



City of Petersburg Virginia

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July 19, 2022 - Regular City Council Meeting Agenda

July 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**
 - a. Proclamation designating the week of July 17-23, 2022, as Pretrial, Probation and Parole Supervision Week in the City of Petersburg, VA. (Page 3)
 - b. Presentation from Richard Bland College.
 6. **Responses to Previous Public Information Posted**
 7. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. Minutes: (Page 5)
 - a. Minutes of June 21, 2022 - Regular City Council Meeting
 - b. Minutes of June 29, 2022 - Special City Council Meeting
 - b. Consideration of an additional \$500,000 in grant funding for the Fleets Branch Stream Restoration Project – National Fish and Wildlife Foundation (NFWF)/VA Department of Environmental Quality (DEQ) Grant Funding. (Page 28)
 - c. Consideration to appropriate additional funding in the amount of \$648,233.48 to the Urban Highway Maintenance Fund per FY 2023 rates approved by the Commonwealth Transportation Board (CTB). (Page 32)
 - d. Consideration of the appropriation of the FY23 Gun Violence Intervention Program Grant for \$189,809 - 1st reading (Page 39)
 8. **Official Public Hearings**
 - a. A public hearing on July 19, 2022 for the consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Terry and Cynthia

Bradshaw towards the sale of City-owned property at 2902 Nivram Road, parcel ID 080060011 (Page 41)

- b. A Public Hearing for consideration and to adopt the PY2022/FY2023 funding recommendations from the Community Development Block Grant (CDBG) Advisory Board. (Page 59)

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

11. Items removed from Consent Agenda

12. Finance and Budget Report

13. Unfinished Business

14. New Business

- a. Consideration of a resolution approving the development agreement for development of 1544 Halifax Street, Petersburg, Virginia, between the City of Petersburg and Ruffing Enterprises, LLC. (Page 89)
- b. Consideration of an appropriation in the amount of \$4,321 from the Office of the Attorney General Crime Prevention for Seniors Grant Program - 2nd Reading (Page 98)
- c. Consideration of a resolution of Support for Smart Scale Applications Submitted by the Tri-Cities Area Metropolitan Planning Organization and the Crater Planning District Commission and to Authorize the Use of City Owned Property. (Page 101)
- d. Consideration of a request to install a sidewalk mural along Perry St. at Artist Space. (Page 105)

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: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson, Nicole Loving

RE: Proclamation designating the week of July 17-23, 2022, as Pretrial, Probation and Parole Supervision Week in the City of Petersburg, VA. (Page 3)

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 7/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Pretrial, probation and parole week 2022

WHEREAS, pretrial services, probation and parole agencies are essential parts of the justice system; and

WHEREAS, pretrial, probation and parole agencies work collaboratively and in partnership with other local and state entities, such as law enforcement, magistrates, victim services, judges, commonwealth's attorneys, defense attorneys, sheriffs, jail and prison administrators, reentry providers, local educators, mental health and substance abuse treatment providers, and other citizen organizations to effectively respond to crime and correctional needs throughout the Commonwealth; and

WHEREAS, Virginia maintains a system that allows individuals to be supervised in their communities while on pretrial, probation, or parole supervision to protect the safety and well-being of citizens; and

WHEREAS, pretrial, probation and parole officers are community corrections professionals charged with preserving Virginians' safety by implementing data-driven policies to ensure individuals on community supervision adherence to mandated conditions, which include appearance in court, and applying appropriate interventions and sanctions for non-compliance of pretrial, probation or parole conditions; and

WHEREAS, pretrial, probation and parole officers support rehabilitative justice, engage in evidence-based practices and help individuals in the community transition into productive citizens.

NOW, THEREFORE, I, **Samuel Parham**, by virtue of the authority vested in me as Mayor of the City of Petersburg, do hereby proclaim

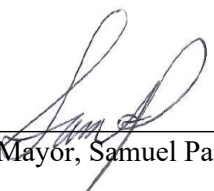
July 17-23, 2022

As

“PRETRIAL, PROBATION AND PAROLE SUPERVISION WEEK”

in the City of Petersburg.

Dated: 07/19/2022



Mayor, Samuel Parham

ATTEST:

Clerk of Council, Nykesha D. Jackson



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: Minutes: (Page 5)
a. Minutes of June 21, 2022 - Regular City Council Meeting
b. Minutes of June 29, 2022 - Special City Council Meeting

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. June 21, 2022 - regular city council minutes
2. June 29, 2022 Special City Council Meeting Minutes

The regular meeting of the Petersburg City Council was held on Tuesday, June 21, 2022, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:53 p.m.

1. ROLL CALL:

Present:

Council Member Charles Cuthbert, Jr.
Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Council Member Darrin Hill (left the meeting at 6:27pm)
Vice Mayor Annette Smith-Lee
Mayor Samuel Parham

Absent: None

Present from City Council Administration:

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

2. PRAYER:

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

Council Member Hill 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 was determined with the presence of all city council members.

5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

*No items for this portion of the agenda.

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Mayor Parham stated, "Responses to previous public information period is in council communicates."

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

a. Minutes:

June 7, 2022 – Closed Session Minutes
June 7, 2022 – Work Session Minutes

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

*Audio available upon request.

8. OFFICIAL PUBLIC HEARINGS:

- a. A public hearing on the consideration of an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Ruffin Enterprises, LLC towards the sale of City-owned property at 1544 Halifax Street, parcel 052030005.

BACKGROUND: The Department of Economic Development received a proposal from Ruffin Enterprises, LLC to purchase City-owned property located at 1544 Halifax St which is currently a vacant lot. Ruffin Enterprises plan to subdivide the 2.541-acre lot into four half (.5) acre lot to construct four (4), three-bedroom, two full-bathroom single-family residential houses, approximately 1000-1500 square feet, for sale at market rate. The expected completion date will be one year after closing.

The proposed purchase price for the parcel is \$25,000, which is 56.56% of the assessed value, \$44,200. The purchaser will also pay all applicable closing costs. Ruffin Enterprises has provided financial documentation supporting their ability to purchase the property and develop the property.

This proposal is in compliance with the Guidelines for the City's Disposition of City Real Estate Property, Zoning, and the City's Comprehensive Land Use Plan.

Property Information

The zoning of the parcel at 1544 Halifax Street is B-2, General Commercial District.

Address: 1544 Halifax Street

Tax Map ID: 05203005

Zoning: B-2

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves the Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Ruffin Enterprise towards the sale of City-owned property at 1544 Halifax St, parcel 052030005

Brian A. Moore, Director of Economic Development, gave a briefing on the consideration of an ordinance authorizing the City Manager to execute a purchase agreement for property on 1544 Halifax Street.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among City Council Members.

Vice Mayor Smith-Lee made a motion to approve the ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Ruffin Enterprise towards the sale of City-owned property at 1544 Halifax St, parcel 052030005. Council Member Hill seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee and Parham

22-ORD-37 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT BETWEEN THE CITY OF PETERSBURG AND RUFFIN ENTERPRISES, LLC TOWARDS THE SALE OF CITY-OWNED PROPERTY AT 1544 HALIFAX STREET, PARCEL 052-030005.

*Audio available upon request.

- b. A public hearing on the consideration of an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and William Nicholson towards the sale of City-owned property at 302 Market Street North, parcel ID 010-210001.

BACKGROUND: The Department of Economic Development received a proposal from William Nicholson to purchase City-owned property located at 302 Market Street which is currently a vacant lot. He is requesting to add this property to his adjacent residential property located at 209 High Street and maintain it as open space.

The proposed purchase price for the parcel is \$15,000 which is 75.75% of the assessed value, \$19,800. The purchaser will also pay all applicable closing cost. William Nicholson has provided financial documentation supporting his ability to purchase the property.

This proposal is in compliance with the Guidelines for the City's Disposition of City Real Estate Property, Zoning, and the City's Comprehensive Land Use Plan

Property Information

The zoning of the parcel at 302 Market Street North is M-1, Industrial

Address: 302 Market Street North
Tax Map ID: 010-21001
Zoning: M-1

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves the ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and William Nicholson towards the sale of City-owned property at 302 Market Street North, parcel ID 01-021001

Brian A. Moore, Director of Planning and Community Development, gave an overview of the public hearing on an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and William Nicholson towards the sale of City-owned property at 302 Market Street North, parcel ID 010-210001.

Mayor Parham opened the floor for public comments.

Jeff Fleming, 1819 Chuckatuck Avenue, stated, "The purchase price I have no problem with. I just hope that Mr. Cuthbert uses his same enthusiasm as he has used in the previous ordinance that was passed with this one. That will be where his truth really lies. Thank you."

Bill Hartsock, 239 High Street, stated, "This park has always been the entrance to High Street for the residence. And the residence has taken care of it over the years. Bill Nicholson has done a magnificent job as far as upgrading and taking care of the space. We have used it for public events. The Historic Petersburg Foundation had an event there a couple of years ago to promote historic preservation. I would like to see it remain as a city park. And my primary concern is that if he buys the property will it be attached to his house which is adjacent to it. Should he sell his house what would have to the property at that point. Would it go with the house, or would it be sold separately or what would happen to it? We do not know who he would sell it too if he sells it. And he has made indication that he would at some point to me because I am a real estate agent. So, I am concerned that if he sells the house with the park, we do not know who is going to be the person who is now the owner of it and what they are going to do with it. Are they going to maintain it and take care of it, or will they build something there? Once it is private property then it is out of our control. So, just something to

*Audio available upon request.

think about before you sell public land that is a key entrance to one of the most historic streets in the city. Thank you."

Bruce Donald, 533 High Street, stated, "This is not a vacant unkept lot. Communities have invested improvements to the park and provided for its maintenance for many years. And it is enjoyed by many on a daily basis. While it is a try that no formalized relationship exists between the city and the residence of High Street to maintain the park, it is not true that the park was not being maintained. As a long time, resident of High Street and past president of the High Street Association, I can tell you that most of the improvements to the park occurred long before Mr. Nicholson attempted to purchase the park and the adjacent home to it two years ago. Furthermore, the association and the community continued to maintain that park. Over the last five years the High Street Association provided funding of over \$1,600 in pruning services, mulch, and flowers. This does not take into account members time spent and mowing the grass, racking the leaves, and planting flowers and just cleaning up in general. The High Street Association has even placed a doggy bag dispenser in the park. Which I can tell you gets the most use of all the dispenser maintained by the High Street Association. Approving this purchase will enhance the property value of Mr. Nicholson adjacent home but will potentially take away access from the community by Mr. Nicholson or any future owners. The documents provided by the city do not appear to guarantee that the park will continue to be open to the public or event maintained as a green space. Please save our park. Thank you."

