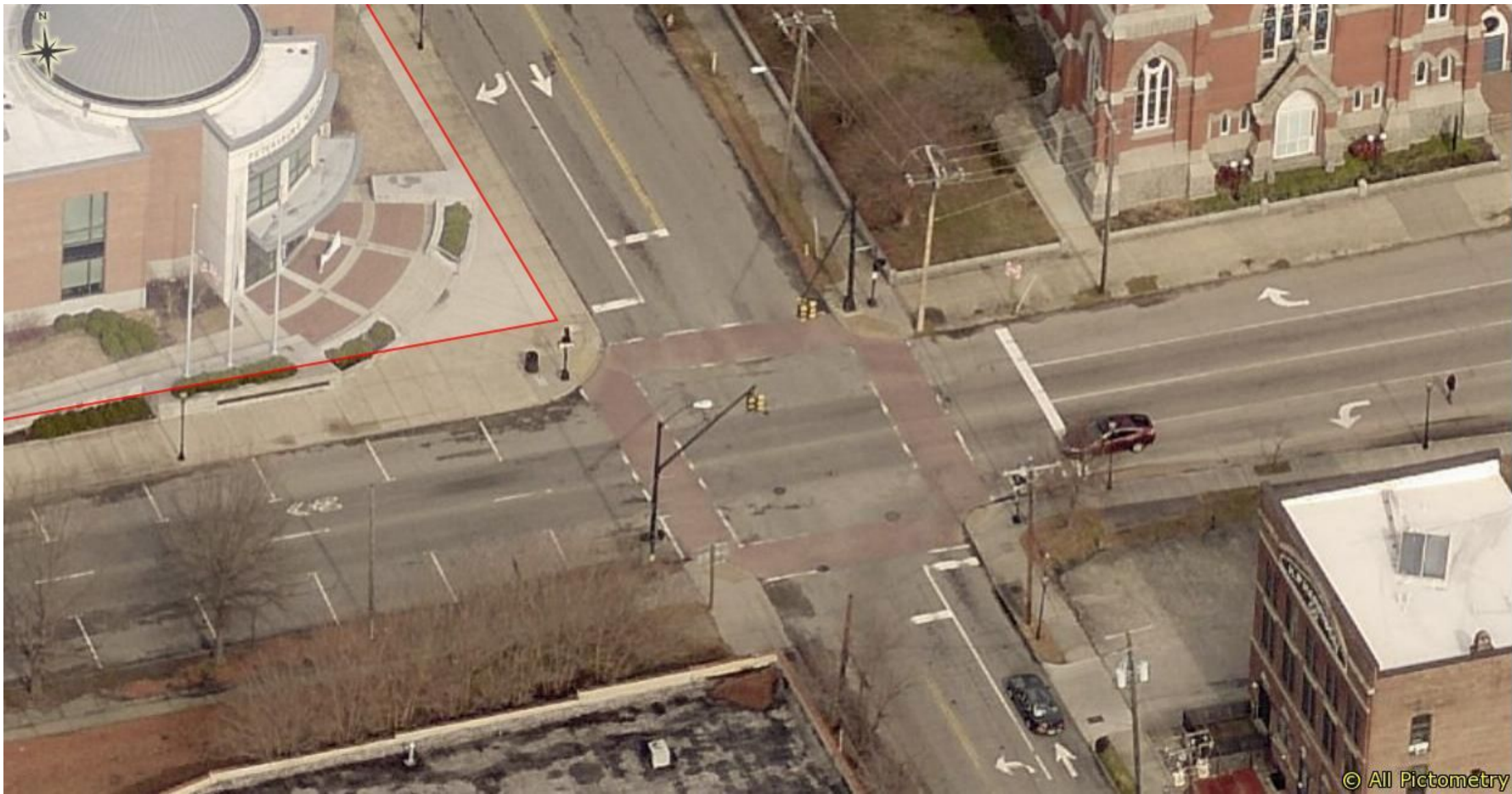
WHEREAS, pursuant to the requirements of the Code of Virginia, as amended, a public hearing was held by the City Council prior to consideration of the approval of this ordinance and the public hearing was advertised, in accordance with applicable laws.

NOW, THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg approves this ordinance approving the installation of a Street Mural at the intersection of W Washington Street and Market Street.



Proposed Street Mural W Washington Street and Market Street

Intersection - W Washington St and Market St



© All Pictometry

Tactical Urbanism Project Proposal Petersburg



The Issue

Issue statement

Why is this important?

Petersburg Transportation Data

Solution Proposal

Tactical Urbanism

Examples

Focus areas

Next Steps

Timeline

Ask



The Issue



Issue statement

Areas with both high vehicle speeds as well as pedestrian and pedalcyclist traffic make for unsafe road conditions in high risk areas.

In 2020, traffic crashes fatalities increased by 7.2%

Research suggests that throughout the past year, driving patterns and behaviors changed significantly.

Drivers who remained on the roads engaged in more risky behavior, including speeding, failing to wear seat belts, and driving under the influence of drugs or alcohol.

Traffic data indicates that average speeds increased and examples of extreme speeds became more common, while the evidence also shows that fewer people involved in crashes used their seat belts.



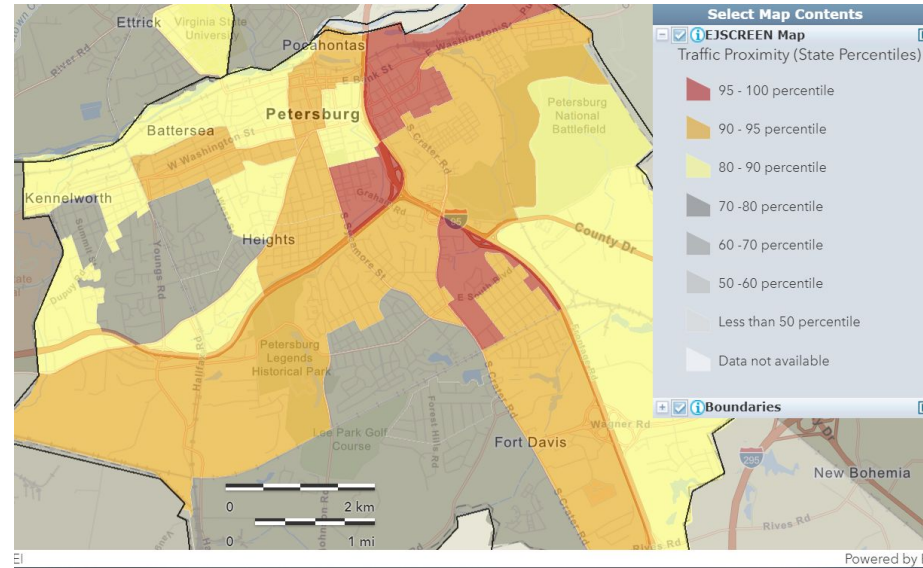
Why is this important?

Crash factors and demographics reviewed by NHTSA that showed the largest increases in 2020 as compared to 2019 included:

- **Non-Hispanic Black people (up 23%);**
- **Unrestrained occupants of passenger vehicles (up 15%);**
- **On urban local/collector roads (up 12%);**
- **In speeding-related crashes (up 11%);**
- **During nighttime (up 11%);**
- **During the weekend (up 9%);**
- **In single-vehicle crashes (up 9%) and;**
- **In police-reported alcohol involvement crashes (up 9%)**

Petersburg Transportation Data

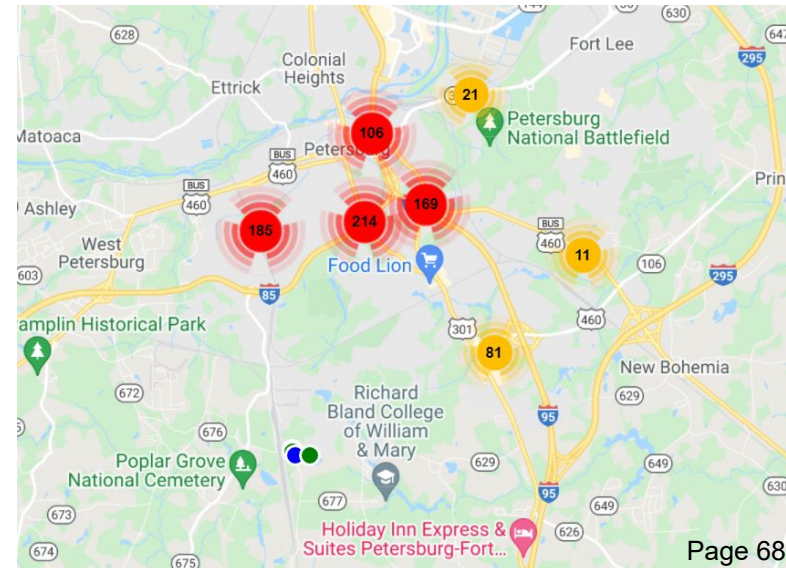
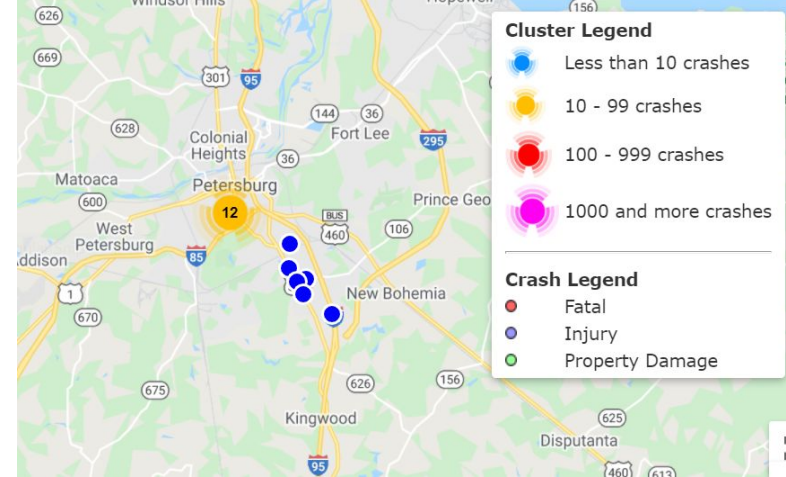
Traffic Volume



Petersburg has the 11th highest traffic volume in the state (out of 131 localities)

Petersburg Transportation Data

2021 Pedestrian & Total Crashes



Proposed Solution

What is tactical urbanism?

Tactical urbanism is short term action with a low cost and scalable intervention to catalyze long-term change.

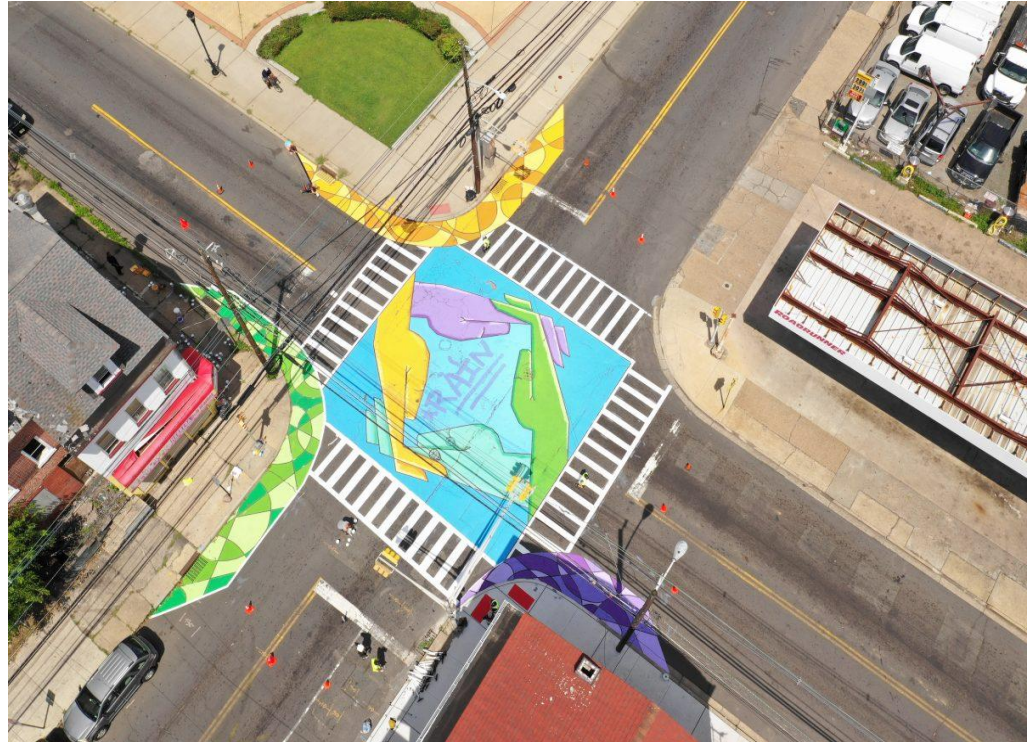


Tactical Urbanism: Street Mural

Success in Brunswick, NJ!

Graffiti-inspired street designs were painted to help slow traffic and protect pedestrians at two busy Brunswick Avenue on Saturday, August 10, 2019. Neighbors have identified these intersections near Martin Luther King Jr. Elementary School and Rivera Community Middle School as hazardous.

Similar “streetscape” or “tactical urbanism” projects in other cities have successfully slowed traffic and improved pedestrian safety by vibrantly highlighting crosswalks and slightly narrowing traffic lanes.



Tactical Urbanism in Action!

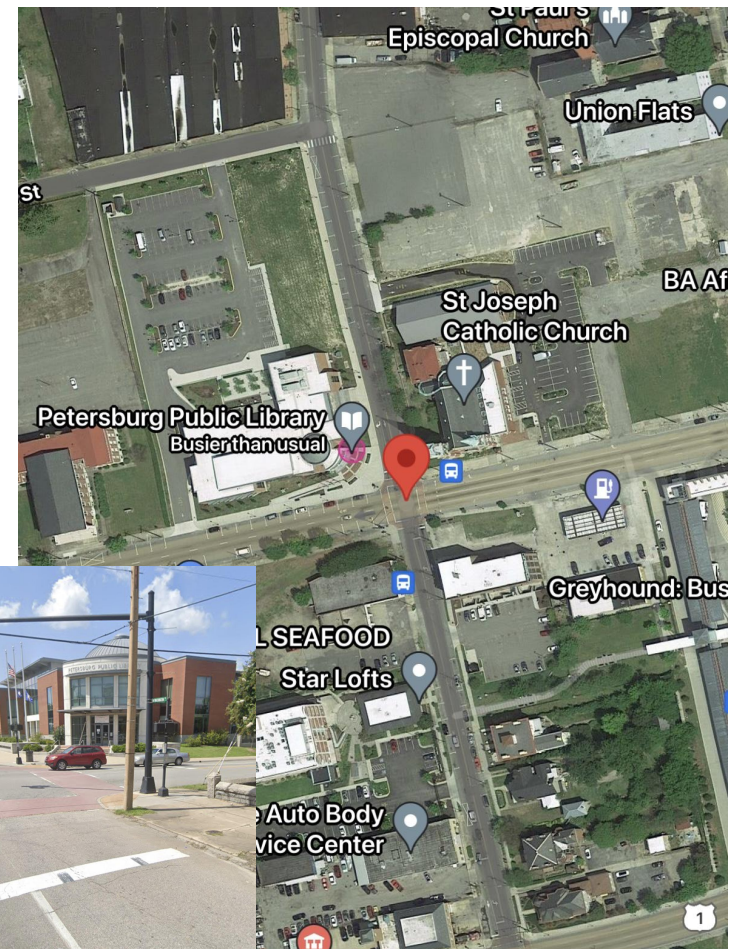
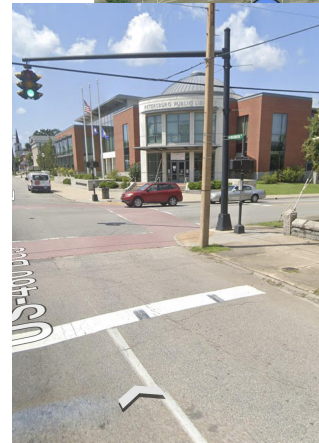


- Street mural in [Richmond, VA](#), 2021 by Art 180
 - Used street mural and pedestrian plaza
- [Seattle, WA](#), 2017
 - Bike paths and pedestrian plaza
- [Charlotte and Tampa](#) adapt public spaces

First area of focus:

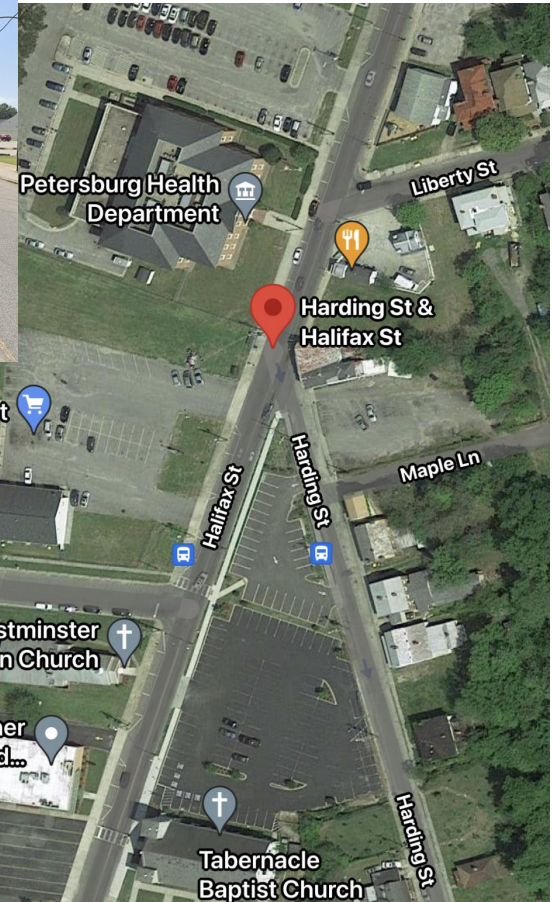
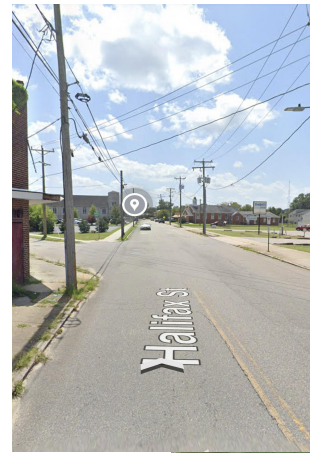
W. Washington & Market Streets

- Outside of Market @PPL
- High vehicle and pedestrian traffic
- Intersection connects commercial and residential use
- Connects bus station & PPL
- Area services a wide demographic
- Would highlight the beauty of PPL
- Community improvement
- Avg. annual daily traffic estimate: 11,000 vehicles
- 3 reported crashes - 2021 (2 injured)
- Bike network proposes a protected bike lane along Washington St.



Second area of focus: **Halifax & Harding Streets**

- High vehicle and pedestrian traffic
- Population includes youth, seniors, and differently abled people
- Intersection connects commercial and residential use
- Community engagement
- Connects to Petersburg Health Department
- Near POP! Market location
- In front of bus stop
- Average annual daily traffic estimate: 8,100 vehicles
- 3 reported crashes in 2020 (3 injured)
- Art installation improves community



Next Steps

What's next?

- **Objective 1: Community and Level 1 Decision Maker Engagement - by April 2022**
- **Objective 2: Project Design [in conjunction with community interviews] completed by May 2022**
- **Objective 3: Engage Decision Makers for final design considerations - June 2022**
- **Objective 4: Project Installation - Between June - September 2022**



Our ask

Authorization by City Council to install a street mural at the intersection of W. Washington & Market Streets (corner of Petersburg Public Library) by September 2021.

Questions?

References

[Division of Motor Vehicles - Crash Location Maps](#)

[EPA's Environmental Justice Screening and Mapping Tool \(Version 2020\)](#)

[National Highway Traffic Safety Association](#)

[RWJF County Health Rankings 2021](#)

[Street mural in Richmond, VA](#)

[Tactical Urbanism in Brunswick, NJ](#)

[VDOT Traffic Data](#)

Supporting references

[Examples from around the world](#)

[Tactical Urbanism and COVID](#)

[Tactical Urbanism Guide](#)



Contact

Virginia Walkability Action Institute
2021-2022 Cohort
Petersburg Team

Jasmine Barber - PHOPs (Petersburg
Healthy Options Partnerships)

Lisa Homa - PHOPs
lmh217@vt.edu

Fancie Terrell - PHOPs
fancie@vt.edu



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Tangela Innis, Randall Williams, Temidire Okeowo

RE: A public hearing on April 19, 2022, for the consideration of an ordinance of conveyance of easements to Dominion Energy Virginia in furtherance of the Park & Ride Project. (page 80)

PURPOSE:

REASON: Dominion Virginia Energy (Dominion Virginia Power) needs easements across the foregoing property to construct, maintain, and operate equipment necessary for the operation of electrical services to the Park and Ride Structure.

RECOMMENDATION: Public Works & Utilities recommends that the easements be granted to ensure that Dominion Virginia Energy (Dominion Virginia Power) can construct, maintain, and operate equipment necessary for the operation of electrical services to the Park and Ride Structure.

BACKGROUND: In the March 5, 2019 City Council meeting, City Council adopted resolution 15-R-64, which supported the submittal by the City of Petersburg of an application for grant funding to construct a Park and Ride Parking Structure adjacent to the City's Transit Center located at 100 Washington Street. The total amount of the project was \$8,000,000 with funding amounts spread across fiscal years 2019, 2021, 2022, & 2023.

COST TO CITY: \$0

BUDGETED ITEM: No

REVENUE TO CITY: \$0

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: NA

AFFECTED AGENCIES: Public Works & Utilities

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: NA

REQUIRED CHANGES TO WORK PROGRAMS: NA

ATTACHMENTS:

1. Ordinance - easements park and ride

AN ORDINANCE TO AUTHORIZE CONVEYANCE OF AN EASEMENT TO DOMINION ENERGY VIRGINIA IN FURTHERANCE OF THE PARK AND RIDE PROJECT

WHEREAS, the City is the owner of certain property located at 100 W. Washington Street (Tax Map ID No.: 022-050802) and 24 S. Union Street (Tax Map Parcel ID No.: 022-0550012); and

WHEREAS, the City has authorized the construction of a public parking garage to be located upon the aforesaid properties as part of the “Park and Ride” project; and

WHEREAS, Dominion Virginia Energy (Dominion Virginia Power) has indicated that they will need easements across the foregoing property to construct, maintain, and operate equipment necessary for the provision of services to said parking garage; and

WHEREAS, said easements are described and depicted in the two deeds of easement and accompanying plats attached to this Ordinance as (**Exhibit A**); and

WHEREAS, it is the belief of City Council that the granting of such easements is in the best interest of the City of Petersburg.

NOW therefore be it ORDAINED that City Council for the City of Petersburg, Virginia does hereby authorize and direct the City Manager and City Attorney to take all necessary action to facilitate the conveyance of easements as described in (**Exhibit A**).

EXHIBIT A

DEED OF EASEMENT AND PLAT 24 S. UNION STREET

DEED OF EASEMENT AND PLAT 100 W. WASHINGTON STREET

Prepared by:
Virginia Electric and Power Company
Return to: Dominion Energy Virginia,
P.O. Box 26666
Richmond, VA 23261
Attn: right of Way 11-N

This Deed of Easement is exempt from recordation taxes pursuant to §58.1-811A(3) and §58.1-811C(4) of the Code of Virginia and exempt from Clerk's fees pursuant to §17.1-266 of the Code of Virginia.

TAX MAP PARCEL I.D. NO: 022-0550012
24 S. Union Street

DEED OF EASEMENT

THIS DEED OF EASEMENT made this ____ day of _____, 2015, by and between CITY OF PETERSBURG, VA ("Grantor"), a municipal corporation formed and operating under the laws of the Commonwealth of Virginia, whose principal office is located at 135 North Union Street, Petersburg, Virginia 23803, and VIRGINIA ELECTRIC AND POWER COMPANY ("Grantee"), a Virginia public service corporation whose principal office is in Richmond, Virginia, its successors, assigns lessees and agents.

WITNESSETH:

1. For and in consideration of One Dollar (\$1.00) cash in hand paid unto Grantor and for other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants and conveys unto Grantee, its successors, assigns, lessees and agents, a perpetual non-exclusive easement and right of way (the "Easement") upon property of the Grantor located at 24 S. Union Street; Tax Map Parcel ID No.: 022-0550012, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity; for fiber optic cables, wires, attachments, and other transmission facilities, and all equipment, accessories and appurtenances desirable in connection therewith, for the purpose of transmitting voice, text, data, internet services, and other communications services, including the wires and attachments of third parties; and for lighting purposes; including but not limited to the rights:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said exclusive easement shall extend FIFTEEN (15) feet in width across the lands of GRANTOR; and

1.3 to apportion, lease, or license the voice, text, data, internet service, and other communications rights

herein in whole or in part to third parties as may be useful or practical, including the rights to transmit third party data and the right to apportion, lease, or license surplus communications capacity to third parties for the exercise of such rights.

2. The easement granted herein shall extend across the lands of GRANTOR situated in CITY OF PETERSBURG, Virginia, as more fully described on Plat(s) Numbered 02-21-0098, attached to and made a part of this Deed of Easement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of GRANTEE. GRANTEE shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by GRANTOR, and make such changes, alterations, substitutions, additions to or extensions of its facilities as GRANTEE may from time to time deem advisable.

4. GRANTEE shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by GRANTEE shall remain the property of GRANTOR.

5. For the purpose of exercising the right granted herein, GRANTEE shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of GRANTOR. The right, however, is reserved to GRANTOR to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, GRANTEE shall have such right of ingress and egress over the lands of GRANTOR adjacent to the easement. GRANTEE shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to GRANTOR.

6. GRANTEE shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to GRANTEE'S rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay GRANTOR, at GRANTEE'S option, for other damage done to GRANTOR'S property inside the boundaries of the easement (subject, however, to GRANTEE'S rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by GRANTEE in the process of the construction, inspection, and maintenance of GRANTEE'S facilities, or in the exercise of its right of ingress and egress; provided GRANTOR gives written notice thereof to GRANTEE within sixty (60) days after such damage occurs.

7. GRANTOR, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with GRANTEE'S exercise of any of its rights hereunder. GRANTOR shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, GRANTOR may construct on the easement fences, landscaping (subject, however, to

GRANTEE'S rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with GRANTEE'S exercise of any of its rights granted hereunder. In the event such use does interfere with GRANTEE'S exercise of any of its rights granted hereunder, GRANTEE may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by GRANTOR and acceptable to GRANTEE. In the event any such facilities are so relocated, GRANTOR shall reimburse GRANTEE for the cost thereof and convey to GRANTEE an equivalent easement at the new site.

8. GRANTEE'S right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of GRANTEE'S obligations as a public service company or such other obligations as may be related to or incidental to GRANTEE'S stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. The easement granted hereby shall additionally be subject to all terms and conditions contained in (**Exhibit A**) which shall be recorded with and as a part of this Deed of Easement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

11. GRANTOR hereby represents to GRANTEE that to the best of GRANTOR'S knowledge, (a) GRANTOR is seized of and has the right to convey this easement and the rights and privileges granted hereunder; and (b) GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said GRANTOR.

[signatures on following pages]

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed hereto by its authorized officer or agent, described below, on the date first above written.

GRANTOR:

CITY OF PETERSBURG, VIRGINIA

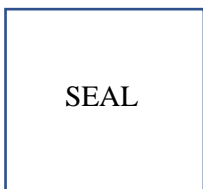
By: _____
STUART TURILLE, CITY MANAGER

APPROVED AS TO FORM:

ANTHONY C. WILLIAMS, DATE
CITY ATTORNEY

COMMONWEALTH OF _____ or STATE OF _____
County/City of _____; to wit:

I, _____, a Notary Public in and for the jurisdiction aforesaid do hereby certify that Stuart Turille, City Manager for the City of Petersburg, Virginia, whose identity was verified by valid photographic identification, did personally appear before me and acknowledge the foregoing writing dated _____ in the jurisdiction aforesaid this ____ day of _____, 2022.



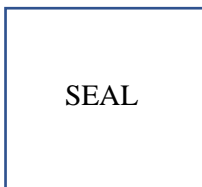
Notary Public
Notary ID No.: _____
My Commission Expires: _____

GRANTEE:
VIRGINIA ELECTRIC AND POWER COMPANY

By: _____

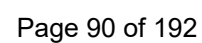
COMMONWEALTH OF _____ or STATE OF _____
County/City of _____; to wit:

I, _____, a Notary Public in and for the jurisdiction aforesaid do hereby
certify that _____ (as _____ of _____ for
Virginia Electric and Power Company), whose identification was confirmed by valid photographic
identification, did personally appear before me and acknowledge the foregoing writing dated
_____ in the jurisdiction aforesaid this ____ day of _____, 2022



Notary Public
Notary ID No.: _____
My Commission Expires: _____

		<p>W WASHINGTON ST</p> <p>N/E: CITY OF PETERSBURG 100 WASHINGTON ST PETERSBURG VA 23803 PARCEL ID: 022-050802</p> <p>TO: W WASHINGTON ST</p> <p>S UNION ST</p> <p>TO: W WYTHE ST</p> <p>OWNER: CITY OF PETERSBURG 24 UNION ST PETERSBURG VA 23803 PARCEL ID: 022-0550012</p> <p>W WYTHE ST</p>	
LEGEND --- Location of Boundary Lines of Right-of-Way 15' in Width. =P= Indicates Property Line is Right-of-Way Boundary in Width.	District PETERSBURG	Scale NTS	PLAT TO ACCOMPANY RIGHT-OF-WAY AGREEMENT UG VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Energy Virginia Page 5 of 5 OWNER INITIALS _____
	District-Township-Borough County-City State CITY OF PETERSBURG VA	Plat Number 02-21-0098	
	Office 02	Grid Number M234	
	Estimate Number 10376360		
DATE 12.22.2021		BY MICHAEL ROGERS	



Prepared by:
Virginia Electric and Power Company
Return to: Dominion Energy Virginia,
P.O. Box 26666
Richmond, VA 23261
Attn: right of Way 11-N

This Deed of Easement is exempt from recordation taxes pursuant to §58.1-811A(3) and §58.1-811C(4) of the Code of Virginia and exempt from Clerk's fees pursuant to §17.1-266 of the Code of Virginia.

TAX MAP PARCEL I.D. NO: 022-050802
100 W. Washington Street

DEED OF EASEMENT

THIS DEED OF EASEMENT made this ____ day of _____, 2015, by and between CITY OF PETERSBURG, VA ("Grantor"), a municipal corporation formed and operating under the laws of the Commonwealth of Virginia, whose principal office is located at 135 North Union Street, Petersburg, Virginia 23803, and VIRGINIA ELECTRIC AND POWER COMPANY ("Grantee"), a Virginia public service corporation whose principal office is in Richmond, Virginia, its successors, assigns lessees and agents.

WITNESSETH:

1. For and in consideration of One Dollar (\$1.00) cash in hand paid unto Grantor and for other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants and conveys unto Grantee, its successors, assigns, lessees and agents, a perpetual non-exclusive easement and right of way (the "Easement") upon property of the Grantor located at 100 W. Washington Street; Tax Map Parcel ID No.: 022-050802, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity; for fiber optic cables, wires, attachments, and other transmission facilities, and all equipment, accessories and appurtenances desirable in connection therewith, for the purpose of transmitting voice, text, data, internet services, and other communications services, including the wires and attachments of third parties; and for lighting purposes; including but not limited to the rights:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said exclusive easement shall extend FIFTEEN (15) feet in width across the lands of GRANTOR; and

1.3 to apportion, lease, or license the voice, text, data, internet service, and other communications rights

herein in whole or in part to third parties as may be useful or practical, including the rights to transmit third party data and the right to apportion, lease, or license surplus communications capacity to third parties for the exercise of such rights.

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4. GRANTEE shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by GRANTEE shall remain the property of GRANTOR.

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6. GRANTEE shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to GRANTEE'S rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay GRANTOR, at GRANTEE'S option, for other damage done to GRANTOR'S property inside the boundaries of the easement (subject, however, to GRANTEE'S rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by GRANTEE in the process of the construction, inspection, and maintenance of GRANTEE'S facilities, or in the exercise of its right of ingress and egress; provided GRANTOR gives written notice thereof to GRANTEE within sixty (60) days after such damage occurs.

7. GRANTOR, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with GRANTEE'S exercise of any of its rights hereunder. GRANTOR shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, GRANTOR may construct on the easement fences, landscaping (subject, however, to

GRANTEE'S rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with GRANTEE'S exercise of any of its rights granted hereunder. In the event such use does interfere with GRANTEE'S exercise of any of its rights granted hereunder, GRANTEE may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by GRANTOR and acceptable to GRANTEE. In the event any such facilities are so relocated, GRANTOR shall reimburse GRANTEE for the cost thereof and convey to GRANTEE an equivalent easement at the new site.