Travis Melson, 217 High Street, stated, "I reside at 217 High Street with my roommates Daniel Bushy and Adam Smith. I want to ask you and I plead for the city to not sell that park. That location is used for a lot of things. I am a life coach and a direct support professional. I take care of young men like these. That park sits in a place and two years ago when I moved here, I observed that park and it gave us a lot of what we needed. It gave my home the emergency exits so that if there is a fire and that they are there, they are able to walk to that park as I did mention that to Mr. Nicholson. He advised me that they can go somewhere else. But they don't have a lot of that mobility. If I send them out the house and up the street, then they can continue to walk but they are not sure of their surroundings. I cannot send them across the street because of the traffic. So, the park was a safe haven for us to where they could go if there was an emergency or a fire. Because we did have one High Street many years ago. Even if I as a caregiver got sick or hurt, they would be able to go to that park to get help. We trained for two years, and I got them to where they can be able to do that. And taking away that park will take away a part of them. Because again it helps them to be safe in an emergency. I know that you guys say that Mr. Nicholson has been taking care of the park, but I too have been taking care of the park. Since I brought this information to the attention of some of my residents, we have gotten a lot of hate and we have gotten called ugly names by Mr. Nicholson with my young men in the vehicle with me. I just want to say to you guys that this piece of land really means something to a lot of us. Maybe not to him or not to you guys but I watch you guys pray and I watch you pray in the name of the father and son. And I just pray that you take us into consideration. Please save our park and allow these young men to be able to enjoy what little bit of that park is there."

Francine Knight, 219 High Street, stated, "I too am vested into Petersburg. I graduated from VSU back in 1981 and since have returned to Petersburg because I love Petersburg. One of the first things when I saw High Street was the park. I was like this is very charming. It brings charm to our neighborhood. I have seen the park being used by many. There is walking tours that happen on Saturdays and I see the people assembly there. There are bikers. A lot of people have friendly little furry animals, and they walk their dogs there. Green space is so important to Petersburg. There isn't enough especially if you live in the downtown area. Mr. Nicholson owning that green space would take away from us because it is being controlled by one person. For the life of me I cannot understand why one person would want to do that, but I guess it is to increase the property value. It is now taking into consideration of the neighbors. You are bringing division and it has already brought division with the neighbors already. You have no idea. It is important to save that park for all of us. Because all of the citizens need to be considered for use of that park. That's all that I have to say. Please save the park for us. Thank you."

*Audio available upon request.

Melody Chrome, 112 West High Street, stated, "I also own Local Vibe Café. I love that little park. It used to have a bench in it. I used to go for a walk and hang out on the bench. I wish that bench was still there. I have seen lots of people enjoy that park and the bench when it was there. Last night I went by to look at the park when I realized that it might be sold, and that Petersburg might lose this park. I happened to run into some other people that were looking at the park too. I think that they feel same about the park that I do. So, instead of sitting in the park enjoying the park, we were sitting on the bench at 404 Market Street because there is no bench in the park now. So, if that bench was in the park, we would have been enjoying the park. But since there is no bench there then we were just on the side of the sidewalk between the park and Local Vice Café. So, I would encourage you and say let the people of Petersburg keep that park. Thank you."

Risha Stebbins, 610 High Street, stated, "I have lived in my house for over 25 years. That little piece of land has always been a park. And in talking with neighbors, it seems like it has been a park for at least 30 years or more. So, I am concerned that our community people in the neighborhood are just learning within the last week or two about the prospect of this little park being sold. It is truly, as you can hear, a beloved park of our community. It is an important anchor as you enter High Street. And it means so much to us collectively as citizens who all share in ownership of it as public space. So, my concern is that this may be sold to any private individual and no longer be a public space for us. I am not sure if other options have been considered. I do not understand the recommendation to sell it to a private individual. I would suggest that if cannot make a decision to say no tonight to the sale, please table the decision to allow us in the community to work together with our council representative to come up with a better solution that is in best interest of us collectively as a community. Clearly it is recognized and a valued as a public space and I feel like it needs to stay that way. I am willing to participate in whatever problem solving that needs to happen in order to keep it a public space. And to satisfy Mr. Nicholson concern about keeping it a green space. Thank you."

Kathy Walker, 406 N. Market Street, stated, "We are the building that you can see in the background of the photos. I do not have anything elaborate prepared. I just want to say that we brought that building in January 2021 and have this beautiful greenspace right next to it. It is one of the attractions that brought us to Petersburg, and I do hope that you will vote to keep this a public park. Because it does add so much charm to the neighborhood. Thank you."

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

Council Member Myers stated, "I am going to suggest and follow with Risha request that we will have further discussion and no action at this time. Thank you."

There was discussion among City Council and staff.

- c. A public hearing on an appeal by Taiwo Onadipe, applicant and owner of 215 Henry Street, Tax Parcel 011-20-0010, on the decision of the Architectural Review Board (ARB). The property is located within the Centre Hill Local Historic District.

BACKGROUND: Mr. Onadipe was issued a Stop Worker Order and Notice of Violation of the Zoning Ordinance Article 35, Section 6, on March 29, 2022, for making exterior alterations without issuance of a Certificate of Appropriateness (COA). The owner filed an application to the ARB on March 30, 2022, for alterations already made to the property at 215 Henry Street, specifically removal and replacement of the façade entry door on Petersburg's Historic Design Guidelines Chapter 4, Section B. An appeal of this decision was received by the Clerk of Council on May 12, 2022, requesting that City Council overturn the ARB's denial.

RECOMMENDATION: Staff recommends that city Council uphold the decision of the ARB.

*Audio available upon request.

Kate Sangregorio, Preservation Planner, stated, "Before I got started, I wanted to invite Bill Hartsock, a member of the Architectural Review Board, to speak."

Mr. Hartsock stated, "I am a member of the Architectural Review Board. I was specifically named in the appeal that was presented to you concerning the rejection of the Certificate of Appropriateness for this property. First of all, I would like to say that I apologized to the applicant for the actions that I took during the council meeting. It was unprofessional and inappropriate. It was on the situation that I was in as a member of the Architectural Review Board (ARB). My passion took over that night from what I should have refrained from saying. But was questioned that for the last two years I have specifically within my role as a real estate agent and also a historic preservation person to concentrate on properties in that particular area. Particular on North Jefferson Street, Henry Street, and Centre Hill Court. I have sold 12 properties in that area to investors who have proceeded or finished renovations on those houses. If you go down Jefferson Street now you would not recognize it from years ago. It has been a real passion of mine to make sure that all of the guidelines for ARB have been followed and that the neighborhood has been restored to the character and the quality that it should be. It is very important not only to me but to the Architectural Review Board that the character of that neighborhood be maintained in historic context. That it has from that early 20th century and feel. And I will say that the folks that have worked with me on those houses have done an exceptional job. I can name several, but I will not with respect to some people who are present right now. But it is a neighborhood that needs careful attention. It is a big economic drive because it is so close to the center. The quality of the houses and the architecture of that street and neighborhood is very important. I did sell 217 and 219 Henry Street to a buyer who is working on those houses right now. He has followed the guidelines slowly, so I am hoping that everyone else adheres to the same quality that the rest of the people on that street are following and working with us as ARB to maintain the quality of the neighborhood. So, I hope that you will follow the recommendations of the board to reject this appeal and to make sure that the house at 215 follows the same quality and character as the rest of the houses in the area. Thank you."

Kate Sangregorio, Preservation Planner, gave a brief summary on the request for an appeal for 215 Henry Street.

Mayor Parham opened the floor for public comments.

Bill Irvin, 26 Perry Street, stated, "Has lived at 26 Perry Street for 29 years. I do with some regularity whether it is Henry Street or North Jefferson Street and other streets, go through and celebrate investment being made. I did see and I believe that you all have in front of you a series of photographs that I will take you through with in short order. Item number one is the entrance through 215 that now exist. In terms of modernization, we even have a mason night front door. Photo number two is 215 at a few years past. The frame is still there. So, we have what you recently just saw and that is the present door. Here is what was recent. On number three I will call your quick attention in terms if you look at the rear end of the work fan. You will see the transom still in place before the complete makeover of the entrance of 215. To the right of the work fan is 217 Henry Street and you can see the trans lights there. And still on Henry Street is number four, at 211 Henry Street. It brings us to the first image photograph in this series of images. That it did have sign lights and it would have had the frame for transom. And here is 211 that is really compliant, and it is best in the neighborhood of brick and mortar. We are going to move quickly over to North Jefferson Street. In terms of distance, if you are halfway, since it is up North Jefferson, and you make the intersection a 'T intersection' with Henry Street. We have some other examples of homes at 121 that is owner occupied and fully restored. The question is on whether the neighborhood is the problem or the property owner in terms of living in a historic district and being compliant with the zoning ordinance. And I will review with you quickly. There is no drawing or no application or apology. It is going to look better when it is painted white. And currently we have before you the current address of 215 Henry Street."

Mayor Parham stated, "Mr. Irvin can you bring your comments to a close and we will move on."

*Audio available upon request.

Mr. Irvin stated, "Yes. I come to you in support of the ARB's decision regarding 215 Henry Street. Thank you."

Taino Onadipe, owner of the property, stated, "So, pretty much I would like to explain the process on why the door became to what it is now. We originally had plans to keep it and we were just going to restore it. I had my guy to come and sand down the door and repaint and put a lock on it. The very next day someone punched a hole into one of the sides. All they have to do is reach inside and unlock the door. That is where my contractors' tools were missing, and I had to reimburse them. In order to me to eradicate that problem I had to board it up. When we originally had it boarded up it did not look good? So, that is when we put the designs in that you see right now. So, that is when we came about that. I did take the time to talk to some of my neighbor's and they did have problems with breaking in. I am kind of nervous. I am sorry. I cannot remember that particular neighbors address, but he did deal with some break-ins. And it is kind of funny because when I go on social media sometimes, my property was so easily accessible. There were local rappers that shot music videos in my house. That is how easy it was to get in there. I was like okay let me good ahead and do what I need to the property to ensure when the property does get rented out that I do not have to worry about people breaking into it. So, that is the reason why I did that. So, thank you for your time."

Michelle Murrills, 131 South Market Street, stated, "I was at the Architectural Review Board (ARB) that he was at. I also was at the Planning Commission meeting that he got everything changed around that he got zoning wise for his house. He is a really cool guy. He was very excited to be able to have this house. However, the ability to get into a house very easily is what you get when you buy an old house like that. My house has 9-foot floor to ceiling single windows that would take nothing to walk into. It is what you get when are buying an old house the way that it was. The ARB is there to ensure that you keep it the way that it was. It is the reason why myself and the applicant bought houses in the city. And I think that you need to keep what the ARB has said. Thank you."

Beverly Coleman, 18 Woodmere Drive, stated, "I am here to encourage you to uphold the Architectural Review Board decision. I serve on two boards, Historic Petersburg Foundation and Historic Farmers Bank. And I get to talk to a number of people who come to visit the bank and visit Petersburg. And we also get complimented on how well we do with maintaining the original structure of buildings. So, I would like for us to continue to be able to receive those comments. While I am sorry that there was some personality disagreement at the meeting, I am glad that Mr. Hartsock apologized for that. But I do not want to see us become one of those cities or that we regard the ARB as we go ahead and do what we want to do and then ask for forgiveness. So, I encourage you to uphold the ARB's decision."

Larry Murphy, 233 N. Sycamore Street, stated, "I am the chair of the Architectural Review Board. I own 233 and 235 North Sycamore Street. And I have been serving on ARB for about six years and chair for the last year. Obviously, I support, and it was a unanimous decision to deny this particular application by Mr. Onadipe. You have seen the pictures and I do not need to go into them. The ruling was correct. I just want to talk for a minute on the importance of the ARB. It is more than just the fact that a number of people like architecturally correct buildings. It becomes a matter of economics. And in fact, if we don't maintain our historic districts that there are definitely financial implications as far as tax credits and being able to move those particular districts of our fine city. So, the ruling that night was correct. I think that Mr. Hartsock has apologized for some of this comments that were inappropriate in that meeting. But as you can see from the pictures there is definitely not an architecturally correct alteration to that particular building. So, thank you for your time. I am here to answer any questions afterwards, but the ruling was definitely a correct ruling, and it was unanimous, and I would ask that you uphold that particular ruling."

Seeing no further hands, Parham closed the public hearing.

*Audio available upon request.

Council Member Cuthbert made a motion to uphold the decision of the ARB and deny the appeal. The motion was seconded by Council Member Wilson-Smith. There was discussion among City Council. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham; Abstain: Cuthbert; Absent: Hill; Abstain: Myers

- d. A public hearing on the consideration of an ordinance to authorize the execution of a Deed of Easement to Dinwiddie County for Ferndale Park.

BACKGROUND: The City of Petersburg is the owner of the lands located in Dinwiddie County commonly known as "Ferndale Park", in the land records of the Circuit Court Clerk for Dinwiddie County and further identified as Dinwiddie County Tax Map Parcels 9-15 and 9-15A; and the Friends of the Lower Appomattox River "FOLAR" have approached the City to request that the City convey an easement upon the properties to Dinwiddie County for thirty years for "park purposes only."

The Petersburg Interim City Manager has consulted with the Dinwiddie County Administrator and obtained his informal agreement with the concept of such a conveyance; and it is the belief of the city that this conveyance would be in the best interests of the City of Petersburg as well as the neighboring localities.

RECOMMENDATION: The Petersburg Interim City Manager has consulted with the Dinwiddie County Administrator and obtained his informal agreement with the concept of such a conveyance; and it is the belief of the city that this conveyance would be in the best interests of the City of Petersburg as well as the neighboring localities.

Anthony Williams, City Attorney, gave a brief summary on the request regarding Ferndale Park.

Wendy Austin, Executive Director of FOLAR and Heather Barrar, Regional Trails Program Director, gave an update on the request.

Mayor Parham opened the floor for public comment.

Tina Norr, 120 Leavenworth Street, stated, "I just have a question. Is this the Appomattox Riverside Park? And so, would they own it. I do not understand what this is. That is the best park in Petersburg. And I want to make sure that it stays in Petersburg. So, I do not understand what is happening, so I want to make sure that it is still our park and that we do not give it to them. I do not understand what giving them an easement means."

Mr. Williams stated, "So, we are not giving anything to FOLAR. We are actually giving an easement to Dinwiddie County so that they can work with FOLAR because it is in their jurisdictions. Petersburg will still own it and it will be required to be maintained as a public park. So, that is our contribution to the effort, but Dinwiddie County will actually just have the authority to work with FOLAR and have them maintain it. So, it is going to be an effort to make it a better place."

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

There were comments among City Council and staff.

Council Member Myers made a motion to approve the ordinance to authorize the execution of a Deed of Easement to Dinwiddie County for Ferndale Park. Council Member Wilson-Smith seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Smith-Lee, and Parham; Absent: Hill

*Audio available upon request.

22-ORD-38 AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED OF EASEMENT TO DINWIDDIE COUNTY FOR FERNDALE PARK.

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.

Patricia Cullinane, 2014 Matoax Avenue, stated, "I am here this evening concerning some issues dealing with fire safety and the equipment. Regarding these issues I have some questions. One, should I as a taxpaying resident feel safe with firefighting resources that have been cut by almost 50%? Two, who is coming to my neighborhood when fire engines are not available due to lack of resources? How long will it take them to get to my neighborhood if a fire engine or any kind of source has to come outside of our neighborhood or outside of our county? Third, in regard to vehicle inspections, why should my car have to be inspected and fire vehicles are allowed to lapse? Finally, where the vehicles fail inspection, and they get a new inspection are they found safe? These concerns frighten me. And I feel the need to have them addressed. I appreciate your time. I know the issues of safety mean as much to you as they do to me. And I am sure that in the future that they will be addressed. Thank you."

Jeff Fleming, 1819 Chuckatuck Avenue, stated, "Good evening. I am here to speak on the situations that are going on with the fire department right now. It has been in the news, and I am quite sure that you have seen it. And I guess there is some miss information being put out there. People do not understand the terminology they are using when they say a fire truck. A fire truck is a ladder truck. Their job is to rescue. A fire engine is to put water on the fire. Right now, the city does not have a fire truck with ladder and rescue capability at this time. That means that anything in Sycamore Towers, Perry Lofts, and a lot of our large apartment buildings we cannot get into. Our staffing levels, we have been crying for staffing. There are certain numbers that NFP1710 dictate for certain types of incidents, and we cannot meet it. We need to hire some people. You are wearing the guys out. There is a draft every day. The way that I see it and others see it we are just rolling a dice away from being national headlines. I do not know who is giving you information but maybe you need to talk to the people who are the boots on the ground. Because we are the guys that do it. We do it day in and day out. When everybody else says everything is fine that is a lie. What can an ambulance do showing up with four guys and no hose, no water, and no ladder. If you are outside, we can render aid but what is someone is inside. What can we do? I am outraged as a citizen, and I am also outraged as a firefighter here in the city. We took an oath to protect the citizens, but you are not giving us the tools to do so. I do not want to be on the national headlines, and I don't think that either one of you do. So, I think that we need to address this and address it soon. Before something happens seriously and I do not want that to happen to anyone. Passion is safety and people will tell you that. Safety is my passion. Thank you."

John Hennessee, 516 Oak Hill Road, stated, "I have come to speak on fire safety. In the early 2000s there was a fire across the street from where I was living. We ran across two of us trying to put that fire out with garden hoses. The first vehicle that arrived with firefighters in it was an ambulance. They proceeded to stand around to watch us try and put the fire out with a 5/8-inch garden hose. If you think that is a wonderful feeling, then you should try it some time. And that is the situation that you are putting us in. In the earlier 80s there were 30 men on a shift with the fire department. They are down to 17 and 18 when they can get it now. You

*Audio available upon request.

have cut them back. You just approved four more houses for this city. The city is growing, and the fire department is getting smaller. There is something wrong. When I was going to school, they taught me math. And I do not see the math working out with this city. Thank you."

Richard Stewart, 129 Rolfe Street, stated, "What I am here today about is the traffic light we need coming out the ramp of Pocohontas. Somebody is going to get killed there. Even coming out Joseph Jenkins Roberts Street and Madison Street is very dangerous because during business hours we cannot see around it. Someone is going to get killed there. I even called the Department of Transportation and asked them about the Martin Luther King Bridge. They said that is between the city and them. Because who maintains that area should be responsible for the light. But someone is going to get killed coming out of Pocohontas Island. Because it is dangerous. I know when I was a kid, I used to have a horse and wagon and we had a light. And a light was there until in 1993 when the bridge blew down and they did the new bridge in 2002 and then put the bridge back. We need a light very bad, or someone is going to get killed. Thank you."

Carol West, 146 McKeever Street, stated, "I am here today because I am a citizen of Petersburg. My grandparents were citizens of Petersburg. And I purchased the property on McKeever Street. For years as a little girl, I saw how that property over there would flood on a regular basis. And I brought it for sentimental values. Because it belonged to my grandparents. Also, the house next door. My father always asked my why did I buy it. Because it was in a flood zone. I am here because I agreed to change it too commercial. Because there is a commercial building next door, and it is for senior citizens. I worry about them from time to time when the flooding comes. I am here in reference to changing that area to commercial. I do not have the funds and the money to solve the flooding problem there at I-95 and I-85. I know that you guys are doing the best that you can with maintenance with trying to keep the ramps and everything straight. But I am telling you I have seen boats that have had to go in and take the rental people out because of flooding issues. And I think that if we do get some big organization in that area, they will have the funds and maybe the city can also help to do something to solve that issue. I think about it from time to time. We do not have too many ways coming in and out of Petersburg. The I-95 and 85 is very important and when that flood comes people have a hard time trying to figure out how to get in that area. I am just here to let you know that I agree with turning that area, McKeever Street, into commercial zone. Thank you."

Tracie Baines, 1021 West Tuckahoe Street, stated, "My purpose for being here today is to also discuss the safety of where the fire department is concerned. I have two daughters who reside in the City of Petersburg. One resides on the third floor of Pinetree Apartments and the other resides on the third floor of Artistry Lofts. My daughter that lives on Pinetree has my grandson. He also attends Walnut Hill Elementary School. Everything now and then I think about a fire that we had a couple of years ago back on Harrison Street. To where quite a few children were loss. I do not know if anybody remembers. But one of those children went to school with my daughter and if he would have been alive now, he would be around 30, 31, or 32. But he was loss in the fire. I also think about the fire that I saw on TV a couple of months ago in Richmond. I do not think that our city can stand to have anything like that to happen because we do not have the equipment to take care of it. I would be very heartbroken if something in one of my daughter's apartments complexes and the fire department could not get to them because of faulty equipment or they are arriving in an ambulance. I do not know what we are going to do. Are we going to put hoses on the ambulance or make sure all the citizens have really great water hoses to help fight fires themselves? We are not going to survive like that. We need to make sure that we have the equipment needed to put out fires. Because we do not want to put our citizens at risk, and we definitely do not want to put the children in our city at risk. Because it would be horrible risk if the school catch on fire, or someone would run into a building and yell fire, and it really is a fire, and we cannot get to it and fight it as it should be done. So, let's try to get together and see what we can do to ensure that the fire department has exactly what they need to take care of our city."

Gilvia Stith, 2448 County Drive, stated, "My concern is the landfill. I do not think it is right and I think that Petersburg is the only area that charges us to get rid of unwanted items. And I do not think that we should

*Audio available upon request.

have to place these unwanted items in front of our door and hope that they come to get them which they have done, and it has taken them up to two weeks or more. Even for the recycle cans. And they even miss our regular trash. And when the trash is missed it smells horrible. It is out there for a second week. My trash collection is on Friday and sometimes if I call them, they will come back on Tuesday or Wednesday. I do not think that we should have to be subjective to that. And myself just like everyone else take a lot of pride in beautifying where we live. So, I would not want that outside my door which has been there. My other concern is when is the deadline for this bridge on 460. I do not ever see anyone out there working. I leave home at 5am going to work and I do not see anyone. I come back 12 hours later, and I do not see anyone. So, can someone tell me when is the deadline for that bridge being finished. Thank you."