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9. The easement granted hereby shall additionally be subject to all terms and conditions contained in (**Exhibit A**) which shall be recorded with and as a part of this Deed of Easement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

11. GRANTOR hereby represents to GRANTEE that to the best of GRANTOR'S knowledge, (a) GRANTOR is seized of and has the right to convey this easement and the rights and privileges granted hereunder; and (b) GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement , rights and privileges.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said GRANTOR.

[signatures on following pages]

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed hereto by its authorized officer or agent, described below, on the date first above written.

GRANTOR:

CITY OF PETERSBURG, VIRGINIA

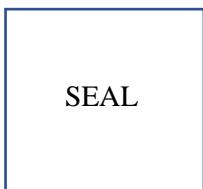
By: _____
STUART TURILLE, CITY MANAGER

APPROVED AS TO FORM:

ANTHONY C. WILLIAMS, DATE
CITY ATTORNEY

COMMONWEALTH OF _____ or STATE OF _____
County/City of _____; to wit:

I, _____, a Notary Public in and for the jurisdiction aforesaid do hereby certify that Stuart Turille, City Manager for the City of Petersburg, Virginia, whose identity was verified by valid photographic identification, did personally appear before me and acknowledge the foregoing writing dated _____ in the jurisdiction aforesaid this ____ day of _____, 2022.



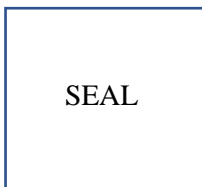
Notary Public
Notary ID No.: _____
My Commission Expires: _____

GRANTEE:
VIRGINIA ELECTRIC AND POWER COMPANY

By: _____

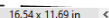
COMMONWEALTH OF _____ or STATE OF _____
County/City of _____; to wit:

I, _____, a Notary Public in and for the jurisdiction aforesaid do hereby
certify that _____ (as _____ of _____ for
Virginia Electric and Power Company), whose identification was confirmed by valid photographic
identification, did personally appear before me and acknowledge the foregoing writing dated
_____ in the jurisdiction aforesaid this ____ day of _____, 2022



Notary Public
Notary ID No.: _____
My Commission Expires: _____

		<p>W WASHINGTON ST</p> <p>TO: W WASHINGTON ST</p> <p>S UNION ST</p> <p>TO: W WYTHE ST</p> <p>W WYTHE ST</p>	
LEGEND --- Location of Boundary Lines of Right-of-Way 15' in Width. =P= Indicates Property Line is Right-of-Way Boundary in Width.	District PETERSBURG	Scale NTS	PLAT TO ACCOMPANY RIGHT-OF-WAY AGREEMENT UG VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Energy Virginia Page 5 of 5 OWNER INITIALS _____
	District-Township-Borough County-City State CITY OF PETERSBURG VA	Plat Number 02-21-0098	
	Office 02	Grid Number M234	
	Estimate Number 10376360		
DATE 12.22.2021		BY MICHAEL ROGERS	





City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Anthony Williams

RE: A public hearing on the consideration of an ordinance to amend and re-adopt Section 94-2 of the City Code pertaining to littering. (page 98)

PURPOSE: To schedule a public hearing for April 15, 2022 on an Ordinance to amend and re-adopt Section 94-2 of the City Code to provide for penalties consistent with current enabling legislation.

REASON: To hold a public hearing on April 19, 2022 on an Ordinance to amend and re-adopt Section 94-2 of the City Code to provide for penalties consistent with current enabling legislation.

RECOMMENDATION: Schedule Public Hearing for April 15, 2022 and adopt Ordinance on April 15, 2022.

BACKGROUND: At the March 15, 2022 meeting of City Council, Councilman Myers made a motion to revise the City's littering Ordinance. His proposed revisions are consistent with what the current enabling legislation provides. These revisions will make the punishment provisions for littering consistent with State Code provisions.

COST TO CITY: 0

BUDGETED ITEM: n/a

REVENUE TO CITY: unk

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. littering
2. Va. Code Ann. _ 33.2-802

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 94-2 OF THE CODE OF VIRGINIA TO INCORPORATE THE MINIMUM FINES IDENTIFIED IN THE CURRENT ENABLING LEGISLATION

WHEREAS, the City of Petersburg has previously adopted Section 94-2 of the Code of Virginia to address general littering in the City; and

WHEREAS, said Ordinance was adopted under §33.1-146 of the Code of Virginia which has since been repealed or incorporated into other sections of the Code of Virginia; and

WHEREAS, the current enabling legislation (§33.2-802 of the Code of Virginia) authorizes punishment for littering as a “misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than \$500 or more than \$2,500, either or both and further provides that a “in lieu of the imposition of confinement in jail, the court may order the defendant to perform a mandatory minimum of 10 hours of community service in litter abatement activities;” and

WHEREAS, at the March 15, 2022 meeting of City Council, Councilman Myers made a motion to direct the City Attorney to bring forward a proposed revision to the City’s existing littering ordinance consistent with the current enabling legislation; and

WHEREAS, said revisions are herein proposed as (**Exhibit A**); and

WHEREAS, it is the belief of City Council that the incorporation of said provisions will be in the best interests of the City.

NOW therefore be it ORDAINED, that Section 94-2 of the City Code is hereby amended and re-adopted to incorporate the revisions reflected in (**Exhibit A**).

EXHIBIT A

Sec. 94-2. - Littering generally.

(a) No person shall dump, throw or otherwise deposit any trash, garbage, refuse or other unsightly matter on any street, highway, right-of-way or property adjacent to such street, highway or right-of-way, or on any other property, public or private, within the city, without the written consent of the owner of such property or his agent.

(b) When any person is arrested for a violation of this section and the matter alleged to have been deposited in violation of this section has been ejected from a motor vehicle, the arresting officer may comply with the provisions of section 110-35 of this Code in making such arrest.

(c) When a violation of the provisions of this section has been observed by any person, and the matter deposited in violation of this section has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting such matter; provided, however, that such presumption shall be rebuttable by competent evidence.

(d) Any person convicted of a violation of this section is guilty of a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than \$500 or more than \$2,500, either or both. In lieu of the imposition of confinement in jail, the court may order the defendant to perform a mandatory minimum of 10 hours of community service in litter abatement activities. ~~Any person violating this section shall be guilty of a class 1 misdemeanor.~~

(Code 1981, § 30-2)

State Law reference— Similar provisions and authority of city council to adopt above section, Code of Virginia, § ~~33-1-346~~33.2-802.

User Name: anthony williams

Date and Time: Monday, March 21, 2022 3:34:00 PM EDT

Job Number: 167097313

Document (1)

1. [Va. Code Ann. § 33.2-802](#)

Client/Matter: -None-

Search Terms: penalties for littering

Search Type: Natural Language

Narrowed by:

Content Type
Statutes and Legislation

Narrowed by
Jurisdiction: Virginia

Va. Code Ann. § 33.2-802

Current through the Act 14 of the 2022 Regular Session

Code of Virginia 1950 > Title 33.2. Highways and Other Surface Transportation Systems. (Subts. I — IV) > Subtitle II. Modes of Transportation: Highways, Bridges, Ferries, Rail, and Public Transportation. (Chs. 3 — 14) > Chapter 8. Offenses Concerning Highways. (§§ 33.2-800 — 33.2-804)

§ 33.2-802. Dumping trash; *penalty*.

A. It is unlawful for any person to dump or otherwise dispose of trash, garbage, refuse, *litter*, a companion animal as defined in [§ 3.2-6500](#) for the purpose of disposal, or other unsightly matter on (i) public property, including a public highway, right-of-way, or property adjacent to such highway or right-of-way, or (ii) private property without the written consent of the owner or his agent.

B. If a person is arrested for a violation of this section and the matter alleged to have been illegally dumped or disposed of has been ejected from a motor vehicle or transported to the disposal site in a motor vehicle, the arresting officer may comply with the provisions of [§ 46.2-936](#) in making an arrest.

If a violation of this section has been observed by any person and the matter illegally dumped or disposed of has been ejected or removed from a motor vehicle, the owner or operator of the motor vehicle shall be presumed to be the person ejecting or disposing of the matter. However, such presumption shall be rebuttable by competent evidence.

C. Any person convicted of a violation of this section is guilty of a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than \$500 or more than \$2,500, either or both. In lieu of the imposition of confinement in jail, the court may order the defendant to perform a mandatory minimum of 10 hours of community service in *litter* abatement activities.

D. The governing body of any locality may adopt ordinances not in conflict with the provisions of this section and may repeal or amend such ordinances.

E. The provisions of this section shall not apply to the lawful disposal of such matter in landfills.

History

Code 1950, § 33-279.1; 1950, p. 453; 1970, c. 264, § 33.1-346; 1972, c. 65; 1976, c. 773; 1978, c. 226; 1981, c. 340; 1988, c. 805; [1995, c. 657](#); [2000, c. 20](#); [2003, cc. 113, 787](#); [2013, c. 156](#); [2014, c. 805](#); [2021, Sp. Sess. I, c. 175](#).

Va. Code Ann. § 33.2-802

Code of Virginia 1950

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End of Document



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Anthony Williams

RE: A public hearing on the consideration of an ordinance to amend and readopt Section 2-31 of the Petersburg City Code Pertaining to Salaries of City Council and the Mayor. (page 105)

PURPOSE: To amend Section 2-31 of the Petersburg City Code to permit salaries of the Mayor and City Council Members to be consistent with the amounts authorized under Section 15.2-1414.6 of the Code of Virginia.

REASON: To amend Section 2-31 of the Petersburg City Code to permit salaries of the Mayor and City Council Members to be consistent with the amounts authorized under Section 15.2-1414.6 of the Code of Virginia.

RECOMMENDATION: Adopt Ordinance.

BACKGROUND: The Code of Virginia authorizes salaries for the Mayor and City Council based on population. The State Code provisions supersede any contrary provisions in City Charter with respect to procedures to effectuate salary revisions, but also require that such raises effectuated through adoption shall not become effective "until July 1 after the next regularly scheduled general election of Council Members." The City Code currently provides for the salaries of Members of Council and the Mayor at levels that are considerably lower than provided under State Code. This amendment will allow salaries to be made consistent with the State Code provisions and will also incorporate any future changes to State Code with respect to salaries of the governing body.

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Amends existing Seciton 2-31 of the City Code.

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. AN ORDINANCE TO AMEND AND RE

AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 2-31 OF THE CITY CODE TO INCREASE THE SALARIES OF THE MAYOR AND MEMBERS OF CITY COUNCIL

WHEREAS, Section 15.2-1414.6 of the Code of Virginia provides that “the annual salary of each member of the Council of any city shall be set by its members by ordinance;” and

WHEREAS, this statute further provides that the provisions of §15.2-1414.6 of the Code of Virginia control “notwithstanding any contrary provision of law, general or special” meaning that the provision supersedes the requirements of other legislation including the City Charter; and

WHEREAS, this statute further provides that “No increase in the salary of a member of Council shall take effect until July 1 after the next regularly scheduled general election of Council Members;” and

WHEREAS, the 2020 U.S. census provided a population estimate for the City of Petersburg 31,346; and

WHEREAS, pursuant to §15.2-1414.6 of the Code of Virginia, the annual salary of a Member of Council in a city with a population from 20,000 to 34,999 is \$12,000.00 annually, and the corresponding annual salary for the Mayor is \$13,000.00; and

WHEREAS, Section 2-31 of the City Code provides that the current salary for Members of Petersburg City Council is \$6,500 annually, and the salary of the Mayor of the City of Petersburg is \$8,500 annually; and

WHEREAS, it is the belief of City Council that the salary of City Council should be increased to the annual salary authorized by the Code of Virginia now and as may be amended in the future.

NOW, therefore be it ORDAINED Section 2-31 of the City Code is hereby amended and re-adopted as follows:

Sec. 2-31. - Salaries.

The annual salary of the ~~mayor~~ Mayor shall be \$8,500.00. The annual salary of each member of the city council shall be \$6,500.00 and Members of Council shall be set at the amount indicated in §15.2-1414.6 of the Code of Virginia for the corresponding population for the City of Petersburg.

(Code 1981, § 2-27.1)

BE it further ORDAINED that in accordance with §15.2-1414.6 of the Code of Virginia, any increase in the salary of Members of Council and the Mayor resulting from the amendment of Section 2-31 of the City Code shall take effect on July 1, 2023.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Council Member Charles Cuthbert, Jr.

RE: Consideration of a motion to discourage speeding. (page 108)

PURPOSE: To consider a motion to discourage speeding.

REASON:

RECOMMENDATION: Approve motion.

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 2022-4-8 revised final motion re stop signs

MOTION

Council directs the City Manager to direct staff to take the following actions, all as recommended by the Petersburg Department of Police:

1. To re-install a stop light at the intersection of West Washington Street and Perry Street.
2. To add a stop light at the intersection of West Wythe Street and Perry Street.
3. To place signs on Mingea Street (near its intersection with South Crater Road) and McKeever Street, stating that large trucks are prohibited.
4. To install stop signs, as follows:
 - a. Intersection of South Sycamore Street and Fillmore Street (making this a four-way stop).
 - b. Intersection of South Jefferson Street and East Fillmore Street (making this a four-way stop).
 - c. Intersection of St. Andrews' Street and Webster Street (making this a three-way stop).
 - d. Intersection of Claremont Street and Blair Road (making this a three-way stop).
 - e. Intersection of Graham Road and Pine Ridge (making this a three-way stop).
 - f. Intersection of Liberty Street and Harrison Street (making this a four-way stop).
 - g. West Clara Drive and Talley Avenue (making this a three-way stop).
 - h. Custer Street and Hawk Street (making this a four-way stop).
 - i. Custer Street and Hamilton Street (making this a three-way stop).
 - j. Patterson Street and Augusta Avenue (replacing each of the two yield signs with a stop sign).

The City Attorney has advised that VDOT requires a speed study before the City erects a stop sign on state-designated roads. The City Attorney has further advised that there is no legal requirement for a speed study before the City erects a stop sign on roads that are not state designated and that the liability risk resulting from the erection of such a stop sign without first obtaining a speed study is not significant absent unique circumstances.

Accordingly, Council directs the City Manager to direct staff to erect stop signs at the foregoing intersections by the following deadlines:

1. As to the stop signs on state designated roads, before September 1, 2022.
2. As to the other intersections specified above which are not state designated roads, before June 1, 2022.

In addition, as to the following components of the proposed action plan to discourage speeding in Petersburg, Council asks the City Manager to work with staff to present a recommendation at Council's work session on May 3, 2022, as to the following:

1. Whether to designate certain residential through streets as "augmented fine streets" as *Virginia Code* section 46.2-878.2 and *Petersburg City Code* sections 110-10 and 110-12 allow (for example, perhaps High Street, South Jefferson Street, Graham Road, and Claremont Street).
2. Whether to adopt an ordinance and otherwise do what is necessary to decrease the speed limit from 25 MPH to 20 MPH along streets where speeding is a special problem (as *Virginia Code* section 46.2-1300 allows) (for example, perhaps West Bank and High Street, between North Sycamore Street and University Boulevard).
3. Whether to freshly paint all existing pedestrian crosswalks on North Sycamore Street, South Sycamore Street, and West Washington Street, and add pedestrian crosswalks at the intersections of West Washington Street and Guarantee Street, South Sycamore Street and Marshall Street, South Sycamore Street and Fillmore Street, South Jefferson Street and Fillmore Street, and South Jefferson Street and Marshall Street.
4. Whether to install more speed limit signs along the streets where the City installs new stop signs.
5. Whether to install solar-powered (and not merely battery-powered) signs on South Sycamore Street, where it crosses I-85, to display the motorist's current speed in real time.
6. Whether to create, fund, and staff a dedicated traffic enforcement unit that will not be diverted to calls for service except under the most dire circumstances.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Stuart Turille, City Manager
Tangela Innis, Deputy City Manager

FROM: Brian Moore

RE: **A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC. (page 111)**

PURPOSE: A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC

REASON: To consider a Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC.

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves the resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC.

BACKGROUND: The City Council adopted the ordinance 21-ORD-70 on November 3, 2021 to establish the Tourism Finance Program under the Tourism Zone. The Tourism Finance Program allows qualifying businesses that are located within the Tourism Zone to apply fifty percent of their meals and lodging taxes to their revolving loan payment on a quarterly basis. Tabb Street Development has met the criteria for this program.