John Richardson, 3300 Johnson Road, stated, "I spent the majority of my adult life in public safety in the City of Petersburg. And a lot of my friends are currently on the fire department and on the police department. And I am here to speak up in support of my brothers on the fire department. I would like to know how can an ambulance help fight a fire. Fires do not go out without a water and hoses. Why do the city knowingly risk lives? What other fire department does that? We are no better than we were in my particular area in Camelot back in 2016 when the city tried to shut our fire department down, Company 5. I know Mr. Coleman remembers. I would like to know what is the city doing to protect our investment. We are cutting the fire department by 50%. In case of a fire, who is going to come to my neighborhood if a fire engine is not available if you keep cutting resources. And how long will it take them to get there? I do not know if you remember, a couple of months ago we had a rash of fires and I think that we had to have mutual aid from surrounding jurisdictions to help us put out fires in our city. And last, I would like to know in regard to inspections. I think we had a problem with bills not getting paid for certain fire engines. I know a lot of fire engines; they allowed the inspection sticker to go out no them. And these ones that have failed inspection are they found to be safe now. Like I said we are no better off then we were in 2016, when they were trying to shut our neighborhood fire department down. And I do not know how we cannot pay our repair bills as well. That is my statement and I appreciate you all giving me the opportunity to speak."

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

Mayor Parham stated, "I see that we have a fire truck outside. So, I want to give Mr. Miller some time to address this and give us a quick update on fire service and the budget and these bills and a few of these concerns."

Mr. Miller stated, "I will start of with the easy one. The city is financially stable and very shortly Mrs. Jordan, our Chief Financial Officer, will give a report on the city on our stability. We do have a new fire chief, Fire Chief Watkins. And she is addressing some of these challenges. I too have spoken with a number of members of the fire department, and I think that we have some meetings scheduled for tomorrow with her on resolutions in respect of some of our firefighters. It will be coming up this Thursday. So, we have spoken with our neighboring jurisdictions with respect in purchasing another apparatus. These are the experts and not I. I am told that it takes two years from the day that you want to purchase it. It takes two years to get an apparatus in your station from a latter perspective in the office. So, we are looking at purchasing some equipment that will suffice until we get a new ladder. And that is a capital project that our fire chief has spoke with our financial officer about. And we have some meeting coming up about that Mr. Mayor."

Mayor Parham stated, "Mr. Miller can you give us when the last time we brought fire apparatus."

Mr. Miller stated, "I believe 2017."

Mayor Parham stated, "And how many of those did we buy in 2017?"

*Audio available upon request.

Mr. Miller stated, "I do not know. It was a capital project that then Mr. Turille and the Robert Bobb Group recommended that we do as a city."

Mayor Parham stated, "Have we been getting those invoices from the fire department. Because I know that there is money in the bank."

Mr. Miller stated, "Mrs. Jordan has been working with our fire chief so I can assure you that there is adequate funding in all of our departments and not just the fire department with paying our bills. I have to credit Mrs. Jordan and Mrs. Innis and Chief Watkins for collaborating and getting those paid. It was a stumbling block with respect to other members of her staff, but she has since corrected that."

Mayor Parham stated, "Thank you Mr. Miller."

Council Member Cuthbert stated, "I want to address three topics. The first one is a comment is one that was made by a member of the public at our June 7th meeting. A member of the public asked what can we do about making Petersburg an easy target for the homeless. The member of the public was referring to the fact that it is quite for homeless people to come down I-95 and I-85 and take residence on the streets of Petersburg. I salute the member of the public who made this comment. The point that the member of the public was bringing to council's attention was this. She was reminding council that they must take into account the unintended adverse consequences of actions motivated by good intentions. I think that is an important lesson for all of us to keep in mind. Good intentions are one thing and making situations better is a different topic. Let me go to the second topic and that is the High Street Park. This question is really for Tony Williams, our city attorney. If the High Street Park proposed sale comes back before council, will it require another public hearing."

Mr. Williams stated, "Yes. It will be starting from scratch. It would have to be presented as a new item since no action was taken. In addition, you had a list of items that you were concerned about. The process is that you pass the ordinance to authorize the sale, but the sale isn't consummated until you get the development agreement back which you consummate by resolution. So, a lot of the items that you expressed reservations about could be in the development agreement which may require incorporation of deed restriction. But that is if it ever comes back. It may not."

Council Member Cuthbert stated, "Thank you Mr. Williams. We were treated tonight to a series of photographs thanks to Mr. Bill Irvin. They are photographs depicting the transformation taking place on Henry Street and North Jefferson. If you have not driven down North Jefferson in the recent past, I invite you to do so. Thanks to Neighborhood Services for pushing property maintenance and code enforcement structural problems to be corrected. And to private investors. That street, North Jefferson really is undergoing a transformation. I didn't realize the extent of the transformation until I saw the photographs tonight. But that was quite impressive. I think everyone knows where North Jefferson. Everyone knows where Henry Street is. Henry Street has not yet enjoyed the same extent of private investors that North Jefferson has. But North Jefferson is really undergoing an impressive change for the better. And I think that we can all be proud of that. It was not too long that North Jefferson looked extremely bedraggled. But now the properties are in the hands of new owners and the new owners have done a remarkable job of bringing private investment into play. I salute them and thank them for what they are doing along with neighborhood services. Mr. Mayor, thank you."

Council Member Wilson-Smith stated, "I want to first congratulate Mr. Marquis Allen, for a job well done on Juneteenth. We had a wonderful Juneteenth event at Petersburg High School. So, thank you so very much Mr. Allen and the team of Petersburg Parks and Leisure Services. On Sunday, we had another Juneteenth event on Pocohontas Island. I would like to congratulate 'MOVE,' which is the organization that put that on. So, for a whole weekend we had Juneteenth. Someone talked about it earlier about the 21,000 cases in social services. We need to understand what that means when we say that. When we say that the numbers have

*Audio available upon request.

gone up from 17,000 to 21,000. And just to hear it like that sounds bad. Those numbers have to be broken down. It does not mean that there are 21,000 receiving a check every month from Social Services. There are different entities to social services to make up that number. And we should all understand what that is before we run off and say it the way that it was told to us. Another thing is that every week, sometimes two or three times a week, I send out an email to anyone's email address that I have. And I end my email saying that there is no Petersburg, and I leave the 'u' out of Petersburg, with you 'u.' I do that so that those receiving emails would understand, see, and feel their importance in this city. Because nothing in this city can go on without you. A representative from Hopewell contacted me and said that they think Hopewell should do something similar to that and use the word 'well.' So, they used it and kicked it off. I would like to ask this council to consider a slogan for Petersburg to be, 'There is no Petersburg without 'U''. And lastly, I have an email from someone that I do not know. I do not even know how to pronounce his last name. His name is Paul K-N-E-P-P-E-R. Anyway, he says, 'Good morning councilwoman. Early on in my research of Moses Malone, I was very surprised to find out that there is nothing in Petersburg named after him other than the Petersburg High School Gym. Typically, a person who has accomplished as much as he did at least have a street named after him. I know of many people who have done far less who have received that honor. In researching that question, I came across something that you wrote on a PowerPoint that you wrote on Moses and other distinguished African-Americans from Petersburg receiving the recognition that they deserve. I believe that it is important for young people to be made aware of successful people who look like them and came from where they came from. I applaud your efforts to make that a reality.' He goes on to ask questions on why we didn't do it. I want to read this to you all to get a feel or to help you to see how people outside Petersburg see us and what they think about the things that we do or do not do. I still wish and hope that this council would do the renaming of African Americans who came from here and made a great success of their lives. And I believe that if our young African American teenage boys could see this and know that these people came from the same place, they came from it might make them have a change of heart. Sharing our history and telling our history is important. If we want the guys to put down the guns, let's show them some people that never picked them up. People that grew up just as poor as they are and from the same neighborhoods. Ricky Hunley and his family was just here. And one of the streets that I wanted to rename was after Ricky Hunley, Harding Street. Ricky Hunley and his family just gave the Housing Authority a \$10,000 check and nobody knows it. Not even the young boys who need to know these things. That's it for me tonight. Thank you for listening."

Council Member Westbrook stated, "First of all I would like to start with just some congratulations and acknowledgments. First of all, congratulations the high school student from Petersburg High and the Appomattox Regional Governor School. I wish all of those graduates well as they go forth with their future endeavors. I too would like to congratulate everyone that participated and acknowledge those that put on the two Juneteenth celebrations this weekend. As well Happy Belated Father's Day to all fathers that were out there. I hope that you were celebrated and had a day of rest for you. And then we will move into some things that I would like to call 'Continue the work together for the greater good.' And for today I would like to focus on the youth. Being that this is the first day of summer, I would like to challenge parents as we move to the season of less school unless you have your kids in activities and programs, that we do try to work with our youth to emphasis exercising. Exercise with your children. I would like to hopefully get over that stigma of Petersburg being the unhealthiest city in the State of Virginia. And it starts with exercising with your children. Getting them to understand the power that is being active. And I know that it is not always screened well but cut the time down that the kids are watching television or on the cellphone or tablets. And replace it with a little bit of meditation or some quiet focused time. There is a big push after this COVID pandemic about mental health. And I think that it just starts with being quiet and listening and appreciating nature. And just again cutting down on some of the noise from social media. I would like to thank FOLAR. I know that they were here earlier. I am very interested in Ferndale Avenue Park and the easement with Dinwiddie as they continue to build out that Appomattox Trail. If you listen to people whether it is the bike trail connecting from Hanover to Virginia State or the walking trail from Dinwiddie to Hopewell. It is a growing buzz and people are getting excited about what we are doing. And then finally for our kids, hopefully parents, you read with you kids. I know that Council Member Cuthbert and a lot of us are really on education. Just because school is out does not

*Audio available upon request.

mean that the schooling stops. Hopefully, we can read with our kids and express the importance of literacy and know that when the school bell rings school does not end. To piggy-back off my next point of Council Member Treska Wilson-Smith, I know she said that there is no Petersburg without 'u,' but I would like to also say that there is no Petersburg without 'p.' And I have 13 adjectives that Petersburg hopefully will get back to standing forward. One of them being purposeful, principle, passionate, have patience, be persistent, stay peaceful, be poised, powerful, personable, philanthropic, promising and most importantly Petersburg proud. I grew up in a time that there was something about saying that we were from Petersburg. I know that it is a 'I am Petersburg.' I hope that we all can get back to being Petersburg proud as we are in this resurgence that we are going through. There are a lot of great things in Petersburg. And finally, my last point is building up that community. I would like to shout out Greenwood Farms area, Western Hill area and Ramblewood and Camelot. Those are areas that I have been canvassing over the last couple of weeks. And it is just good to get out and hear my residents and constituent's voice. Even, if I may not agree with them and even if they think that things are going wrong, I like to listen. One in particular is here to tonight, Ms. Tina. We had a great conversation after the Ward 6 & 7 meeting. And I got to listen to her and understand how I can try to do my job better by listening to residents. And I am very proud of what I see now from when I started. I did mention that I always see the same two or three voices in attendance with the public comment section. But tonight, we were overwhelmed with people who has issues and concerns that they really wanted to express about making Petersburg better. Please keep it up and please come out to city council and please support us. And even if you do not support us tell us what we are doing wrong that we can hopefully agree to disagree but make Petersburg better. And finally, I would like to give a shoutout to former Council Member Mr. Ray Coleman. Thank you for coming out Mr. Coleman and holding your word to me. I appreciate you."