COST TO CITY: 50% of meals and lodging taxes generated by Hotel Petersburg not to exceed three million dollars for a period not to exceed 10 years

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the meals and lodging taxes

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, Commissioner of Revenue

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-ORD-70

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. CL 2.22.2022 Petersburg hotel performance agreement (SA edit)
2. Resolution

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Resolution

A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC

WHEREAS; The City Council adopted the ordinance 21-ORD-70 on November 3, 2021, establishing the Tourism Finance Program under the Tourism Zone, and;

WHEREAS; Tabb Street Development, LLC has been approved for a two million dollar revolving loan with the Economic Development Authority, and

WHEREAS; Tabb Street Development has met the criteria to be eligible for the City of Petersburg Tourism Finance Program; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Petersburg hereby approves the City Manager to execute the performance agreement between the City of Petersburg, City of Petersburg Economic Development Authority, and Tabb Street Development, LLC.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Stacey Jordan

RE: **Consideration of an appropriation ordinance of the Middle Atlantic Section Joint Player Development and Junior Golf Committees Grant in the amount of \$3,000 - 2nd Reading (page 125)**

PURPOSE: To appropriate the Middle Atlantic Section Joint Player Development and Junior Golf Committees Grant of \$3,000.

REASON: These are the funds awarded to the Dogwood Trace Golf Course and issued by the Professional Golfers' Association of America Middle Atlantic Section.

RECOMMENDATION: Recommend that Council approve the appropriation ordinance of the Middle Atlantic Section Joint Player Development and Junior Golf Committees Grant of \$3,000.

BACKGROUND: Dogwood Trace Golf Course has been awarded a grant from the Professional Golfers' Association of America Middle Atlantic Section for the Middle Atlantic Section Joint Player Development and Junior Golf Committees Grant of \$3,000.

COST TO CITY: There is no monetary cost to the City. This is a reimbursement grant.

BUDGETED ITEM: This item was not a part of the adopted FY22 budget.

REVENUE TO CITY: \$3,000

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Dogwood Trace Golf Course

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Middle Atlantic Section Joint Player Development and Junior Golf Committees Ordinance

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022
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, 2021, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2022.

Previously adopted	\$0.00
---------------------------	---------------

ADD: Middle Atlantic Section Joint Player Development and Junior Golf Committees Grant	<u>\$3,000</u>
-----------------------------------------------------------------------------------------------	-----------------------

Total Revenues	<u>\$3,000</u>
-----------------------	-----------------------

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2021 and ending June 30, 2022, the following sums for the purposes mentioned:

Previously adopted	\$0.00
---------------------------	---------------

ADD: Other Operating Supplies	<u>\$3,000</u>
--------------------------------------	-----------------------

Total Expenses	<u>\$3,000</u>
-----------------------	-----------------------



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Randall Williams

RE: Consideration to appropriate \$9,760.88 received from the Virginia Department of Environmental Quality (DEQ) for the City of Petersburg's Litter Prevention and Recycling Program activities for the period July 1, 2021 to June 30, 2022 - 2nd Reading (page 127)

PURPOSE: To appropriate \$9,760.88 received from the DEQ for the City of Petersburg's Litter Prevention and Recycling Program.

REASON: To implement litter prevention and recycling educational programs and pilot projects in the City of Petersburg for FY 2022.

RECOMMENDATION: Recommend Council approve the attached appropriation for \$9,760.88 to the fiscal year 2022 budget.

BACKGROUND: The City has applied for & been awarded this Litter Grant over the last several fiscal years. Also the City has met the requirements by completing Performance & Accounting reports that were due to DEQ by the submission date.

COST TO CITY: \$9,760.88

BUDGETED ITEM:

REVENUE TO CITY: \$9,760.88

CITY COUNCIL HEARING DATE: 3/15/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Department of Environmental Quality (DEQ)

AFFECTED AGENCIES: Street Operations

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: NA

REQUIRED CHANGES TO WORK PROGRAMS: NA

ATTACHMENTS:

1. FY22 Litter Grant Ordinance
2. Litter Grant Award Letter

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATION
FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2021 & ENDING ON
JUNE 30, 2022 IN 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, 2021, and ending June 30, 2022, are made from the following resources and revenues anticipated for the fiscal year

Revenue:

Previously Appropriated	\$ 0.00
 FY 2022 DEQ Litter Grant (3-200-024040-0615-0-401)	 <u>\$9,760.88</u>
 Total Revenue	 <u>\$9,760.88</u>

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

Expenditures:

Previously Appropriated	\$ 0.00
 FY 2022 DEQ Litter Grant (4-200-040000-6005-0-102)	 <u>\$9,760.88</u>
 Total Expenditures	 <u>\$9,760.88</u>

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Ann F. Jennings
Secretary of Natural
Resources

Street address: 1111 E. Main Street, Suite 1400,
Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond,
Virginia 23218
www.deq.virginia.gov

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

November 23, 2021

Stuart Turille, City Manager
City Manager
City of Petersburg
135 N. Union Street
Petersburg, VA 23803

Dear Stuart Turille, City Manager:

I am pleased to inform you that a grant award of **\$9,760.88** has been approved for the **City of Petersburg** Litter Prevention and Recycling Program activities for the period July 1, 2021 to June 30, 2022. Processing of the grant awards is underway, and a payment for this amount should be received within the next two weeks if funds can be transferred electronically (EDI) or in thirty days if processing by check is required.

If you have any questions or need additional information, please contact Prina Chudasama at prina.chudasama@deq.virginia.gov or at (804) 698-4159.

Sincerely,

A rectangular box intended for a signature.

Sanjay Thirunagari



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Charles Koonce

RE: A resolution adopting Petersburg Area Transit's Transit Strategic Plan. (page 131)

PURPOSE: To Adopt Petersburg Area Transit's Strategic Plan (FY 2021 -- FY 2030)

REASON: To ensure public transportation is planned and implemented in ways that meet the mobility needs of its communities.

RECOMMENDATION: Recommend City Council approve the attached resolution.

BACKGROUND: The TSP is firmly grounded in the goals endorsed by the City of Petersburg's Stakeholders/Petersburg Area Transit in December 2019 and creates a strategic blueprint outlining desired changes that will improve the provision of transit services throughout PAT service areas.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO the CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Area Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Resolution for PAT's TSP 3-29.22 corrections 4-4-2022



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Charles Koonce

RE: A resolution adopting Petersburg Area Transit's Transit Strategic Plan. (page 131)

PURPOSE: To Adopt Petersburg Area Transit's Strategic Plan (FY 2021 -- FY 2030)

REASON: To ensure public transportation is planned and implemented in ways that meet the mobility needs of its communities.

RECOMMENDATION: Recommend City Council approve the attached resolution.

BACKGROUND: The TSP is firmly grounded in the goals endorsed by the City of Petersburg's Stakeholders/Petersburg Area Transit in December 2019 and creates a strategic blueprint outlining desired changes that will improve the provision of transit services throughout PAT service areas.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO the CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Area Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Resolution for PAT's TSP 3-29.22 corrections 4-4-2022

A Resolution Adopting Petersburg Area Transit Transit Strategic Plan (FY2021 – FY2030)

Whereas, the Virginia General Assembly passed legislation in 2018 that requires Petersburg Virginia Area Transit (PAT), and other agencies operating in urbanized areas across Virginia, to develop a Transit Strategic Plan (or TSP) to ensure public transportation is planned and implemented in ways that meet the mobility needs of its' communities; and

Whereas, the TSP replaces the previously required Transit Development Plan (or TDP) and its' main goal is to create a strategic blueprint outlining desired changes that will improve the provision of transit services throughout PAT service areas; and

Whereas, several customers, stakeholders, employees, and local partners were involved in the planning process to examine needs and identify improvements for a more efficient and effective public transportation to be included in the TSP; and

Whereas, the resulting TSP is firmly grounded in the goals endorsed by the City of Petersburg's Stakeholders/Petersburg Area Transit in December 2019, which include: 1) providing safe and dependable transportation service for the Petersburg community, 2) improving awareness of PAT services to increase ridership and access to service, 3) increasing mobility to the Petersburg community through convenient access to employment areas, medical facilities, shopping centers, schools, and community agencies, 4) improving the efficiency and effectiveness of service to better meet the transportation needs of the community and 5) strengthening organizational processes to ensure continuity of services.

Whereas, PAT's inaugural TSP covers the period of FY2021 through FY2030 and includes the elements necessary to meet requirements prescribed by state legislation and related guidelines, and this TSP shall furthermore be a "living document" that is updated annually and undergoes a major update every five

years as PAT continues to collaborate with local, regional, state and federal partners to fulfill PAT's mission of connecting Petersburg Area Transit with transportation solutions that are reliable, safe, efficient, and sustainable.

Now therefore be it resolved, by the City Council of the City of Petersburg, Virginia does hereby approve PAT's Transit Strategic Plan for FY2021 through FY2030.

Adopted by the Council of Petersburg, Virginia this _____, 2022

Samuel Parham, Mayor

ATTEST:

Nykesha D. Jackson, Clerk of Council



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Brian Moore

RE: A resolution approving the development agreement for development of 301 Rolfe Street, Petersburg, Virginia, between the City of Petersburg and Amanda Green with the proviso that the Deed of Conveyance from the City of Petersburg to the purchaser states that only one single-family dwelling may be constructed on the property that is not subdivided. (page 135)

PURPOSE: To consider the adoption of a Resolution approving the development agreement for development of 301 Rolfe Street Petersburg, Virginia between the city of Petersburg and Amanda Green with the proviso that the deed of conveyance from the City of Petersburg to the purchaser state that only one single-family dwelling may be constructed on the property and that the property is not subdivided.

REASON: This action is necessary to facilitate the process to sell City-owned property at 301 Rolfe Street.

RECOMMENDATION: It is recommended that the City Council s considers adoption of a Resolution approving the development agreement for development of 301 Rolfe Street Petersburg, Virginia between the city of Petersburg and Amanda Green with the proviso that the deed of conveyance from the City of Petersburg to the purchaser state that only one single-family dwelling may be constructed on the property and that the property is not subdivided.

BACKGROUND: The City of Petersburg City Council approved 21-ORD-74 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 301 Rolfe Street on November 16, 2021. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Amanda Green shall perform the redevelopment or the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement. The project summary documents describe the intentions of The Purchaser with regard to the purchase and development of property as a three-bedroom, one and one-half full baths single-family residential house for owner occupancy

The Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Amanda Green with the proviso that only one single-family dwelling may be constructed on

the property and that the property is not subdivided. The deed shall include provisions for the reverter described in the Development Agreement.

COST TO CITY: N/A

BUDGETED ITEM: N/A

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

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Attorney

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-ORD-74

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 301rOLFESTDevelopmentAgreement
2. KENSINGTON_Elevation A
3. KENSINGTON STD_2022 GRID PLAN
4. DevAgreement301RolfeSt

**DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF VACANT
PROPERTY AT 301 ROLFE STREET PETERSBURG, VIRGINIA 23803 AS
RESIDENTIAL DEVELOPMENT**

On this 19TH day of April 2022 came the parties, Amanda Green ("Purchaser"), 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 property at 301 Rolfe Street 007-020001, Petersburg, Virginia 23803 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 as a three-bedroom, one and one-half full baths single-family residential house for owner occupancy located at 301 Rolfe Street ("the Property") with the proviso that the deed of conveyance from the City of Petersburg to the purchaser state that only one single-family dwelling may be constructed on the property and that the property is not subdivided. 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 of 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 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 and shall run with the land until such time as all requirements are completed. 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 sixteen thousand dollars (\$16,000).
- L. Upon Default by The Purchaser, the City shall retain 100% of the purchase price and shall 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.

PURCHASER

By: _____

Printed name: _____

CITY OF PETERSBURG, VIRGINIA

By: _____

City Manager

Approved as to form:

By: _____

Anthony C. Williams, City Attorney



Elevation A

KENSINGTON 1,402 sq ft



3 Beds



2 Baths



2 Stories

DOWNLOAD FREE DIGITAL PLAN BOOK: www.mitchellhomesinc.com



Elevation B

KENSINGTON 1,402 sq ft

1st Floor: 720 sq ft

2nd Floor: 682 sq ft

Total Living Area: 1,402 sq ft

Covered Front Porch: 72 sq ft

Stoop: 12 sq ft

Total Area: 1,486 sq ft

SALES & DESIGN CENTER LOCATIONS

Fredericksburg, VA
888-905-0266

Newport News, VA
888-608-0603

Richmond, VA
888-352-0702

Rocky Mount, NC
888-512-3779

info@mitchellhomesinc.com





MITCHELL HOMES INC.
14300 SOMMERVILLE CT
MIDLOTHIAN, VA 23113
PHONE: 804-378-5211
FAX: 804-378-0811
WWW.MITCHELLHOMESINC.COM

NUM	DATE	REV BY
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THE KENSINGTON PLAN

SCALE:
1/8" = 1'-0"

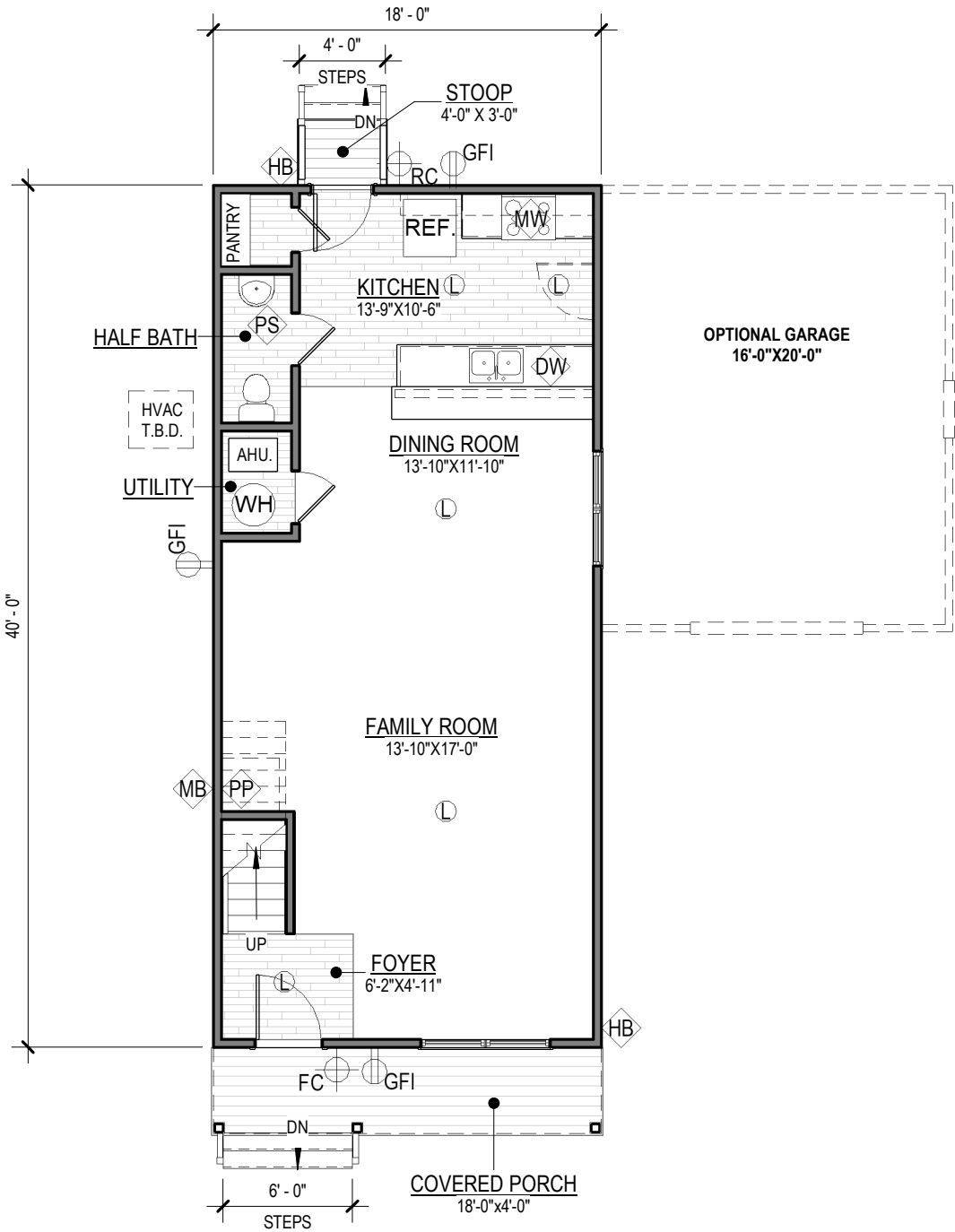
DATE:

DRAWN BY:

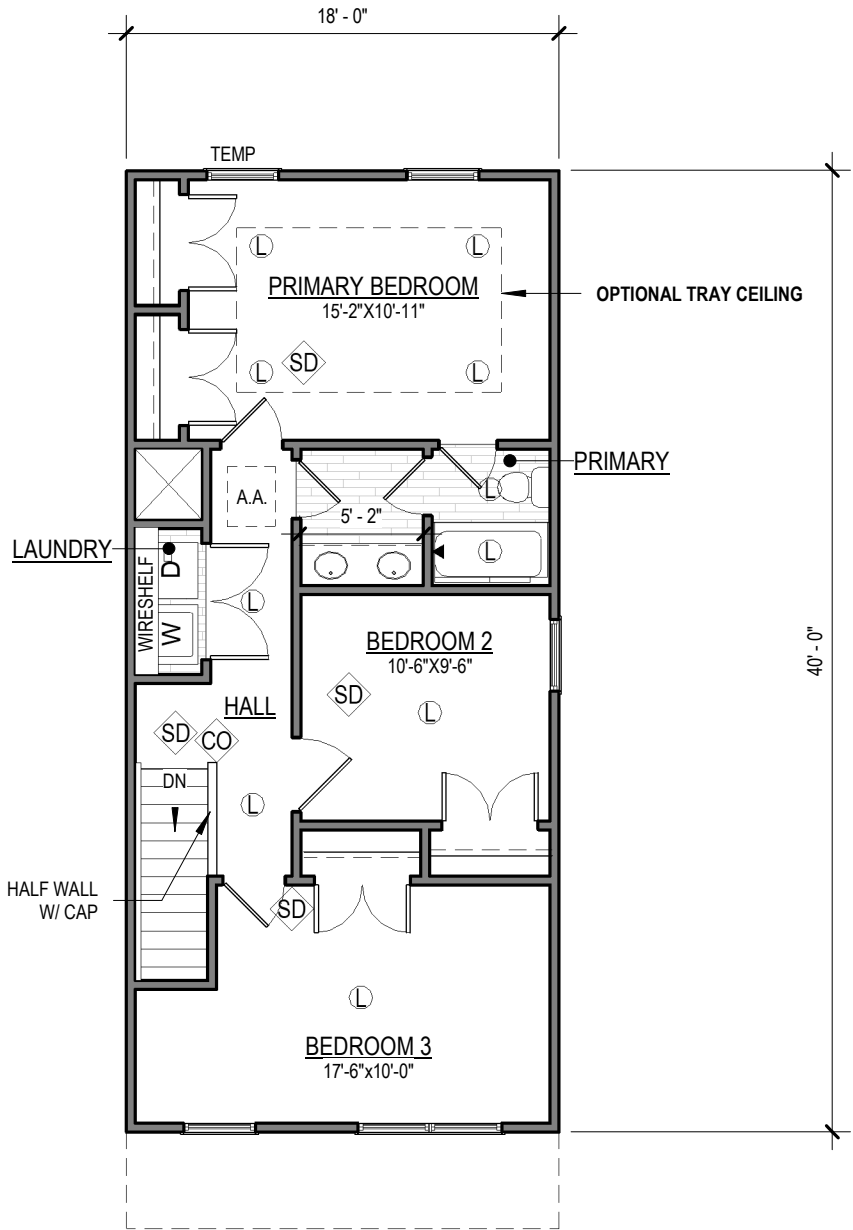
FIRST FLOOR: 720 S.F.
SECOND FLOOR: 682 S.F.
TOTAL LIVING AREA: 1402 S.F.
COVERED FRONT PORCH: 72 S.F.
TOTAL AREA UNDER ROOF: 1,474 S.F.
STOOP: 12 S.F.
TOTAL AREA: 1,486 S.F.



UPDATED: 03.2022



1 FIRST FLOOR GRID PLAN
1/8" = 1'-0"



2 SECOND FLOOR GRID PLAN
1/8" = 1'-0"

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR
DEVELOPMENT OF 301 ROLFE STREET PETERSBURG, VIRGINIA BETWEEN
THE CITY OF PETERSBURG AND AMANDA GREEN**

WHEREAS, The City of Petersburg City Council approved 21-ORD-74 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 301 Rolfe Street on November 16, 2021; and

WHEREAS, following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Amanda Green shall perform the redevelopment or the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement; and

WHEREAS, the Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Amanda Green with the proviso that only one single-family dwelling may be constructed on the property and that the property is not subdivided; and

WHEREAS, the deed shall include provisions for the reverter described in the Development Agreement.

NOW therefore be it RESOLVED that the City Council of the City of Petersburg hereby approve the Development Agreement between the City of Petersburg and Amanda Green

Be it further resolved, the City Manager and City Attorney are hereby directed to take all necessary action to facilitate the sale of the subject property consistent with the terms described in the Purchase and Development Agreements.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: Consideration of re/appointment to the Economic Development Authority. (page 145)

PURPOSE: To consider re/appointments to the Economic Development Authority.

REASON: One member term has expired and he wishes to be reappointed to the authority.

RECOMMENDATION: Recommend that the Council make a re/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: 4/19/2022

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. appointment to EDA 2021 resolution
2. appointment to EDA 2022 resolution

3. Economic Development Authority 2021

**A RESOLUTION APPOINTING _____ WITH
A TERM ENDING SEPTEMBER 30, 2024 TO THE
ECONOMIC DEVELOPMENT AUTHORITY.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoints _____, with a term ending September 30, 2024 to the Economic Development Authority.

**A RESOLUTION APPOINTING _____ WITH
A TERM ENDING SEPTEMBER 30, 2024 TO THE
ECONOMIC DEVELOPMENT AUTHORITY.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoints _____, with a term ending September 30, 2026 to the Economic Development Authority.

ECONOMIC DEVELOPMENT AUTHORITY				
Number of members: 7				
TERMS	APPOINTMENTS	WARDS	NEW APPLICANTS	WARDS
09/01/20 - 09/30/24	Ahkinyala Abdullah , 1600 S. Sycamore Street	Ward 3	Kofi S. Adih, 1000 Sunset Avenue	3
05/15/18 - 09/30/21	Richard B. Taylor, 828 W. Tuckahoe Street	Ward 3		
07/16/19 - 09/30/23	Lafayette Jefferson, 1746 Brandon Avenue	Ward 2		
09/01/20 - 09/30/24	Michael Packer, 1245 Woodland Road	Ward 3		
10/01/20 - 09/30/24	Winston T. Sanders, 1221 Woodland Road	Ward 3		
10/01/20 - 09/30/24	Samuel Rhue, 1952 S. Westchester Drive			
10/01/20 - 09/30/24				
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:		TERMS:		
Director of Economic Development		Four (4) year staggered terms		
400 East Washington Street				
Petersburg, VA 23803				
(804) 733-2352				



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Lorraine Adeeb

RE: **Consideration of Personnel Policies & Procedures Manual Revisions. (page 150)**

PURPOSE: Recommended revisions to Articles V, VII, VIII of the Personnel Policies and Procedures Manual.

REASON: City Council requested the City Attorney provide recommended revisions to the Personnel Policies & Procedures Manual to address concerns regarding the discipline and grievance processes.

RECOMMENDATION: Recommend that revisions be approved by City Council.

BACKGROUND: The City Council expressed concerns with the Personnel Policies & Procedures Manual regarding the disciplinary and grievance processes. The City Attorney was directed to provide recommended revisions. Those revisions were shared with the Deputy City Manager and Human Resources for comment and discussion. Attached are the revisions of the Administration after reviewing the recommendations of the City Attorney.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: All city departments that report to the city manager.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Direct relationship to the current personnel policies & procedures manual.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. final Administration response to ARTICLE V of PP revisions 04 2022

2. ARTICLE VIII Administration response 04 2022
3. ARTICLE VII Administration response 04 2022



PERSONNEL POLICIES AND PROCEDURES MANUAL

Dated – June 2020 March 2014

Issued – December 2020 August 2015

**ARTICLE V
DISCIPLINARY ACTIONS, DEMOTIONS, DISMISSALS AND SEPARATIONS**

- 5.1 Policy** - Whenever the performance, work habits or personal conduct of an employee becomes unsatisfactory his or her supervisor shall inform him or her promptly of such deficiency and give him or her counsel and assistance. Upon a determination by the supervisor to initiate Disciplinary Action in accordance with this Article, the supervisor shall complete and submit a Pre-Disciplinary Hearing Form. The City shall follow a policy of progressive discipline, however, the severity of the offense may justify action outside of the standard progression. In such case, the supervisor must provide justification for their decision to recommend action outside of the standard progression. Discipline should be appropriate to the seriousness of the incident. A specific incident may justify severe disciplinary action without delay upon the first offense.

Each employee is expected to comply with instructions, established policies, procedures, rules and regulations, and accepted standards of personal conduct. If an employee's performance of duty or personal conduct is unsatisfactory because of neglect or failure to comply with these requirements, appropriate disciplinary action shall be taken pursuant to these Rules.

- 5.2 Grounds** - No disciplinary action shall be taken without reasonable grounds, or cause for such action. By way of illustration, but not limitation, the following shall constitute reasonable grounds for discipline:

- (1) Unsatisfactory attendance or tardiness. Misuse or abuse of sick leave.
- (2) Abuse or misuse of City time, such as:
 - a. Unauthorized time away from work area or
 - b. Failure to notify the supervisor promptly of completion of assigned work.
- (3) Use of obscene or abusive language.
- (4) Receipt of a moving traffic violation while using a City or other public use vehicles.
- (5) Inadequate or unsatisfactory job performance. Incompetence, unwillingness or failure to render satisfactory service to the Department Head or designee.
- (6) Violation of safety rules, policies or regulations.
- (7) Insubordination or failure to follow supervisor's instructions, or to perform assigned work or otherwise comply with applicable established written policy.
- (8) Reporting to work when under the influence of or when ability is impaired by alcohol or the unlawful use of controlled substances.
- (9) Leaving the work site without permission during working hours.
- (10) Failure to report to work without proper notice to supervisor. Failure to report to work due to arrest or incarceration.
- (11) Unauthorized use or misuse of City property or records.
- (12) Absence or leave in excess of three working days without appropriate notice, or without satisfactory explanation.
- (13) Use of alcohol or unlawful use or possession of controlled substances while on the job.
- (14) Material falsification of any City records, such as, but not limited to: vouchers, reports, insurance claims, time records, leave records; or other official City documents; or employment application.
- (15) Willfully or negligently damaging or defacing City records or equipment or City or employee property.
- (16) Theft or unauthorized removal of City records, equipment, or City employee property.
- (17) Commit or threat to commit an act of violence or fighting in the workplace.
- (18) Violation of the City's Substance Abuse Policy or Sexual Harassment Policy, Anti- Harassment and Anti- Discrimination Administrative Regulations
- (19) Sleeping during scheduled work hours (except by departmental policy for Fire personnel on 24 hour tours).
- (20) Participating in any kind of work slowdown, sit-down, or similar concerted interference with City operations.
- (21) Unauthorized possession of firearms, dangerous weapons or explosives.



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- (22) Criminal violations other than minor traffic violations occurring on the job or off the job which are related to job performance and are of such a nature that to continue the employee in the assigned position could constitute negligence in regard to the department's duties to the public or to other City employees.
- (23) Operating a City vehicle without a valid operator's permit or without authorization.
- (24) Violation of the City's Administrative Regulations, Personnel Policies & Procedures or Department Standard Operating Procedures (SOPs).
- (25) Conduct unbecoming an employee of the City, tending to bring the City service into disrepute.

5.3 Types of Discipline - The disciplinary measures normally available to Department Heads and their delegated subordinates shall be: (1) verbal reprimand, (2) written reprimand, (3) suspension, (4) disciplinary demotion and (5) dismissal. ~~Upon a determination to initiate disciplinary action, the Department Head or designee shall conduct a Pre-Disciplinary Hearing with the employee advising them of allegations against them; the possibility of disciplinary action; and affording them an opportunity to respond.~~

~~The Department Head or designee shall complete the Pre-Disciplinary Hearing Form and submit it to the is required to consult with the Director~~ department of Human Resources for approval before initiating any demotion, and suspension (more than 5 working days) or dismissal. ~~The Pre-Disciplinary Hearing Form shall include or be accompanied by the Department's recommended disciplinary action to be taken. Prior to initiating any disciplinary action in excess of a Written Reprimand or Suspension exceeding five (5) days, the Director of Human Resources shall consult with the City Attorney by submitting to him a copy of the Pre-Disciplinary Action form and any other relevant documentation review. After receiving such consultation the Human Resources Director shall consult with the City Manager designee of the City Manager prior to authorizing discipline.~~

5-1 The Department Head or designee is advised that justification for any action taken is their sole responsibility. ~~All relevant documentation supporting the proposed discipline including but not limited to witness names and statements; photographs and recordings; and other records should be submitted along with the Pre-Disciplinary Hearing Form.~~ Unless otherwise noted in these Policies, all discipline becomes effective on the date designated by the Department Head or designee ~~after approval in accordance with the foregoing.~~

5-15.4 Documentation - All disciplinary actions shall be reduced to writing (except a verbal reprimand), with copies placed in the employee's official personnel file in the Department of Human Resources.

Notice to Employee - Prior to suspension, disciplinary demotion or dismissal of an employee, he or she shall be notified in writing of the reasons for the specific charges, violations, or infractions. ~~The Notice to the Employee shall be on the Pre Disciplinary Hearing Form. This writing shall be in the form of the Pre-Disciplinary Hearing Form as described in this Policy. The employee shall have an opportunity to respond to the allegations identified on the Pre-Disciplinary Hearing Form in writing prior to the Pre-disciplinary Conference.~~

- (1) ~~Upon completion of the Pre Disciplinary Hearing Form and providing the employee an opportunity to provide a written response to the allegations, the Department Head shall consult with the Human Resources Director, and shall work with the Human Resources Director in conducting an investigation regarding the allegations.~~

~~(4) Witness statements shall be recorded or in writing and signed by any witnesses or persons having knowledge of the events giving rise to the allegations. All evidence, including witness statements, photographs and other tangible materials relating to the alleged violations shall be collected by the Department Head and provided to the Human Resources Director.~~

Commented [LA1]: This is an extra step and is redundant. The pre-disc conference allows the ee an opportunity to respond. This step has no timeframe attached to it and it appears to a "gotcha" moment for the ee.



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- (2) **Pre-disciplinary Conference** - Prior to ~~implementing discipline, suspension, disciplinary demotion,~~

~~or dismissal~~ the Department Head or designee shall provide the employee with an opportunity for a pre-disciplinary conference. ~~For suspension, disciplinary demotion, or dismissal, The employee shall be provided a minimum of five (5) calendar days to prepare for the conference.~~

- a. During the conference, the employee shall be given an opportunity to respond to the specific charges, violations, or infractions that form the grounds for the proposed disciplinary action as stated in the written notice previously provided to the employee. ~~The employee may call upon witnesses or provide evidence in support of his defense against the allegations being made against him. Any documentation or evidence provided by the employee shall be collected by the Department Head and provided to the Human Resources Director along with the documentation identified in Section 5.2(1).~~
- b. The Department Head or designee may interview other persons who may have direct knowledge of the situation based on information provided by the employee. Interviews shall take place separate from the pre-disciplinary conference.
- c. The Department Head or designee may review documents as part of the pre-disciplinary conference process to include but not limited to video and audio tapes and printouts from electronic media (GPS, cell phones, etc.). ~~These materials shall be provided to the HR Director along with the documentation identified in Section 5.2(1).~~
- d. The pre-disciplinary conference shall only include the Department Head or designee, other city officials deemed necessary by the Department Head or designee and the employee. ~~No attorney or other representative personnel for the City or employee shall be permitted in the Pre-disciplinary conference.~~
- e. ~~At the request of either party,~~ At the request of either party, Human Resources ~~may~~ shall ~~may~~ attend for policy interpretation, but shall not be considered representative of either party.
- f. ~~The Department Head shall prepare a Memorandum summarizing the Pre Disciplinary Hearing Conference and provide a copy of it to the HR Director along with the documentation identified in Section 5.2(1). This Memorandum shall include the Department Head's recommendation of what discipline (if any) should be imposed. Except as expressly provided in this Policy, Neither party is allowed to record the proceedings or bring any recording devices to the Pre Disciplinary Conference.~~

Commented [LA2]: HR's attendance should only be requested and not required since the action has already been reviewed by the HR Director, City Attorney and the City Manager. This required level of attendance will be difficult for HR to maintain.

- (3) **Employee status during an investigation and or disciplinary review** - Pending the resolution of an investigation or disciplinary review, ~~and upon approval of the City Manager or designee,~~ the Department Head or designee ~~may~~ shall place the employee on administrative leave (leave without pay) if any of the following occur:

- a. The employee's presence ~~may impede the investigation or~~ is determined to be a threat to the City, his or her ~~supervisor or fellow employees or city property or equipment.~~
- b. The employee is alleged to be in violation of the City's Substance Abuse Policy.
- c. There are allegations of workplace violence, unlawful harassment, unlawful discrimination or retaliation.
- d. The employee is part of an external investigation and his or her presence is determined to be a threat to the City, his or her supervisor or fellow employees.