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

Vice Mayor Smith-Lee stated, "I just want to give a shoutout and thank you for all the citizens that came out to Ward 6 & 7 joint meeting. We appreciate your concerns and hopefully that we can resolve a lot of them. Thank you, Pat Hines, and her committee, for putting on the Jazz Festival which was a success. Thank you, Marquis Allen, Ryan Massenburg, Janell Sinclair for putting on an awesome Juneteenth Celebration on Saturday at Petersburg High School. It was phenomenal. Congratulations to the Petersburg Cavaliers East Coast Basketball League for winning the Championship. And they had a lot of support and that is good. Also, thank you for Pocohontas Island. Mr. Stuart I was over there in your neck of the woods on Sunday. And it was really nice, and I really appreciate that Juneteenth celebration. It was a lot of people that I did not know but I met quite a few people and I was excited about it because they were there enjoying themselves. So, thank you. Also, congratulations to the Petersburg High School Class of 2022. What a blessing! That's it."

Mayor Parham stated, "I just want to piggyback on some of those things. All of those things were great. The Halifax Street Jazz Festival and the Juneteenth celebration and Petersburg Cavaliers. We were at their game hosting the trophy there. It was really exciting for the City of Petersburg. But I also want to talk about some of the things that went on today. I want to thank Chief Miller and all his staff for conducting a wonderful job shadowing program kick-off event today. We have over 30 high school students that are participating in our program. Because part of building the City of Petersburg is bringing on the next generation of talent which is exposing our young people to opportunities here within the city. And that is something that was really lacking as I was here as a young kid here. You never heard of those opportunities. Also, I want to congratulate the council and school board as well for getting this turf field finally off the ground for Petersburg High School. We had a groundbreaking event today for the new turf field to be ready for the 2022 football season this September. Also, I want to thank Brian Moore for hosting a wonderful regional Juen Chamber Luncheon today at Maria's. It was a wonderful event I heard with great turnout. Last Friday, we had the Governor back here for AMPAC Day out at the AMPAC Pharmaceutical Plant. He is really a big cheerleader of the City of Petersburg. He is definitely concerned about helping in any and every way to turn the City of Petersburg around. I know we have talked about Moses Malone. Moses Malone is part of a long string of successful superstars and athletics we have here. I just cannot thank enough of the Quinton Spain and the Frank Mason's of the world that come

*Audio available upon request.

back and do camps here. Also, Don Brooks who is named one of the top fitness trainers of all time coming right of Petersburg. And doing his Donamatrix event every year. And also, someone who is a big supporter of the city which is Trey Songz. Whenever he can help us with anything he is just a phone call away. So, we always want to recognize the talent that we have especially a lot of the great young men and women that are coming up and continuing to give back to the city. I think that is something that is really missing. Growing up here, I do not know what the gap is of that era and why Moses Malone was not recognized during that generation but that is something that we try and do to catch them while they are living and keep them coming back and giving back to the City of Petersburg. Also, just want to say that we are definitely supportive of our public safety, specifically our fire department. People do not understand that there is a shortage of firefighters going into that field. And that is the importance of this job shadowing program. Which is to get young people interested in serving. I was just reading a fire association in Richmond was screaming danger even in Richmond because they are 47 positions short. Just to let you know the magnitude of the desperate need of people being in public safety right now. Everybody is pulling from somewhere to keep it going. They just came from a fire at a hotel in Petersburg and they did not show up on ambulances they had trucks and they put the fire out. Just to let people know that the City of Petersburg is still marking on. That concludes my comments, and we will move on to the next item."

11. ITEMS REMOVED FROM CONSENT AGENDA:

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

12. FINANCE AND BUDGET REPORT:

a. Presentation on Budget and Finance

Stacey Jordan, Chief Financial Officer, gave a brief presentation and update on amounts and figures of the current budget. She stated that the information is available on the city's website under finance.

Key points:

- The City of Petersburg budget process begins with a projection of revenues in order to develop a budget balanced within resources using revenue trend analysis which is the review of historical revenue results to detect patterns. It can indicate the onset of changes in the newer-term revenue growth rates of a locality.
- This process includes the review of current city finances, as well as previous finances, local and regional economic conditions, and a re-examination of key local economic indicators via the City Financial System.
- An important step of the budget process involves the completion of the financial trend, which represents a 3-year evaluation of past financial and economic indicators. These indicators, over time, may reflect fluctuations, which prove to be extremely valuable as it allows staff to monitor changes in all aspects of the local economy and provides an insight into trends that may impact future decision making.

There was discussion among council and staff.

Mayor Parham stated, "Thank you Mrs. Jordan. I just want to chime right into recognize our chief, Chief Tina Watkins. She was just awarded to make history as Chief Tina Watkins of Petersburg Fire and Rescue as the first female fire chief in its 250th history. And she was recognized in Maryland by the African American Firefighters Historical Society this past weekend. So, Chief Watkins we applaud you.

13. UNFINISHED BUSINESS:

*Audio available upon request.

- a. Consideration of approval to extend the lease agreement for one year (June 1, 2022 – May 31, 2023) for a total amount of \$407,385.60 (\$33,948.80 monthly) between P & P Associates, LLS and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803.

BACKGROUND: The City of Petersburg's Social Services Department moved from 400 Farmer Street location in May of 2019 due to mold issues with the building. The Department of Social Services is approaching the end of its third year (May 31, 2022) occupying space at 3811 Corporate Road. This extension will ensure that the Department of Social Services will occupy the building for another year.

RECOMMENDATION: Staff recommends that Council approves the lease extension for one year as written.

Norris Stevenson, Director of Social Services, gave an overview of the request.

There was discussion among City Council and staff.

Council Member Myers made a motion to approve the lease extension for one year as written. Vice Mayor Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, and Parham; Voting No: Wilson-Smith and Hill; Abstain: Westbrook

14. NEW BUSINESS:

- a. Consideration of a resolution approving the development agreement for development of 1024 Eighth Street, Petersburg, Virginia between the City of Petersburg, and Coastal Virginia Development.

BACKGROUND: The Department of Economic Development received a proposal from Coastal Virginia Development to purchase City-owned property located at 1024 Eighth Street which is currently a vacant lot. The proposed use is to develop two 1206 square foot single family residential dwellings.

The proposed purchase price for the parcel is \$9,100 which is 50% of the assessed value, \$18,200. The purchaser will also pay all applicable closing cost. Coastal Virginia Development have provided financial documentation supporting her ability to purchase the property.

The City of Petersburg City Council approved an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 1024 Eighth Street on May 17, 2022. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Coastal Virginia Development, they shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement.

The Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Coastal Virginia Development. The deed shall include provisions for the reverter described in the Development Agreement.

Property Information

The zoning of the parcel at 1024 Eighth Street is R-2, a two-family residential district.

Address: 1024 Eighth Street

Tax Map ID: 013-230004

*Audio available upon request.

Zoning: R-2

RECOMMENDATION: It is recommended that the City Council consider the adoption of a resolution approving the development agreement for development of 1024 Eighth Street Petersburg, Virginia between the City of Petersburg and Coastal Virginia Development.

Brian A. Moore, Director of Economic Development, gave a brief overview of the request.

Council Member Myers made a motion to adopt the resolution approving the development agreement for development of 1024 Eighth Street Petersburg, Virginia between the City of Petersburg, and Coastal Virginia Development. 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, Smith-Lee, and Parham; Absent: Hill

22-R-37 A RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR DEVELOPMENT OF 1024 EIGHTH STREET PETERSBURG, VIRGINIA BETWEEN THE CITY OF PETERSBURG AND COASTAL VIRGINIA DEVELOPMENT.

- b. Consideration of a resolution to approve staff to market city-owned real estate property for disposition on the GovDeals Real Estate Website.

BACKGROUND: The City of Petersburg authorized for disposition and development an inventory of 269 vacant real estate properties on March 19, 2019. Staff have identified the need to market the properties on GovDeals to assist in the disposition of these properties. Economic Development Staff will oversee the real estate account for the City of Petersburg. Staff will have control over the bidding process and the terms of the sale. Property Listings will include site specifications to include zoning, acreage, and desired end use. GovDeals marketing team will assist with the advertising of the properties and include them on real estate sites (MLS Listing). City Council will have the final approval on all proposals submitted on the Govdeals Real Estate Site

RECOMMENDATION: The Department of Economic Development recommends that City Council adopts the resolution to approve staff to market city-owned real estate property for disposition on the GovDeals Real Estate Website.

Brian A. Moore, Director of Economic Development, gave a brief statement on the request.

Council Member Wilson-Smith made a motion adopt the resolution to approve staff to market city-owned real estate property for disposition on the GovDeals Real Estate Website. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Smith-Lee, and Parham; Absent: Hill

22-R-38 A RESOLUTION TO APPROVE STAFF TO MARKET CITY-OWNED REAL ESTATE PROPERTY FOR DISPOSITION ON THE GOVDEALS REAL ESTATE WEBSITE.

- c. Consideration of a resolution of the City Council of the City of Petersburg approving in concept the closure of River Street between 3rd Street and 5th Street and directing the City Manager to obtain necessary information and documentation to present an ordinance for approval.
- d. Consideration of an ordinance authorizing the interim city manager to execute the Commercial Lease Agreement between Marwaha Real Estate, LLC and the City of Petersburg for the property located at 30 Franklin Street, Petersburg, VA.

*Audio available upon request.

BACKGROUND: The City would like to enter into this lease with the City and Marwaha Real Estate, LLC for the leased property located at 30 Franklin Street, Petersburg, VA, for the period of August 01, 2022, through July 31, 2025, for the amount of \$61,000 per year. This space will be utilized by the Department of Communications, Marketing & Government Relations, and Economic Development.

RECOMMENDATION: The City Council review and approve the attached ordinance.

Mr. Miller stated, "Mr. Mayor this is a point of clarification. That is for one year. The lease is for one year with additional years if we need it."

Mayor Parham stated, "Okay it is for one year."

Council Member Cuthbert stated, "I am sorry. I didn't understand everything that Mr. Miller said."

Mr. Miller stated, "Yes, sir I will say it again. The lease is for one year with an option for one year."

Mr. Williams stated, "I think what he is saying is that he is suggesting for one year. If council approves it, then they approve it with that amendment to what is in your package. They are shortening the period. Is that right chief?"