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Notwithstanding the aforementioned categories, nothing herein shall limit the Director of Human

Resources or designee's discretion to ~~recommend to the City Manager or designee~~ placing any employee on leave ~~without or without~~ pay or administrative leave ~~(with pay)~~ or allow the employee to remain in his or her position or a modified position pending disciplinary actions or the completion of an investigation.

(4) ~~(4)~~ — **Employee Status for Alleged Criminal Conduct** - Pending the resolution of any alleged criminal conduct the Department Head or designee shall place the employee on leave with ~~out~~ pay if any of the following occur:

- a. The employee is formally charged with a criminal offense and is incarcerated (The employee may also be subject to unauthorized absence [Z time] and thus be in violation of Personnel Policies.)
- b. The employee's ability to perform his or her job is impacted.
- c. The investigation is hampered by the employee's presence at work.
- d. There is a risk to the city or interference with the city's ability to conduct business.
- e. There are allegations of theft, fraud, or embezzlement of City property or services (this shall include property leased to the City or otherwise in the possession of the City).
- f. The employee is charged with a misdemeanor crime involving marijuana, drug paraphernalia or any controlled substance.
- g. The employee is charged with any felony crime.

Notwithstanding the aforementioned categories, nothing herein shall limit the City Manager or designee's discretion to allow the employee the use of vacation leave or to authorize administrative leave pending disciplinary action or pending the legal adjudication process upon written request by the employee. Nor shall anything limit the authority of the City to proceed with disciplinary action prior to the outcome of criminal proceedings if it is determined that the employee's conduct notwithstanding the criminal allegations warrant such action.

The approval of the ~~Director of Human Resources~~ City Manager or designee is required for administrative leave or leave ~~with or without~~ pay ~~exceeding five (5) working days unless authorized by the City Manager or designee for the time exceeding the five (5) working days (56 hour Shift Fire Personnel shall be eligible for up to three (3) working days).~~

~~Leave without pay due to alleged criminal conduct may not exceed sixty (60) days. Regardless of the status of any criminal investigation or process the Appointing Authority or designee may initiate disciplinary charges against the employee under these Policies at any time, up to and including termination based upon the facts of evidence of conduct that prompted the criminal investigation or process.~~

(4) — **Review and Approval** – For all disciplinary action identified in Sections 5.7 through 5.9 (Suspension, Demotion, or Dismissal), the information collected by the Department Head and provided to the HR Director consisting of the Pre Disciplinary Hearing Form, the documentation and materials collected in Sections 5.2(1) and (2) including the Memorandum summarizing the Pre Disciplinary Hearing shall be assembled and copies shall be provided to the City Attorney along with an HR Routing Sheet (Appendix B). As required by the Fair Labor Standards Act, exempt employees shall be placed in leave without

(5) —

Communication and documents forwarded to and received from the City Attorney may be protected as confidential attorney-client privileged material or attorney work product. The City Attorney shall review the documentation and materials to ensure compliance with applicable law and policy. The



PERSONNEL POLICIES AND PROCEDURES MANUAL

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City Attorney shall consult with the HR Director and Department Head and provide any comments or recommendations regarding the proposed disciplinary action. The City Attorney may recommend

approval, modification, or rejection of the proposed discipline, or he may recommend additional investigation.

Such comments or recommendations shall be included on the HR Routing Sheet and these materials including the HR Routing Sheet shall thereafter be forwarded to the City Manager or City Manager designee for review and approval. The City Manager or City Manager designee may approve, modify, or reject the recommended disciplinary action, or require additional investigation.

No disciplinary action identified in Sections 5.7 through 5.9 shall be imposed by the City without compliance with this Section.

For disciplinary actions identified in Sections 5.5 and 5.6 (Verbal and Written Reprimands) the Department Head shall comply with Sections 5.1 and 5.2(a) through (e) – City Attorney review and City Manager or City Manager designee approval is not required for these actions, but copies of any such action taken should be provided to the City Manager or City Manager designee and City Attorney for informational purposes.

pay in increments of a full work day if the behavior of the employee constitutes serious workplace misconduct as indicated above or as determined by the Director of Human Resources. If the conduct of the exempt employee does not fall in one of the aforementioned categories, that exempt employee shall be placed in leave without pay in increments of full work weeks.

(5)(6) Employee Record of Action - Following any pre-disciplinary conference, and prior to implementation of discipline, the employee shall receive in writing, within five (5) working days, the findings of the pre-disciplinary conference. Upon receipt of such findings, the employee may, within five (5) working days, within five (5) working days, submit attach a written correspondence for inclusion in the record. The pendency of such correspondence shall not delay implementation of disciplinary action.

(6) Department Disciplinary Recommendation – Each disciplinary action that requires the approval of the Director of Human Resources or designee shall be supported in writing by a memorandum endorsed by the Department Head or designee and forwarded to the Director of Human Resources or designee within five (5) working days of the pre-disciplinary conference. All supporting documents shall accompany the agency disciplinary recommendation.



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Dated – June 2020 March 2014

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- 5.5 Verbal Reprimand** - As a disciplinary action a discussion between the supervisor and the employee wherein employee is advised and cautioned with reference to unsatisfactory work performance or misconduct. ~~A verbal reprimand does not require written notice to the employee.~~
- 5.6 Written Reprimand** - An employee may be reprimanded by any one of his or her supervisors. Each such reprimand shall be confirmed in writing from the person imposing the reprimand on the employee, with a copy being placed in the employee's personnel file in the Department of Human Resources, delivered to the employee and sent to the Department Head or designee. This writing shall provide reasons for the reprimand and specific examples of violations, infractions, performance issues or personal conduct. The employee may attach written correspondence for inclusion in the record within five (5) working days of receipt of a written reprimand.
- 5.7 Suspension** - As a disciplinary measure, the Department Head or designee may suspend an employee for such period of time as may be reasonable and appropriate under the circumstances. All suspensions shall be deemed disciplinary actions and shall be without pay. Before such action is effective, the Department Head or designee shall investigate the circumstances, shall provide the employee with a pre-disciplinary conference and written notice of his or her recommendation. A Suspension is considered to be discipline in excess of a Written Reprimand and must comply with the approval requirements described in this Policy. ~~The Department Head or designee is required to consult with the Department of Human Resources before initiating any suspension of more than five (5) working days (56 hour Shift Fire Personnel shall be eligible for up to three (3) working days).~~
- ~~The Department Head or designee shall provide written notice of a pre-disciplinary conference to the employee. The suspension becomes effective on the date approved by the Department Head or designee after completion of the pre-disciplinary conference and associated timeframes.~~
- ~~The Director of Human Resources or designee shall be responsible for approving, revising or denying any suspension that exceeds five (5) working days.~~
- ~~As required by the Fair Labor Standards Act, non-exempt employees shall be suspended in hourly increments. Exempt employees shall be suspended in weekly increments; however, if the behavior of an exempt employee constitutes serious workplace misconduct as noted above in Personnel Rule 5.2 and 5.4 or as determined by the Director of Human Resources or designee, the exempt employee shall be suspended in increments of a full work day.~~
- 5.8 Disciplinary Demotion** - As a disciplinary measure, the Department Head or designee may recommend that an employee be demoted to a lower classification. Before such action is effective, the Department Head or designee shall investigate the circumstances, shall provide the employee with a pre-disciplinary conference and written notice of his or her recommendation. ~~The Department Head or designee is required to consult with the Department of Human Resources before initiating any demotion. A Disciplinary Demotion is considered to be discipline in excess of a Written Reprimand and must comply with the approval requirements described in this Policy.~~
- The salary of an employee demoted for cause shall be reduced ~~by the Department Head or designee~~ at least 5% in the new pay range, not to exceed the maximum salary of the new pay range.
- A disciplinary demotion shall require completion of an adjustment period for the new position not to exceed one-hundred eighty (180) ninety (90) days without authorization by the City Manager or City Manager designee. An employee, who cannot successfully complete the adjustment period following a disciplinary demotion, shall be dismissed from the City's service.
- 5.9 Dismissal** - Before an employee may be dismissed he or she shall be informed in writing of the reasons for

Commented [LA3]: This timeline is consistent with PP section 3.17



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his or her proposed dismissal and be given an opportunity for a pre-disciplinary conference and shall be

conducted by the Department Head or designee. Before such action is effective, the Department Head or designee shall investigate the circumstances, shall provide the employee with a pre-disciplinary conference and written notice of his or her recommendation. A Dismissal is considered to be discipline in excess of a Written Reprimand and must comply with the approval requirements described in this Policy. The Department Head or designee is required to consult with the Department of Human Resources before initiating any dismissal.

Department Heads may be involuntarily separated for performance or disciplinary reasons in accordance with these Policies. Probationary employees and employees who serve at the will of the City, shall be dismissed in accordance with Rule 3.16.

5.10 Forfeiture - Any officer, appointee of the council or employee of the City who shall be convicted by a final judgment of any court from which no appeal has been taken or which has been affirmed by a court of last resort on a charge involving moral turpitude or any felony or any misdemeanor involving possession of marijuana or any controlled substances may forfeit his or her office or employment. The employee shall lose all rights of employment and future employment with the City service, and the employee shall have no right of appeal. Prior to the Department Head or designee initiating a determination of forfeiture, a review by the City Attorney's Office is required.

5.11 Separation from City Service - For the purpose of these Policies, the separation of one's status as an employee of the City shall be referred to as a separation. The types of separation shall include *but are not limited to* the following: (1) resignation, (2) disability retirement, (3) retirement, (4) reduction-in-force, (5) job abolishment (6) disciplinary dismissal, (7) forfeiture, (8) failure to return to work after the exhaustion of authorized leave, (9) disability separation, ~~and~~ (10) death; ~~and (11) job abandonment.~~

Date and Notice of Separation - An employee's official date of separation is typically his or her last day in active pay status. If an employee is on approved sick leave, worker's compensation, or leave without pay when separated, the effective date of separation will be the actual date of separation designated by the employee and approved by the Department Head or designee and not necessarily the last day in active pay status. Notice of the effective date and the reasons for every separation shall be reported in writing by the Department Head or designee to the Department of Human Resources.

- (1) **Resignation** - An employee may leave the City service voluntarily. When such action takes the form of a written resignation, a copy shall be forwarded to the Department of Human Resources. If it is determined that a reported resignation was not voluntary, the Department Head or designee shall treat the separation as a dismissal under these Policies and notify the employee of his or her rights. An employee may withdraw his or her resignation before the effective date with the approval of the Department Head or designee. Where written resignation is not obtained, the Department Head or designee shall notify the employee in writing that his or her verbal resignation is accepted and forward a copy to the Department of Human Resources.
- (2) **Disability Retirement** - If an employee qualifies under the rules of the Virginia Retirement System, he or she may apply for disability retirement. Persons retiring under this Policy shall be considered as voluntarily separating from the City service.
- (3) **Retirement** - Whenever an employee meets the conditions set forth in the Virginia Retirement System Regulations, he or she may elect to retire and receive all benefits earned under the Retirement Plan. Persons retiring under this Policy shall be considered as voluntarily separating from the City service.
- (4) **Reduction in Force** - The involuntary separation of an employee from a position if it has been



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determined that positions will no longer be required or that funds will not support certain positions.

- (5) Job Abolishment- The elimination of a classification due primarily to considerations of efficiency and effectiveness. Affected employees shall be governed by the reduction-in-force provisions.
- (6) Disciplinary Dismissal - Each employee is expected to comply with instructions, established policies, procedures, rules and regulations, and accepted standards of conduct. If an employee's performance of duty or inappropriate conduct is unsatisfactory because of neglect or failure to comply with these requirements, appropriate disciplinary action shall be taken pursuant to these Policies leading up to and including dismissal.
- (7) Forfeiture - Any officer, appointee of the council or employee of the City who shall be convicted by a final judgment of any court from which no appeal has been taken or which has been affirmed by a court of last resort on a charge involving moral turpitude, or any felony, or any misdemeanor involving possession of marijuana or any controlled substances may forfeit his or her office or employment.
- (8) Failure to return to work after the exhaustion of authorized leave – An employee who is considered on an unauthorized absence for three (3) consecutive work days or in the Fire Department (for members who work 24 hour duty tours) two (2) consecutive tours twenty-four (24) hour tours, shall be dismissed.
- (9) Disability Placement/Separation - Upon supported and certified medical evidence, an employee may be separated for service or non-service related disability when he or she cannot perform the required duties because of physical or mental impairment without reasonable accommodation as defined by the American Disabilities Act as amended. Employees shall be given a fifteen (15) calendar days written notice prior to the separation date.
- (10) Death - Separation shall be effective as of the date of death. Each Department Head or designee shall establish and maintain within his or her agency appropriate procedures to be followed in the event of any employee's death while on duty. Notwithstanding a person who deceases while at work will be paid for the full-day.

(11) Job Abandonment – where an employee is on unauthorized absence (Article VI, section 6.11) for more than three (3) consecutive working days and fails to report to their supervisor the reason for the absence in advance, they may be deemed to have abandoned their employment with the City and shall forfeit grievance rights. An employee who produces adequate justification for the absence and failure to report to his supervisor may be reinstated upon such determination having been made by the City Manager.

5.12 Reduction-In-Force - A Reduction in Force (RIF) occurs when changing priorities, budgetary constraints, or other business conditions require abolishment of positions as determined by the City Manager or designee. And approved by City Council. A RIF can also occur when a classification changes so significantly that the employee is no longer able to perform the required duties.

- (1) Selection for RIF - If a reduction in force is necessary, such employees shall be released in accordance with these Rules in the following order:
 - a. Non-Provisional status employees performing the same work must be terminated before any employee with a probationary or tenured appointment, provided that a probationary or tenured employee can perform the temporary employee's tasks.



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- b. Probationary status employees performing the same work must be terminated before any employee with a tenured appointment, provided that a tenured employee can perform the probationary status employee's tasks.
 - c. Tenured status employee is based on the following factors (factors are not in priority order):
 - (i) Which positions are most vital to the department in the delivery of service.
 - (ii) Relative skills, knowledge and productivity of employees.
 - (iii) Performance evaluation rating.
 - (iv) Length of continuous City service.
- (2) Placement Options - The Department of Human Resources will review all vacant positions to identify valid vacancies that can be used as placement options during the RIF. All final placements are at the discretion of the City Manager, with due consideration to the factors within this policy. In order to be considered for placement, the employee must be performing at the "satisfactory" performance level in accordance with the evaluation system. The options considered for placement will be based on the following order:
- a. Same Classifications Specification vacancies -
 - (i) Transfer to a vacant position in the same classification specification in the employee's current agency.
 - (ii) Transfer to a vacant position in the same classification specification in another city agency.
 - (iii) If based upon the above-defined-criteria for placement, the status of two or more tenured employee's is identical, the order of transfer, demotion or layoff, shall be determined by the Director of Human Resources or designee through a computerized random selection process.
 - b. Lower level vacancies (alternative placements to a lower classification)
 - (i) Demoted to a vacant position in a lower classification specification in the employee's current agency.
 - (ii) Demoted to a vacant position in a lower classification specification in another city agency. If based upon the above-defined-criteria for placement, the status of two or more tenured status employees is identical, the order of transfer, demotion or layoff, shall be determined by the Director of Human Resources or designee through a computerized random selection process.
 - (iii) An employee demoted due to reduction-in-force shall have his or her salary governed by the City's Pay Plan. In no event shall the demoted employee's salary exceed the maximum amount of the new pay range.
- If a placement option is identified, the Department of Human Resources shall notify the employee in writing that a placement is being offered with a reasonable deadline by which the employee must respond. Employees who do not accept an offered placement by the date specified in the written offer shall be deemed separated on the date they declined the offer or if no response, on the date of the deadline in which to respond.
- (1) Exceptions - When a Department Head or designee determines that a certain employee who holds tenured status is essential to the efficient operation of the agency in which he or she is employed because of special skills, knowledge or abilities and wishes to retain such employee, the Department Head or designee shall file with the Director of Human Resources or designee a request in writing setting forth, in detail, the specific skills, knowledge and abilities possessed by the employee and the reasons why such employee is essential to the effective operation of the agency. If the Director of Human Resources or designee approves the request, such employee may be retained.
 - (4) Lay-off/Termination - If after all the above steps have been exhausted and tenured status employees are



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to be laid off/terminated, such employees shall receive fifteen (15) calendar days written notice prior to the effective termination date.

An employee who may be in the process of another administrative procedure (i.e. grievance, EEO complaint, disciplinary action, etc.) is still covered under the reduction in force procedure. If such employee is laid off, he or she will be entitled to continue to pursue the other administrative procedure if he or she so chooses. However, it will be done in the status resulting from the effect of the reduction in force policy and it will not change the impact of the layoff.