Mr. Miller stated, "Yes. Mrs. Innis is not here so that is why."

Mayor Parham stated, "So, I will entertain a motion now for the amendment to the agreement for one year with the option for another one year."

Vice Mayor Smith-Lee made a motion to amend the agreement for one year with the option for another one year. Council Member Westbrook seconded the motion. There was 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; Abstain: Myers

*****(Item was mistakenly skipped- Item 14c)*** Consideration of a resolution of the City Council of the City of Petersburg approving in concept the closure of River Street between 3rd Street and 5th Street and directing the City Manager to obtain necessary information and documentation to present an ordinance for approval.

BACKGROUND: The City Council of the City of Petersburg adopted an ordinance authorizing the sale of property along River Street and the Appomattox River to establish green space and a location for outdoor events. The sale of the property has been closed, and the property was transferred to the new owner. The property owner/developer owns property located at 240 River Street to the South of River Street, and 277 River Street to the North of River Street.

The property owner/developer is requesting the vacation of City Right of Way (ROW) on River Street, between 3rd Street and 5th Street, to facilitate the planned event space use. The vacation would result in closure of the roadway along River Street between 3rd Street and 5th Street. During the May 3, 2022, City Council Meeting, the City Council requested reports on the impact of the proposed ROW vacation on Street, Public Works, and Public Safety.

RECOMMENDATION: Staff recommends approval of the Resolution. In so doing, Staff recommends the following:

*Audio available upon request.

1. The property owner/developer be required to submit a formal site plan that illustrates the permanent road closure, demolition, grading, proposed traffic turn arounds, and drainage structure conversions to be reviewed and approved through the City's established Site Plan/Development Review process.
2. The property owner/developer be required to submit a Traffic Impact Assessment (TIA) and feasibility study to be completed by a qualified engineering consultant to illustrate traffic circulation following the proposed street vacation/closure and traffic impacts of planned events
3. The completed TIA be reviewed by City Staff, especially Fire/EMS, Police, Transit for consideration during the Site Plan/Development Review process
4. The property owner/developer be required to prepare, submit, and record plats that include easements for all public and private utilities.

Council Member Myers made a motion to approve the resolution with staff recommendations included. Vice Mayor Smith-Lee seconded the motion. There was discussion among City Council and staff.

Council Member Cuthbert made a substitute motion to consider the concept of the closer of River Street between 3rd Street and 5th Street once the City Manager receives the information necessary information to present an ordinance for approval.

The motion dies due to a lack of second and the original motion goes back on the floor.

Council Member Myers made a motion to approve the resolution with staff recommendations included. Vice Mayor Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Westbrook, Smith-Lee, and Parham; Voting No: Cuthbert; Absent: Hill

22-R-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETERSBURG APPROVING IN CONCEPT THE CLOSURE OF RIVER STREET BETWEEN 3RD STREET AND 5TH STREET AND DIRECTING THE CITY MANAGER TO OBTAIN NECESSARY INFORMATION AND DOCUMENTATION TO PRESENT WITH AN ORDINANCE FOR APPROVAL.

- e. Consideration of appointments to the Central Virginia Waste Management Authority Board

BACKGROUND: The Central Virginia Waste Management Authority (CVWMA) is a public service authority that implements solid waste management and recycling programs for thirteen local governments. Since its formation in 1990, the CVWMA has endeavored to provide efficient and economical waste management and recycling solutions for its member jurisdictions. The CVWMA's aim is to meet the local governments' waste management and recycling needs, through improving existing services and programs and expanding into new program areas. A board of directors including representatives from each member locality governs the actions of the authorities and daily operations are coordinated by experienced staff.

RECOMMENDATION: Paul Johnson and Randall Williams' positions align with the requirements of CVWMA. It is recommended that they be appointed to the Central Virginia Waste Management Authority Board with Mr. Johnson as primary and Mr. Williams as alternate.

Nykesha Jackson, Clerk of Council, gave an overview of the request.

Council Member Myers made a motion to appoint Paul Johnson and Randall Williams to CVWMA for a term ending December 31, 2022. Vice Mayor Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Westbrook, Hill, and Parham; Voting No:

*Audio available upon request.

Cuthbert; Absent: Smith-Lee

22-R-40 A RESOLUTION APPOINTING PAUL JOHN AND RANDALL WILLIAMS WITH A TERM ENDING DECEMBER 31, 2022, TO THE CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY BOARD.

15. CITY MANAGER'S AGENDA:

a. City Manager's Report

Mr. Miller stated, "I cannot thank you enough for all the good things that you have done for myself and members of our staff. But I want to thank the staff tonight, particularly those who have been working with our young folks developing our leaders. Secondly, I want to thank Mr. Randall Williams for filling in as Interim Director of Public Works and Utilities. He has done a very good job. I do not know if Mr. Johnson is here. He went to orientation, and he is officially on board. Again, thanks to council for supporting us on this with the intern program. It is going to pay off for us."

Mayor Parham stated, "Thank you."

16. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

17. BUSINESS OR REPORTS FROM CITY ATTORNEY:

*No items for this portion of the agenda.

18. ADJOURNMENT:

City Council adjourned at 8:13 p.m.

Clerk of City Council

APPROVED:

Mayor

*Audio available upon request.

The Special City Council Meeting of the Petersburg City Council was held on Wednesday, June 29, 2022, at the Petersburg Public Library. Mayor Parham called the Special City Council Meeting to order at 10:01 a.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
Vice Mayor Annette Smith-Lee
Mayor Samuel Parham

Absent: None

Present from City Council Administration:

Clerk of Council Nykesha D. Jackson
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 receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matter requiring the provision of legal advice by the City Attorney, specifically including but not limited to discussion regarding Petersburg Circuit Court Case No.: CL21000495-00, and contract issue; and under section (A)(3) of the Code of Virginia for the purpose of discussion or consideration of the acquisition and disposition of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically including but not limited to the acquisition and disposition of real property; and under section (A)(1) of the Code of Virginia for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees if the City of Petersburg, specifically including but not limited to discussion of the performance and appointment of a specific public officer..

Council Member Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Myers 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, Hill, Smith-Lee, and Parham; Absent: Westbrook

City Council entered closed session at 10:03 a.m.

CERTIFICATION:

Ms. Jackson stated, "The Mayor would entertain a motion to conclude the closed session called this evening to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed *Audio available upon request.

meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure that in his or her judgment has taken place. This requires a roll call vote Mr. Mayor.”

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

The motion was approved on roll call vote.

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

22-R-42 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 11:33 a.m.

3. ADJOURNMENT:

City Council adjourned at 11:34 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

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

FROM: Paul Johnson, Randall Williams

RE: **Consideration of an additional \$500,000 in grant funding for the Fleets Branch Stream Restoration Project – National Fish and Wildlife Foundation (NFWF)/VA Department of Environmental Quality (DEQ) Grant Funding. (Page 28)**

PURPOSE: NFWF and DEQ have both awarded the City of Petersburg grants to absorb part of the design and construction costs for a stream restoration project on the property of Virginia State University (VSU) so that the City may benefit from the resulting pollutant reduction credits to meet 2023 Total Maximum Daily Load (TMDL) requirements set by DEQ. Both grants are reimbursement grants requiring the funds be expended by the locality and then reimbursed by NFWF and DEQ.

REASON: *To appropriate the grant funds awarded to the City of Petersburg associated with the above referenced project.*

RECOMMENDATION: Request Council adopt the attached appropriation ordinance in the total amount of \$500,000 for the NFWF Grant. It should be noted that additional funds in the amount of \$833,000 have already been approved and appropriated as a part of the FY 2023 Capital Budget. Those additional funds consist of American Rescue Plan Act (ARPA) funds in the amount of \$335,477 and a DEQ SLAF Grant in the amount of \$497,523.

BACKGROUND: As a Phase II Municipal Separate Storm Sewer System (MS4), the City of Petersburg is required to reduce stormwater pollutants discharged to receiving waters, known as the Total Maximum Daily Load (TMDL), as part of its MS4 General Permit administered by DEQ. These TMDL reduction requirements set by DEQ include a 40% pollutant reduction by June 30, 2023. Virginia State University, also an MS4 entity, began a stream restoration project for Fleets Branch; however, VSU did not need the additional pollutant removal credits to complete the project. On the other hand, the City of Petersburg is in significant need of pollutant removal opportunities due to the land cover, topography, and ownership challenges specific to the City. Therefore, a collaborative effort was envisioned between the two MS4's where the stream restoration project could be completed with combined financial assistance from both the NFWF Grant and Petersburg funding and the resulting pollutant removal credits would be given to Petersburg to help meet its TMDL goals.

NFWF recognized this collaborative effort, and in turn awarded \$500,000 towards the \$1,450,000 estimated cost of design and construction with the City to initially provide the remaining \$950,000 in matching

funds. Subsequently, the FY 2023 Capital Budget consisted of another \$833,000 awarded (DEQ Stormwater Local Assistance Fund (SLAF) grant of \$497,523 and American Rescue Plan Act (APRA) funding in the amount of \$335,477. The remaining \$117,000 will be paid from the Stormwater Management Division funds.

COST TO CITY: \$1,450,000 (Design & Construction Costs – per Engineering Estimate)

BUDGETED ITEM: FY 2023 Capital Budget (\$833,000)

REVENUE TO CITY: \$1,333,000 (\$833,000 + \$500,000)

CITY COUNCIL HEARING DATE: 7/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: National Fish and Wildlife Foundation (NFWF), Virginia Department of Environmental Quality (DEQ)

AFFECTED AGENCIES: Department of Public Works and Utilities

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Fleet Branch Ordinance for July 19, 2022 Meeting
2. NFWF Grant_Petersburg Award Letter

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
IN THE GRANTS FUND IN THE AMOUNT OF \$500,000 FOR “FLEETS BRANCH
STREAM RESTORATION PROJECT”.**

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

I. That appropriations for the fiscal year commencing July 1, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted	\$ 833,000
(ARPA \$335,477 & DEQ SLAF Grant \$497,523)	

Revenue:

National Fish and Wildlife Foundation	<u>500,000</u>
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Total Revenue	<u>\$1,333,000</u>
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II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2022 and ending June 30, 2023, the following sums for the purposes mentioned:

Previously adopted (Capital Project Fund)	\$ 833,000
(ARPA \$335,477 & \$497,523 SLAF Grant)	

Expenditures:

National Fish and Wildlife Foundation	<u>500,000</u>
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Total Expenditures	<u>\$ 1,333,000</u>
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Darryl Walker

From: easygrants@nfwf.org
Sent: Thursday, April 8, 2021 11:53 AM
To: Darryl Walker
Subject: National Fish and Wildlife Foundation Award Agreement #70001
Attachments: NFWF Subrecipient FFATA Form.docx; NFWF Vendor Setup Form 0918 with Instructions.pdf

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

Dear Darryl Walker:

We are pleased to advise you that the Board of Directors of the National Fish and Wildlife Foundation has approved an award of \$500,000.00 to your organization to support the Fleets Branch Stream Restoration (VA) project.

You can review and print your agreement by logging into Easygrants at easygrants.nfwf.org. If you have forgotten your login credentials, you can request them from the login page. The "Execute Award Agreement" task and its due date will appear on your home page. Click the "Execute Award Agreement" task link to begin.

Once an authorized representative of your organization/entity has signed and dated the agreement, return the signed copy to NFWF by scanning and emailing it to the Grant Administrator at the email address indicated in the agreement. Upon countersignature, we will email you a scanned copy of the fully executed original award agreement. Any performance or costs incurred prior to the execution of the Award Agreement are done at your organization's own risk.

In addition, note two documents attached to this email that may require your attention. First, if you have not already done so, please complete the attached NFWF New Vendor Setup Form and email it back to your Grant Administrator with the signed agreement. Note that you must include a copy of your most recent W-9 or W-8 with your New Vendor Setup Form.

Lastly, **if your award includes \$25,000 or more in federal funds**, NFWF requires additional information to satisfy the requirements of the Federal Funding Accountability and Transparency Act of 2006. Please complete, sign, and return the attached NFWF Subrecipient FFATA Form with your signed agreement.

If you have any questions regarding the agreement or attached documentation, please contact the Grants Administrator listed in the agreement.

Thank you,
National Fish and Wildlife Foundation

This e-mail message and any attached files are for the sole use of the intended recipient(s) and may contain privileged, confidential or otherwise protected from disclosure information. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Randall Williams, Paul Johnson

RE: **Consideration to appropriate additional funding in the amount of \$648,233.48 to the Urban Highway Maintenance Fund per FY 2023 rates approved by the Commonwealth Transportation Board (CTB). (Page 32)**

PURPOSE: To appropriate additional funding in the amount of \$648,233.48 to the Urban Highway Maintenance Fund per FY 2023 rates approved by the Commonwealth Transportation Board (CTB).

REASON: The FY 2023 amount approved by the Commonwealth Transportation Board (CTB) for the Urban Highway Maintenance Fund occurred in late June which is after the budget was approved and adopted by the Council. As a result, an appropriation is being made to increase the budgeted amount.

RECOMMENDATION: Recommend Council approves to appropriate the additional \$648,233.48.

BACKGROUND: Annually, in accordance with Section 33.2-319 of the *Code of Virginia*, the payment rates per lane mile for street payments are updated and approved each year by the Commonwealth Transportation Board (CTB) each fiscal year. These rates are applied to eligible lane mileage for each classification. The amounts are communicated to the City in late June every year, which is after the FY budget has been approved and adopted by Council. An appropriation is then completed and approved for the difference.

COST TO CITY:\$0

BUDGETED ITEM: No

REVENUE TO CITY: \$648,233.48

CITY COUNCIL HEARING DATE: 7/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: NA

AFFECTED AGENCIES: Street Operations

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: NA

REQUIRED CHANGES TO WORK PROGRAMS: NA

ATTACHMENTS:

1. Street Operations Urban Highway Ordinance 7-11-22
2. Documentation for FY23 Urban Hwy Increase

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
FOR THE STREET OPERATIONS FUND.**

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

I. That appropriations for the fiscal year commencing July 1, 2022, in the General Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted (FY23 Budget)	\$ 5,984,699.00
ADD:	
FY 2022-2023 increase by the Commonwealth Transportation Board (CTB)	
Urban Maintenance Highway (3-204-024040-0615)	644,930.30
FY 2022-2023 Overweight Permit Fees	<u>3,303.18</u>
Total Revenues	<u>\$ 6,632,932.48</u>

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

Previously adopted (FY23 Budget)	\$ 5,984,699.00
ADD:	
Urban Maintenance Highway Expenditures (4-204-041200-3190)	644,930.30
Overweight Permit Fees (4-204-041200-3190)	<u>3,303.18</u>
Total Expenses	<u>\$ 6,632,932.48</u>



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

July 1, 2022

To: Cities and Towns in the Urban System

Subject: Street Payments to Cities and Certain Towns under Section 33.2-319 of the Code of Virginia

In accordance with Section 33.2-319 of the *Code of Virginia*, the payment rates per lane mile for street payments have been updated for fiscal year 2023 as follows:

Principal/Minor Arterial Roads \$24,012.06 per lane mile

Collector/Local Streets \$14,098.26 per lane mile

These rates will be applied to eligible lane mileage for each classification as of July 1, 2022. The attached inventory and mileage summary reflects any approved adjustments in lane mileage that your municipality submitted to the Department during the past year. While we have made every effort to ensure the accuracy of the inventory, we recommend that you check for omissions and errors, etc., and advise this office of any changes needed.

Payments have been approved by the Commonwealth Transportation Board and will be made at the end of each quarter of the fiscal year by Electronic Data Interface (EDI).

Equipment rental rates can be found via the Blue Book, or rates through FEMA for declared emergencies only. The Rental Rate Blue Book can be found on the Equipment Watch webpage at <http://www.equipmentwatch.com/marketing/product/331/rental-rate-blue-book-equipment-costs>. For emergencies, the FEMA Equipment Rates can be found at (<http://www.fema.gov/government/grant/pa/eqrates.shtm>). The cost of the Rental Rate Blue Book purchase can be paid for utilizing maintenance funds.

Cities and Towns in the Urban System
June 23, 2021
Page 2

If you have questions or need additional information, please do not hesitate to contact me at (804) 225-4466. Thank you for your continued partnership.

Sincerely,

John Leonard
Urban Programs Manager
Local Assistance Division

Enclosure

Cc: District Administrators
Residency Administrators

SUMMARY REPORT

DATE: 6/27/2022

TIME: 8:23:16AM

VIRGINIA DEPARTMENT OF TRANSPORTATION
URBAN MAINTENANCE INVENTORY
LOCAL ASSISTANCE DIVISION

(123) City of Petersburg

(19) Crater

(04) Richmond

MILEAGE SUMMARY

STATE
FUNCTIONAL
CLASSIFICATION

LENGTH

PEAK HOUR
MOVING
LANE MILESArterial - Principal
Arterial - Minor
Collector
Local(ARP) 17.00
(ARM) 20.49
(COS) 22.45
(LOS) 124.8059.56
45.51
44.91
246.38**TOTAL****184.74****396.36**

STATE ARTERIALS

37.49

105.07

COLLECTOR and LOCAL

147.25

291.29

TOTAL**184.74****396.36**



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

July 1, 2022

Ms. Aretha Ferrell-Benavides
City Engineer
103 W Tabb Street
Petersburg, Virginia 23803

Re: Overweight Permit Fee Revenue Payments FY23

Dear Ms. Ferrell-Benavides:

As you are aware, the 2012 General Assembly amended sections 46.2-1140.1, 46.2-1143, 46.2-1148 and 46.2-1149.1 authorizing the Commonwealth Transportation Board (CTB) to distribute overweight permit fee revenue on the basis of lane mileage to localities eligible for maintenance payments.

The CTB was authorized to begin making such payments for FY14. Your total supplemental payment for fiscal year 2023 will be \$3,303.18. These funds will be added to your maintenance payments and will be provided to you in equal quarterly payments beginning in September.

If you have any questions or need additional information, please contact me at (804) 225-4466.

Sincerely,

John Leonard
Urban Programs Manager
Local Assistance Division



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Genevieve Lohr

RE: **Consideration of the appropriation of the FY23 Gun Violence Intervention Program Grant for \$189,809 - 1st reading (Page 39)**

PURPOSE: To consider the appropriation of the FY23 Gun Violence Intervention Program Grant for \$189,809 - 1st read

REASON: These are the funds awarded to the City of Petersburg Police Department and issued by the Commonwealth of Virginia Department of Criminal Justice Services.

RECOMMENDATION: Recommend that Council approve the appropriation ordinance of the FY23 Gun Violence Intervention Grant for \$189,809.

BACKGROUND: The City of Petersburg has been awarded a grant from the Commonwealth of Virginia Department of Criminal Justice Services for the FY23 Gun Violence Intervention Grant in the amount of \$189,809.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: \$189,809

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City of Petersburg Police Department

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Gun Violence Intervention Grant

**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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2024.

Previously adopted	\$0.00
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ADD: 2023 Gun Violence Intervention Grant	<u>\$189,809</u>
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Total Revenues	<u>\$189,809</u>
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II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2022, and ending June 30, 2024, the following sums for the purposes mentioned:

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

ADD: Other Operating Supplies	<u>\$189,809</u>
--------------------------------------	-------------------------

Total Expenses	<u>\$189,809</u>
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City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Brian Moore

RE: **A public hearing on July 19, 2022 for the consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Terry and Cynthia Bradshaw towards the sale of City-owned property at 2902 Nivram Road, parcel ID 080060011 (Page 41)**

PURPOSE: A public hearing on July 19, 2022 for the consideration of an Ordinance authorizing the Interim City Manager to execute a purchase agreement between the City of Petersburg and Terry and Cynthia Bradshaw towards the sale of City-owned property at 2902 Nivram Road, parcel ID 080060011.

REASON: To consider an Ordinance authorizing the Interim City Manager to execute a purchase agreement between the City of Petersburg and Terry and Cynthia Bradshaw towards the sale of City-owned property at 2902 Nivram Road, parcel ID 080060011

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves the Ordinance authorizing the Interim City Manager to execute a purchase agreement between the City of Petersburg and Terry and Cynthia Bradshaw towards the sale of City-owned property at 2902 Nivram Road, parcel ID 080060011.

BACKGROUND: The Department of Economic Development received a proposal from Terry and Cynthia Bradshaw to purchase City-owned property located at 2902 Nivram Road which is currently a vacant residential home. The proposed use is to remodel the home for occupancy by their son when he graduates from college in the spring of 2023.

The proposed purchase price for the parcel is \$36,650 which is 50% of the assessed value, \$73,300. The purchaser will also pay all applicable closing cost. Terry and Cynthia Bradshaw has provided financial documentation supporting his ability to purchase the property.