5.13 Reinstatement - Reinstatement status applies only to those tenured status employees who have (1) resigned in good standing, (2) apply for reinstatement within thirty (30) calendar days of the date of their separation, (3) their position having remained unfilled, and (4) now meet the minimum qualifications for the position, and then only if such reinstatement is approved by both the Department Head or designee and the Director of Human Resources or designee. Seniority for employees reinstated shall be computed from the original date of employment.

- (1) Pay of Reinstated Employees - Upon reinstatement, an employee's pay, employment date and all benefits shall remain unchanged and be restored.



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**PRE-DISCIPLINARY HEARING FORM PER PETERSBURG
PERSONNEL POLICY ARTICLE V**

The purpose of a pre-disciplinary hearing is to inform the employee of the alleged violations, provide an opportunity to respond, and advise the employee of possible disciplinary action. Please complete the form below following a meeting with the employee and submit it to the Human Resources Director to be used in support of any investigation or/and disciplinary action.

<u>Employee:</u>	<u>Title:</u>
<u>Supervisor:</u>	<u>Title:</u>
<u>Department:</u>	
<u>Alleged violations including dates, locations, and relevant policy citations:</u>	
<u>Narrative including dates and times:</u>	
<u>Employee explanation:</u>	
<u>Supervisor (print):</u>	
<u>Signature:</u>	<u>Date:</u>



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**DEPARTMENT OF HUMAN RESOURCES
SIGNATURE ROUTING COVER SHEET**

Document(s): disciplinary documents for: [INSERT EMPLOYEE NAME, POSITION, AND DATE OF HIRE]

Requested by: [INSERT DEPARTMENT HEAD NAME AND SIGN]

Date: [INSERT DATE]

I acknowledge that I have read the attached document(s) and concur with the proposed action unless otherwise stated on this form.

Human Resources Director Date

City Attorney Date

City Manager Date



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ARTICLE VIII GRIEVANCE HEARING PANEL

8.1 Panel Hearing

At the conclusion of the Management Steps of the Grievance process, if an employee thereafter requests to proceed to a Panel Hearing, the Human Resources Director shall, within not more than three days, submit a complete copy of the grievance record including copies of all exhibits and other supporting documents, all documents and materials collected during the disciplinary process, and the employee's personnel record to the Office of the City Attorney along with a request for review and representation of the City in the Grievance Panel Proceeding.

This policy shall apply to all classified personnel, except Department Heads, the City Attorney, and Assistant City Attorneys, and including employees of the local Social Services Department. Any complaint by a Department Head should be discussed directly with the City Manager. The City Manager shall make the final determination. Any complaint from an Assistant City Attorney or other employee of the Office of the City Attorney should be discussed directly with the City Attorney who shall make the final determination.

The Human Resources Department shall be responsible for securing a location for the grievance, for ensuring that panelists are properly appointed and notified in accordance with this policy, and ensure that the panelists receive all documentation necessary for their review of the grievance in accordance with this Policy.

- (1) The grievance panel shall consist of three members: one member selected by the grievant, one member selected by the Department Head and the third panel member selected by the other two panel members. Within five (5) work days, the two panel members shall select the third panel member. If the two panel members cannot agree on the selection of a third member an appointment will be made by the Chief Judge of Petersburg Circuit Court. The third person shall be the chairperson of the panel. All grievance panel selections are subject to confirmation by the Director of Human Resources for consistency with the requirements of this Policy.
- (2) To einsure an impartial panel, such panel shall not be composed of any person having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant, and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin. No attorney having direct involvement with the subject matter of the grievance nor a partner, associate, employee or co-employee of such an attorney shall serve as a panel member.
- (3) Witnesses may not be compelled to participate in the grievance process against their will. Each party is responsible for notifying and securing the appearance of any witness that they wish to call. Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representatives at the panel hearing. Such representatives may examine, cross-examine, question and present evidence on behalf of the grievant or respondent before the panel without being in violation of the provisions of § 54.1-3904, 1950 Code of Virginia, as amended. ~~The decision of the panel shall be final and binding and shall be consistent with provisions of law and written policy.~~
- (4) Procedural Challenges: The question of whether the relief granted by a panel is consistent with written policy shall be determined by the City Manager, or his or her designee, unless such person has a direct personal involvement with the event or events giving rise to the grievance



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(this does not include ~~standard~~~~mere~~ participation in the grievance ~~or disciplinary~~ process in

his/her capacity as City Manager), in which case the decision shall be made by' the Petersburg Commonwealth's Attorney. Administrative determinations regarding procedural challenges shall be final and non-appealable. Such challenges shall be submitted in writing to the City Manager with a copy to the Human Resources Director and City Attorney within ten (10) days of the final Panel Decision.

~~(4)~~_____

- (5) Either party may petition the Petersburg Circuit Court for an order requiring implementation of the panel decision.

(6) Rules for Panel Hearings

- a. The panel does not have authority to formulate City policies, procedures, regulations or rules or to alter existing City policies, procedures, regulations or rules;
- b. The panel has the discretion to determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and, at the request of either party, the hearing shall be private;
- ~~e.~~ At least ten (10) days prior to the Panel Hearing, the City and Grievant shall exchange their list of witnesses, and exhibits, and written summary of their respective positions along with any documents or other records that they intend to present at the hearing. The City and Grievant shall at that time also submit all of the foregoing to the Panel.

~~c.~~_____

- ~~d.~~_____ ~~d.~~ The panel has the authority to determine the admissibility of evidence without regard to the ~~r~~rules of evidence, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence;

~~d.~~_____

- ~~e.~~_____ All evidence shall be presented in the presence of the panel and the parties, except by mutual consent of the parties or as otherwise stated in this Policy;

~~e.~~_____

- ~~f.~~ ~~g.~~ The majority decision of the panel, acting within the scope of its authority, shall be final, subject to _____ existing policies, procedures and law~~;~~



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~~g.~~ ~~h.~~ ~~f.~~ The panelists shall prepare a written decision which shall be in be provided within five (5) work days to all parties; and

~~h.~~ ~~i.~~ While all participants are expected to maintain formal decorum, the Panel may, in its discretion, proceed in less formal manner than courts or other judicial proceedings may otherwise require.

8.2 Conduct of the Hearings – The Grievant bears the burden of proof in grievance proceedings, and in order to prevail, must establish by a preponderance of the evidence that the discipline imposed or the complaining action was excessive or unwarranted. Accordingly, unless otherwise agreed by the parties, in disciplinary matters the Grievant presents their evidence first.

Accordingly, the hearing format is as follows:

- (1) The Chair shall be responsible for ensuring the hearing is conducted in an orderly, fair

and equitable fashion pursuant to the provisions of the grievance procedure and that all decisions are made by the panel as a whole. The Chair shall have the authority to limit the introduction of redundant and repetitive evidence.

~~(2) For grievances challenging a disciplinary action by the City, the City shall present their case to the panel first. For grievances that are not based upon a challenge to a disciplinary action, the Grievant shall present their case to the panel first.~~

~~(2) Opening statements shall be permitted with the Grievant presenting first. After the opening statements, the Grievant shall present their evidence and call witnesses first.~~

~~(3)~~

~~(3)~~(4) All witnesses may be examined and cross-examined. The Panel may question any witness at the conclusion of the questioning by both parties.

~~(4)~~(5) Closing statements by the parties is permissible with the Grievant going first.

~~(5)~~(6) Each party shall be given full and equal opportunity to present all relevant and material evidence.

~~(6)~~(7) Prior to the hearing, any matter requiring the attention of the panel shall be communicated through the Department of Human Resources. The Department of Human Resources will serve as the liaison between the parties and the panel and provide any needed communication between the parties and the panel.

~~(7)~~(8) The panel hearing ~~is normally recorded, however, it is not required.~~ shall be recorded, and the City may at its sole discretion, have a transcript of the proceeding prepared by a Court reporter or other means.

8.3 Cost of Representation – The grievant shall bear any and all cost involved in employing representation or in preparing or presenting his or her case. The Panel has no authority to award legal fees or punitive damage.



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8.4 Remedies – The Panel authority is as follows:

- (1) The panel may uphold, reverse, or modify the action being grieved by imposing a lesser disciplinary action and in appropriate circumstances, award back pay in the amount that is equitable.
- (2) Back pay shall not exceed pay for time actually lost due to suspension or dismissal.
- (3) The panel does not have the authority to formulate or alter City policies or procedures.
- (4) The panel does not have the authority to grant greater relief than that which the grievant has requested on the grievance form.
- (5) The panel does not have the authority to award the payment of damages or attorney's fees or costs.

8.5 Panel Decisions – After the hearing the panel is to deliberate on the evidence presented and arrive at a decision. No other individual other than the panel members may be present during the panel's deliberations. The panel may decide to deliberate at the conclusion of the hearing or may decide to reconvene at a later date and time. However, all panel members must participate in the deliberations.

- (1) The decision of the panel is to be rendered within five (5) work days following the conclusion of the panel hearing. Cases must be decided on the substance of the issues presented and not on compliance matters occurring before or during the hearing.
- (2) The decision is made by a majority vote of the panel voting as a whole and is recorded on Grievance Form B. The issue statement on Form B should be as complete and detailed as possible. Each panel member must review and sign the form. The panel Chair shall inform the Director of Human Resources of its decision, in writing. The Director of Human Resources will send the panel decision to the grievant, grievant's attorney, Department Head, (City Attorney if representing the City) and the City Manager within five (5) work days from receipt of such decision.
- (3) The majority decision of the Panel, acting within its scope of authority shall be final and binding and shall be consistent with the provisions of law and written policy.
- (4) Either party may petition the City of Petersburg Circuit Court for an order requiring implementation of the official Panel decision.



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ARTICLE VII GRIEVANCE AND APPEAL PROCEDURES

- 7.1 **Policy**- The City of Petersburg desires to resolve employee grievances fairly and promptly. Employees are encouraged to freely discuss their concerns with immediate supervisors and upper management levels when disagreement or dissatisfactions arise. A copy of the grievance procedure shall be made available to all City employees and each employee shall be assured that the filing of a grievance will have no adverse effect on his or her employment status.
- 7.2 **Purpose** - The purpose is to establish an objective and fair procedure to resolve a complaint or a dispute of an employee concerning his or her employment with the City of Petersburg. All problems, complaints or disputes, even of a minor nature should be resolved.
- 7.3 **Applicability** - All non-probationary permanent full-time and permanent part-time employees, including employees of the Department of Social Services of the City of Petersburg shall be covered under this policy. The following shall be deemed to be in the "excepted category" and excluded from the application of this grievance policy except those listed as follows:
- a. ~~a~~ — Appointees of elected groups or individuals;
 - b. ~~b~~ — Department Heads;
 - c. ~~c~~ — Deputies and executive assistants to the City Manager;
 - d. ~~d~~ — Police staff who have elected to use the Procedural Guarantees procedures provided by State law;
 - e. ~~e~~ — Employees of constitutional officers ~~who shall, where applicable, follow the State's grievance procedure;~~
 - f. ~~f~~ — Employees who serve at the pleasure of the City Attorney excluded in accordance with 2-192 of the City Code.
 - f.g. Members of the unclassified service. Any employee who moves from a position in the classified service to a position in the unclassified service shall automatically lose all rights to the grievance and appeal process;
 - g.h. ~~g-h~~ — Any employee who elects to pursue his or her grievance or complaint by any other existing lawfully permitted procedure in the resolution of their grievance.

The ~~Director of Human Resources~~ City Manager or designee shall be responsible determining the officers and employees excluded from the grievance procedure and shall be responsible for maintaining an up-to-date list of the affected positions.

- 7.4 **Definition of Grievance** - A grievance shall be defined as a complaint or dispute by an employee relating to his or her employment, including but not necessarily limited to:
- ~~a~~ — ~~Disciplinary actions, including dismissals (whenever resulting from formal discipline or unsatisfactory job performance) written reprimand, disciplinary demotion and suspension;~~
 - a. — The proper application of personnel policies, procedures, rules, regulations, ordinances and statutes;
 - b. — Acts of retaliation as the result of utilization of the grievance procedure or participation in the grievance of another City employee;
 - d. — Complaints of discrimination on the basis of race, color, creed, political affiliation, age, disability, national origin or sex; and
 - ~~e~~ — ~~Acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States, the General Assembly of the Commonwealth, or the~~



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- A. Disciplinary actions, including dismissals, disciplinary demotions, and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;
- B. The application of personnel policies, procedures, rules, and regulations, including the application of policies involving the contents of ordinances, statutes, or established personnel policies, procedures, rules, and regulations
- C. Discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, sex, marital status, pregnancy, childbirth or related medical conditions, sexual orientation, gender identity, or status as a veteran; and
- D. Acts of retaliation as the result of the use of or participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, has sought any change in law before the Congress of the United States or the General Assembly, or has reported an incidence of fraud, abuse, or gross mismanagement. For the purposes of clause D, there shall be a rebuttable presumption that increasing the penalty that is the subject of the grievance at any level of the grievance shall be an act of retaliation.

Management Responsibilities ~~— Management shall retain~~ The City retains the exclusive right to manage the affairs and operations of City government. Accordingly, the following complaints are nongrievable under this procedure:

- a. Establishment and revision of wages or salaries, position classification or general benefits;
- b. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- c. The contents of ordinances, statutes or established personnel policies, procedures, rules and regulations, and personnel actions in conformance therewith;
- d. Failure to promote except where the employee can show established promotional policies or procedures were not followed or applied fairly;
- e. The methods, means and personnel by which work activities are to be carried on;
- f. Except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance, termination, layoff, demotion or suspension from duties because of lack of work, reduction in work force or job abolition;
- g. The hiring, promotion, transfer, assignment and retention of employees within the City; and
- h. The relief of employees from duties of the City in emergencies.

In any grievance brought under the exception in f, the action shall be upheld upon a showing by the City that: (i) there was a valid business reason for the action, and (ii) the employee was notified of such reason in writing prior to the effective date of the action.



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- 7.5 Determination of Grievability** - Decisions regarding grievability and access to the procedure shall be made by the City Manager or designee at any time prior to the panel hearing, at the request of the Department Head or grievant or within ten (10) calendar days of the request. The Department of Human Resources may initiate a determination of grievability at any step. For purposes of these Policies, grievability shall mean whether or not a complaint qualifies, at any step in the grievance process, for a hearing. A copy of the ruling shall be sent to the grievant and the Department Head or designee. If the grievance is determined to be non-grievable by the City Manager, the grievance process is concluded unless a timely appeal is filed.
- a. Decisions of the City Manager may be appealed to the Petersburg Circuit Court for a hearing on the issue of whether the grievance qualifies for a panel hearing. Proceedings for review of the decision of the City Manager shall be instituted by the grievant by filing a notice of appeal with the City Manager within ten (10) calendar days from the date of receipt of the decision and giving a copy thereof to all other parties.
 - b. Within ten (10) calendar days thereafter, the City Manager shall transmit to the Clerk of the Court to which the appeal is taken: a copy of the decision of the City Manager, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the Court shall also be furnished to the grievant. The failure of the City Manager to transmit the record shall not prejudice the rights of the grievant. The Court, on motion of the grievant, may issue a writ of certiorari requiring the City Manager to transmit the record on or before a certain date.
 - c. Within thirty (30) days of receipt of such records by the Clerk, the Court, sitting without a jury, shall hear the appeal on the record transmitted by the City Manager and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The Court, in its discretion, may receive such other evidence as the ends of justice require. The Court may affirm the decision of the City Manager or may reverse or modify the decision. The decision of the Court shall be rendered no later than the fifteenth day from the date of the conclusion of the hearing. The decision of the Court is final and not appealable.
- 7.6 Compliance** - After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, without just cause shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) work days of the receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the City Manager.
- The City Manager, at his or her option, may require a clear written explanation of the basis for just cause extensions or exceptions. The City Manager shall determine compliance issues. ~~Compliance determinations made by the City Manager shall be subject to judicial review by filing petition with the Circuit Court within thirty (30) days of the compliance determination.~~
- This procedure is provided as a means for employees to resolve problems and complaints without the cost often associated with legal counsel. However, if an employee using the procedure would feel more comfortable in having such support, the employee shall be responsible for related expenses.
- 7.7 Standard/Burden of Proof** – The grievant ~~must prove~~bears the burden of establishing by ~~the greater weight~~a preponderance of the evidence that the discipline imposed or the complaining action was excessive or unwarranted. All parties are to be afforded an equal opportunity for presentation of their evidence.
- 7.8 Grievance Procedure** - Most employee concerns or complaints can be resolved informally through communication between employee and supervisor. Accordingly, employees are encouraged to take their complaints to their immediate



PERSONNEL POLICIES AND PROCEDURES MANUAL

Dated – March 2014

Issued – August 2015

supervisor and then to upper-management levels to seek a solution. Employees are also encouraged to pursue grievable issues through the grievance procedure and supervisors are to assist them in this process.

- Step 1. The employee shall identify the grievance verbally to the immediate supervisor in an informal face-to-face meeting within thirty (30) calendar days after the event or action which is the basis for the grievance.

The supervisor shall give a verbal response to the employee within five (5) work days following the meeting. If a resolution is not reached at this point, the employee shall submit to the supervisor on the Grievance Form, the nature of the grievance ~~and~~; the specific relief requested, and the date of submission of the Grievance Form within five (5) work days following the date of receipt of the verbal response. Any grievance not complying with the foregoing submission requirements shall not be considered.

The supervisor, in turn, shall give the employee a written response on the Grievance Form within five (5) work days.

*Any Police Officer choosing to proceed under the provisions of Code of Virginia §9.1-500 et. seq. or Firefighter/EMT choosing to proceed under Code of Virginia §9.1-300 et. seq., or Correctional Officer choosing to proceed under Code of Virginia §9.1-508 et. seq., shall, in addition to submitting any department required documentation, so indicate on the Grievance Form in Step 1 of the Grievance Process. Such election shall supersede and waive further rights to proceed under the City's Grievance Process described in the remainder of this Policy.

~~The supervisor, in turn, shall give the employee a written response on the Grievance Form within five (5) work days.~~

- Step 2. If the grievance is not resolved at the first step, the employee should indicate on the Grievance Form the desire to have the grievance advanced to the next step within five (5) work days following the supervisor's written response.

The grievant shall forward a copy of the grievance form to the Department Head and a copy to the Department of Human Resources accompanied with all supporting documentation and the decision of the supervisor.

A meeting to review the grievance shall be held between the employee and the Department Head within five (5) work days after receipt of the grievance. The time limit between the second step submission and the second meeting may be extended by mutual agreement. A second step written reply to the grievance shall be provided to the employee within five (5) work days after the second step meeting.

- Step 3. If a satisfactory resolution is not reached at the second step, the employee may so indicate on the Grievance Form and submit the grievance to the City Manager within five (5) work days with a copy to the Department of Human Resources accompanied with all supporting documentation.

A meeting to discuss the grievance shall be held between the City Manager and the grievant within five (5) work days after the receipt of the grievance. The time between the third step submission and the third step meeting may be extended by mutual agreement. The employee may have a representative of his or her choice present at the third step meeting.



PERSONNEL POLICIES AND PROCEDURES MANUAL

Dated – March 2014

Issued – August 2015

If the grievant is represented by legal counsel, the City Manager may also have legal counsel present. The City Manager shall render a written reply to the grievance within five (5) work days following the third step meeting.

Step 4. Appeal to the Panel. If a grievance is not settled in Step 3, the grievant may proceed to a hearing before an impartial panel. A written request for a panel hearing must be submitted to the City Manager within seven (7) work days of the receipt of the third step reply with a copy to the Department of Human Resources.

7.9 Representation During the Grievance Management Steps – With the exception of the of the final management step (Step 3), the only persons who may be present in the management step meetings are the grievant, the appropriate City official at the level which the grievant is being heard, a representative from the Department of Human Resources if requested and appropriate witnesses for each side. Witnesses shall be present only while actually providing testimony.

Employees who are necessary participants at a grievance hearing shall not lose any pay for the time necessarily lost from their jobs and will not be charged leave because of their attendance at such hearings. During the management steps the grievance shall not be recorded and recording devices are not permitted in the room in which a grievance hearing is being heard.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: Consideration of appointment/s to the South Central Wastewater Treatment Authority Board. (page 173)

PURPOSE: To make appointment/s to the South Central Wastewater Treatment Authority Board.

REASON: There is a vacant position for the primary member.

RECOMMENDATION: Recommends that Council appoints Tangela Innis as primary and Randall Williams as alternate 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.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. South Central Wastewater Treatment Authority 2021
2. appointment to SCVMA 2022 resolution

	SOUTH CENTRAL WASTEWATER TREATMENT AUTHORITY		
	Number of members: 2		
TERMS	APPOINTMENTS	APPOINTED	
7/21/2020-12/31/2024	Stuart Turille, City Manager, Primary		
7/21/2020-12/31/2024	Tangela Innis (alternate)		
	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.		COMPOSITION: One (1) member and one (1) alternate member from each of the political subdivisions participating in the authority.
	MEETING DATE AND TIME: Third Wednesday, 2:00pm		TERMS: Four (4) years
	STAFF LIAISON: William Leary, Director of South Central Wastewater Treatment Plant (804) 861-0111		

**A RESOLUTION APPOINTING _____ WITH
A TERM ENDING SEPTEMBER 30, 2024, TO THE SOUTH
CENTRAL VIRGINIA WASTEWATER TREATMENT
AUTHORITY.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby
appoints _____, with a term ending September 30, 2024, to the South Central
Virginia Wastewater Treatment Authority.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022
TO: The Honorable Mayor and Members of City Council
THROUGH: Kenneth Miller, Interim City Manager
FROM: Nykesha Jackson
RE: **Consideration of re/appointment to the Virginia Gateway Region. (page 177)**

PURPOSE: To consider re/appointments to the Virginia Gateway Region Board.

REASON: The term of the two (2) members representing the City on the Board have expired.

RECOMMENDATION: Reappointment Mayor Samuel Parham to the Virginia Gateway Region

BACKGROUND:

Virginia's Gateway Region is a private, nonprofit organization that is funded new business opportunities, work with existing businesses, advance resources that will enhance the economic viability of the region, and foster regional cooperation among the public and private entities that are involved in economic development activities.

Virginia's Gateway Region includes the Cities of Colonial Heights, Hopewell and Petersburg and the Counties of Chesterfield, Dinwiddie, Prince George, Surry and Sussex.

Each member jurisdiction appoints one (1) local elected official and one (1) local business representative to the Board of Directors.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

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. Virginia Gateway Region 2019

	VIRGINIA GATEWAY REGION (formerly ABIDCO)			
	Number of members: 18 - Each of the 6 member localities appoint one elected official and one key local business representative - these twelve members then select 6 at-large members.			
TERMS	APPOINTMENTS	APPOINTED	TERMS	NEW APPLICANTS
03/01/17-02/28/2018	Mayor Samuel Parham	2/7/2017	Ward 3	
07/16/19-02/28/2020	Craig Richards	7/16/2019		
	AUTHORITY:			
	April 1960 Articles of Incorporation. ABIDCO is not-for-profit organization established under the laws of the Commonwealth of Virginia. Represented within the Appomattox Basin Area are the Cities of Colonial Heights, Hopewell, and Petersburg, and the counties of Chesterfield, Dinwiddie, and Prince George.			Each of the six (6) members local governing bodies appoints one (1) local elected official and one (1) key local business representative to the Board of Directors. The twelve (12) members appointed then select six (6) at-large members bringing the total membership to eighteen (18).
	MEETING DATE AND TIME:			TERMS:
	1 st Thursday at 7:30 a.m.			One year commencing October 1
	STAFF LIAISON:			DUTIES:
	Renee Wyatt-Chapline, Executive Director			To enlist, encourage and promote the development of businesses and industries throughout the area.
	Virginia's Gateway Region			
	(804) 732-8971			



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: **Consideration of re/appointment to the Petersburg Redevelopment and Housing Authority. (page 180)**

PURPOSE: To consider appointment/reappointment to the Petersburg Redevelopment and Housing Authority.

REASON: The term of two(2) of the members representing the City on the board has expired.

RECOMMENDATION: Recommend City Council make re/appointment to the Petersburg Redevelopment and Housing Authority.

BACKGROUND: The Petersburg Redevelopment and Housing Authority (PRHA) Board consists of seven (7) members who are appointed by City Council to serve four-year, staggered terms. PRHA was created to study blighted areas within the City and to recommend programs for the improvement of such areas; to provide quality housing for low-income families at rents within their ability to pay; and to serve as the duly designated agent of the City to contract with federal agencies for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by City Council.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/19/2022

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. Petersburg Redevelopment and Housing Authority 2021

2. Mary PRDH (1)
3. L muse

	PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY				
				NEW APPLICANTS	WARDS
	Number of members: 7				
TERMS	APPOINTMENTS	Date Appointed	WARDS		
04/20/2021 - 09/30/24	Dianne Johnson, 2000 Colston Street	4/20/2021	Ward 2	Patrick R. Ingram, 836 S. Gillfield Drive	Ward 6
09/19/2017 - 09/30/21	Leonard Muse, 116 South Plains Drive	9/19/2017	Ward 2		
01/21/2020-09/30/2024	Linda Poe, 128 South Sycamore Street	1/21/2020	Ward 4		
06/15/2021 - 09/30/25	Joseph P. Dickens, 1002 Oakmont Dr.	6/15/2021	Ward 3		
07/07/2020-09/30/2024	Trisha L. Brown, 2811 Brierwood Road	7/7/2020	Ward 7		
07/07/2020 - 09/30/24	Kim Potts, 422 West Washington Street	7/7/2020	Ward 5		
03/21/2017 - 09/30/21	Mary Howard, 608 S. Park Drive, Vice Chair	3/21/2017	Ward 2		
	AUTHORITY:				
	Title 36, Code of Virginia, as amended; Referendum vote October 1967; December 1967 City Council Resolution established composition and terms of members; City Council; Resolution #95-31, 4/4/95 amended composition, amended 04/02/2002 - 02-ORD-22			Duties: To study slum and blighted areas within the City and to recommend programs for their improvement. To provide quality housing for low income families at rents within their ability to pay. To serve as the duly designated agent for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by the City Council.	
	MEETING DATE AND TIME			COMPOSITION:	
	4 th Monday at 6:00 p.m., at Sycamore Towers			Seven (7) at large members appointed by City Council.	
	STAFF LIAISON:				
	Nathaniel Pride (804-733-2200)				



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

(Please type or print clearly)

APPLICATION FOR _____ Petersburg Redevelopment & Housing Authority

(Board, Commission, or Authority)

September 28, 2021

(Date of Application)

NAME: _____ Howard

Mary

S

(Last

First

Middle initial)

HOME ADDRESS 608 South Park Drive

(Street

Apartment #

ZIP

8049439227

23805

(Home Phone # or Cell Phone#)

(Work Phone #)

(Ward)

Email Address: _____ mlizst@aol.com

Housing Stability Specialist/ Rent Relief Coordinator Southside Community Development and Housing Corporation

(Current occupation and place of employment – if retired, indicate former occupation)

Current membership in professional/community organizations: Eastern Star of Virginia; Petersburg Communities Incorporated, Petersburg Library Foundation, Metropolitan Business League, _____

Please indicate why you would like to serve: To continue with the new development and serve this community with affordable housing opportunities

(Please use reverse side if additional space is needed)

***Please include/attach resume.**

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

MSH

(Applicant's signature)

Note: Please return the completed form to: Clerk of City Council, Room 210, City Hall, Petersburg, Virginia 23803, or email at njackson@petersburg-va.org

This application will be kept on file for the time of your term. After which, you will be contacted for renewed interest in maintaining your application in an active status. If there are any changes to your contact information, please contact the Clerk of Council to update that information.

CITY OF PETERSBURG, VIRGINIA BOARDS AND COMMISSIONS

Anti-Poverty Commission
Appomattox River Water Authority
Architectural Review Board
Community Development Block Grant (CDBG) Advisory Board
Commission on Community Relations
Crater District Area Agency on Aging
Crater Youth Care Commission (Detention Home)
District 19 Community Services Board
Economic Development Authority
John Tyler Community College Board of Directors
Planning Commission
Petersburg Redevelopment & Housing Authority
Social Services Advisory Board
Virginia Gateway Region (formerly ABIDCO)

Continuing service on PRHA Board of Commissioners

Leonard Muse <leonardmuse@gmail.com>

Tue 9/28/2021 10:09 AM

To: Nykesha D. Jackson <njackson@petersburg-va.org>

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

Good morning Ms. Jackson:

My term on the Petersburg Redevelopment and Housing Authority Board of Commissioners is due to expire at the end of this month. By this correspondence, please inform the Mayor that I would like to be considered for (re) appointment for another term.

Thank you for your assistance with this matter.

Cordially,
Leonard A. Muse

Sent from [Mail](#) for Windows

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City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: **Consideration of appointing Tangela Innis as the primary to the Appomattox River Water Authority (ARWA) Board and Randall Williams as the alternate. (page 187)**

PURPOSE: To make an appointment to the ARWA Board.

REASON: There is a vacancy for the primary position on ARWA.

RECOMMENDATION: Recommend City Council appoint Tangela Innis, Deputy City Manager to the Appomattox River Water Authority Board as the primary member and Randall Williams as the alternate.

BACKGROUND: The Appomattox River Water Authority consists 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.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Appomattox River Water Authority Board
2. Appomattox River Water Authority Board 2021
3. Innis as primary to ARWA resolution

Appomattox River Water Authority (ARWA)

Duties:

ARWA provides safe, clean water to customers in Chesterfield, Dinwiddie and Prince George Counties, and the Cities of Petersburg and Colonial Heights, Virginia, from facilities located next to Brasfield Dam, at Chesdin Reservoir, in south-central Virginia.

-Virginia Water & Sewer Authorities Act, Section 15.1-1249 of the Code of Virginia;
Concurrent Resolutions of the governing bodies of the cities of Petersburg and Colonial Heights and the counties of Chesterfield, Dinwiddie, and Prince George setting forth the Articles of Incorporation – Resolution #4692 adopted October 4, 1960.

The Appomattox River Water Authority was formed in the 1960s to own/operate a regional water supply and sell drinking water to the cities of Colonial Heights and Petersburg as well as Chesterfield, Dinwiddie, and Prince George Counties. The Authority completed construction of the reservoir, treatment plant and pipelines in late 1967 and began delivering water to the customers in January 1968.

The original treatment plant had a rated capacity of 22 million gallons per day (mgd) and two expansions have increased the capacity first to 46 (mgd) in the early 1980s and then to 96 (mgd) in 2007.

The Authority participates in the Partnership for Safe Water program, which is sponsored by the American Water Works Association, Association of Metropolitan Water Agencies, Association of State Drinking Water Administrators, United States Environmental Protection Agency, National Association of Water Companies, and the Water Research Foundation. The drinking water quality standards for participation in this program are stricter than the regular standards of either the EPA or the Virginia Department of Health. ARWA is one of only two water plants in Virginia that has received the Directors Award for compliance with these standards for fifteen or more consecutive years.

ARWA is composed of one (1) member and one (1) alternate member from each of the political subdivisions participating in the Authority.

****Four year terms.**

Director of Board:

Robert B. Wilson

Executive Director of Appomattox Regional Wastewater Authority and South Central Wastewater Authority

21300 Chesdin Road

South Chesterfield, VA 23803

804-590-1145

Members of the Board Information:

1. Stuart Turille
Primary
Petersburg, VA 23803
Telephone #: 804-733-2301
Email: sturille@petersburg-va.org
Ward: N/A
Term Date: March 16, 2021 to December 31, 2022

2. Tangelia Innis
Alternate
Director of Public Works and Public Utilities
Telephone #: 804-733-2353
Email: tinnis@petersburg-va.org
Term Date: June 15, 2021 to December 31, 2022

APPOMATTOX RIVER WATER AUTHORITY BOARD			
Number of Members: 2			
TERM	APPOINTMENT	APPOINTED	NEW APPLICANT
3/16/2020-12/31/2022	Stuart Turille (City Manager, primary)		
7/21/2020-12/31/2022	Tangela Innis (alternate)		
AUTHORITY:		COMPOSITION:	
Virginia Water & Sewer Authorities Act, Section 15.1-1249 of the Code of Virginia; Concurrent Resolutions of the governing bodies of the Cities of Petersburg and Colonial Heights and the counties of Chesterfield, Dinwiddie, and Prince George setting forth the Articles of Incorporation - Resolution #4692 adopted October 4, 1960. Water Authority began furnishing water on January 1, 1968.		One (1) member and one (1) alternate member from each of the political subdivisions participating in the authority.	
MEETINGS:		TERMS:	
May 15, 2014; June 25, 2014; July 24, 2014; September 25, 2014(1:00pm) , 2:00p.m., Authority Office Lake Chesdin		Four (4) years	
STAFF LIAISON:			
Robert C. Wichser, Executive Director			
Appomattox River Water Authority			
21300 Chesdin Road			
Petersburg, VA 23803			
(804) 590-1145			

**A RESOLUTION APPOINTING TANGELA INNIS, DEPUTY CITY
MANAGER, AS THE PRIMARY AND RANDALL WILLIAMS AS THE
ALTERNATE FOR THE APPOMATTOX RIVER WATER AUTHORITY
BOARD**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoint Tangela Innis, Deputy City Manager, as the primary member and Randall Williams as the alternate for the Appomattox River Water Authority Board.