This proposal is in compliance with the Guidelines for the City's Disposition of City Real Estate Property, Zoning, and the City's Comprehensive Land Use Plan

Property Information

The zoning of the parcel at 2902 Nivram Road is zoned R-1A, Residential

Address: 2902 Nivram Road
Tax Map ID: 080-060011
Zoning: R-1A

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: 7/5/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Nivram Road
2. 2902 Nivram Map
3. Simple invoice1
4. Purchase Agreement
5. Ordinance

Proposal to Purchase City-Owned Property



Purchaser									
Project Name	2902 Nivram Road								
Property Address	2902 Nivram Road								
Parcel Number	80060011								
Year Constructed									
Project Developer	Terry and Cynthia Bradshaw								
Contact Name									
Address	7970 Leland Drive								
	Prince George VA								
Email	cbrad68@outlook.com								
Experience/Qualifications									
Development Description	remodel of home for occupancy by son								
Offered Purchase Price	\$36,650			Construction Costs	\$		31,000.00		
				Total Investment	\$		67,650.00		
Description of Financing (%)	cash								
Community Benefit	Increased neighboring property values, visually appealing addition to neighborhood								
Due Diligence Period (days)	120 days								
Construction Start Date					Completion Date				
Number of Projected Jobs	Temp/Const. Jobs				Permanent Jobs				
Average Wage									
Contingencies									
City Assessment									
Outstanding Obligations									
Proposed Land Use	Residential Lot			Yes	No				
Comp Plan Land Use				Conformance	Yes				
Zoning	R-1A			Conformance	Yes				
Enterprise Zone	No				Yes				
Rehab/Abatement	Yes								
New Construction	No								
Historic District									
Assessed Value	\$		73,300.00		Appraised Value	\$		-	
City Revenue from Sale	\$		(36,650.00)						
Projected Tax Revenue	Abatement		Year 1		Year 5		Year 20		
Real Estate Tax	\$	-	\$	989.55	\$	4,947.75	\$	18,646.88	
Personal Property Tax	\$	-	\$	-	\$	-	\$	-	
Machinery and Tools Tax	\$	-	\$	-	\$	-	\$	-	
Sales and Use Tax	\$	-	\$	-	\$	-	\$	-	
Business License Fee	\$	-	\$	-	\$	-	\$	-	
Lodging Tax	\$	-	\$	-	\$	-	\$	-	
Meals Tax	\$	-	\$	-	\$	-	\$	-	
Other Taxes or Fees	\$	-	\$	-	\$	-	\$	-	
Total	\$	-	\$	989.55	\$	4,947.75	\$	18,646.88	
Total Tax Revenue			\$	989.55	\$	4,947.75	\$	18,646.88	
Waivers & Other Costs to the City			\$	-	\$	-	\$	-	
City ROI (Revenue - Cost)	\$	-	\$	989.55	\$	4,947.75	\$	18,646.88	
Staff Recommendation									
Last Use Public					Comm. Review Date				
Council Decision					Council Review Date				
Disposition Ord #					Ord Date				



Petersburg, Virginia

Parcel: 080060011

Summary

Owner Name	CITY OF PETERSBURG	National Historic District:	
Owner Mailing Address	135 N. Union St Petersburg , VA 23803	Enterprise Zone:	
Property Use	151	Opportunity Zone:	
State Class:	7 Exempt Local	VA Senate District:	16
Zoning:	R-1A	Va House District:	63
Property Address	2902 NIVRAM RD Petersburg , VA	Congressional District:	4
Legal Acreage:	.344	City Ward:	3
Legal Description:	LOT 90-91-92 BK G BATTLEFIELD PK	Polling Place:	Petersburg High School Gymnasium
Subdivision:	Battlefield Park	Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8111
Local Historic District:		Elementary School:	Walnut Hill
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):	2,068	Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	1
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	100%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	4/14/2000	\$52,900	635/339

Assessments

Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$19,000	\$19,000	\$19,000	\$19,000	\$19,000
Improvement Value	\$54,300	\$54,300	\$54,300	\$54,300	\$86,400
Total Value	\$73,300	\$73,300	\$73,300	\$73,300	\$105,400

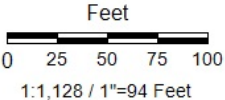
Property Tax (Coming Soon)

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as County of Petersburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Petersburg, Virginia

Legend

- County Boundaries
- Parcels



Parcel #: 080060011

Date: 6/8/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

Company Name

RICKY HARRIS

Name: Ricky Harris

Ricky
Harris67@yahoo.com

1909 zinzer rd Hampton Va 23663

cell: 804-3669084

Terry& Cynthia

Address:

Invoice For: 2902 Nivram rd Petesburg : Home
improvement

Item #	Description	Price
shingles/wood	Roof Replacement	\$8,000
wood/ supplies	Carport	\$2,000
Bick and supplies	Brick Repair	\$1,700
	Siding Replacement	\$1,100
Windows	window Replacement	\$1,100
supplies	floor repair	\$600
supplies	Wall& ceiling	\$800
supplies	Bathroom repair	\$600
supplies	Kitchen repair	\$400
	door replacment	\$400

Item #	Description	Price
	[Price])Material cost \$16,700.00	
		\$275
		Labor \$14,110.00
		Total cost \$31,085
Make all checks payable to Company Name. Total due in <#> days. Overdue accounts subject to a service charge of <#>% per month.		

REAL ESTATE PURCHASE AGREEMENT

Assessed Value: \$73,300

Consideration: \$36,650

Tax Map No.: 080060011

This Real Estate Purchase Agreement (the "Agreement") is dated July 19, 2022, between the CITY OF PETERSBURG, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as "Seller" and party of the first part, Terry and Cynthia Bradshaw, hereinafter referred to as "Purchaser", and party of the second part, and Pender & Coward (the "Escrow Agent") and recites and provides the following:

RECITALS:

The Seller owns certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Petersburg, Virginia, commonly known as: 2902 Nivram Road, Petersburg VA 23803; Tax Map Number 080060011 (Property).

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

1. **Sale and Purchase:** Subject to the terms and conditions hereof, Seller shall sell and Purchaser shall purchase, the Property. The last date upon which this Agreement is executed shall be hereinafter referred to as the "Effective Date".
2. **Purchase Price:** The purchase price for the Property is thirty six thousand six hundred fifty dollars (\$36,650) (the "Purchase Price"). The Purchase Price shall be payable all in cash by wired transfer or immediately available funds at Closing.
3. **Deposit:** Purchaser shall pay ten percent (10%) of the Purchase Price, three thousand six hundred sixty five dollars (\$3,665), (the "Deposit") within fifteen (15) business days of the Effective Date to the Escrow Agent which shall be held and disbursed pursuant to the terms of this Agreement.
4. **Closing:** Closing shall take place on or before ninety (90) calendar days after the completion of the Due Diligence Period described in Section 5. Purchaser may close on the Property prior to completion of the Due Diligence Period with reasonable advance notice to Seller. At Closing, Seller shall convey to Purchaser, by Deed Without Warranty, good and marketable title to the Property in fee simple, subject to any and all easements, covenants, and restrictions of record and affecting the Property and current taxes.

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

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

Purchaser shall be responsible for paying all closing costs associated with this purchase including but not limited to the real estate commission, Seller's attorney fees, applicable Grantor's tax and the cost associated with the preparation of the deed and other Seller's documents required hereunder. All closing costs shall be paid by the Purchaser.

- a. At or before the extinguishing of the Due Diligence Period, the Purchaser shall draft a Development Agreement in conformance with the proposal presented to City Council on July 19, 2022. Such proposal shall be reviewed by the City to determine its feasibility and consistency with the original proposal made on July 19, 2022. Approval and execution of the Development Agreement shall not be unreasonably withheld by either party, and execution of the Development Agreement by all parties shall be a condition precedent to closing on the property. The Development Agreement shall be recorded by reference in the deed of conveyance to the Property which shall include reverter to the City in the event that the Developer fails to comply with the terms of the Development Agreement.
- b. During the Due Diligence Period, the Purchaser and any of their paid or voluntary associates and/or contractors must agree to sign a 'Hold Harmless Agreement' prior to entering vacant property located at (Property). This agreement stipulates that to the fullest extent permitted by law, to defend (including attorney's fees), pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees, volunteers, and others working on behalf of the City against any and all claims,

demands, suits or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers, or others working on behalf of the City, by any reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof which arise out of or is in any way connected or associated with entering the vacant property located at (Property).

6. Termination Prior to Conclusion of Due Diligence Phase:

- a. If Purchaser determines that the project is not feasible during the Due Diligence Period, then, after written notice by Purchaser delivered to Seller, ninety percent (90%) of the Purchase Price shall be returned to the Purchaser and ten percent (10%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent and the Purchaser waives any rights or remedies it may have at law or in equity.
- b. If during the Due Diligence phase Seller determines that Purchaser does not possess sufficient resources to complete the Development Agreement, then ninety percent (90%) of the Purchase Price shall be returned to the Purchaser and ten percent (10%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent.
- c. If the parties are unable to agree on the terms of the Development Agreement as required by paragraph 5(a) of this Agreement after good faith efforts by the parties, then ninety percent (90%) of the Purchase Price shall be returned to the Purchaser and ten percent (10%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent. If either party fails to exercise good faith in the efforts to reach a Development Agreement, then the other party shall be entitled to one hundred percent (100%) of the Deposit.

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

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

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

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

8. Purchaser's Representations and Warranties:

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

9. **Condition of the Property:** Purchaser acknowledges that, except as otherwise set forth herein, the Property is being sold "AS IS, WHERE IS AND WITH ALL FAULTS", and Purchaser has inspected the Property and determined whether or not the Property is suitable for Purchaser's use. Seller makes no warranties or representations regarding the condition of the Property, including without limitation, the improvements constituting a portion of the Property or the systems therein.
10. **Insurance and Indemnification:** Purchaser shall indemnify Seller from any loss, damage or expense (including reasonable attorney's fees and costs) resulting from Purchaser's use of, entry upon, or inspection of the Property during the Due Diligence Period. This indemnity shall survive any termination of this Agreement. Notwithstanding any other provision of this Agreement, Purchaser's entry upon the subject property and exercise of due diligence is performed at Purchaser's sole risk. Purchaser assumes the risk and shall be solely responsible for any injuries

to Purchaser, its employees, agents, assigns and third parties who may be injured or suffer damages arising from Purchaser's entry upon the property and the exercise of Purchaser's due diligence pursuant to this Agreement.

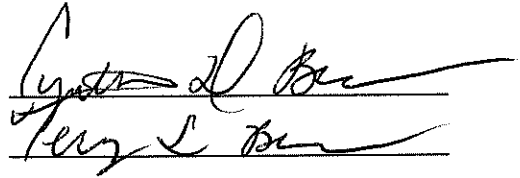
11. **Escrow Agent:** Escrow Agent shall hold and disburse the Deposit in accordance with the terms and provisions of this Agreement. In the event of doubt as to its duties or liabilities under the provisions of this Agreement, the Escrow Agent may, in its sole discretion, continue to hold the monies that are the subject of this escrow until the parties mutually agree to the disbursement thereof, or until a judgment of a court of competent jurisdiction shall determine the rights of the parties thereto. In the event of any suit where Escrow Agent interpleads the Deposit, the Escrow Agent shall be entitled to recover a reasonable attorney's fee and cost incurred, said fees and cost to be charged and assessed as court costs in favor of the prevailing party. All parties agree that the Escrow Agent shall not be liable to any party or person whomsoever for mis-delivery to Purchaser or Seller of the Deposits, unless such mis-delivery shall be due to willful breach of this Agreement or gross negligence on the part of the Escrow Agent. The Escrow Agent shall not be liable or responsible for loss of the Deposits (or any part thereof) or delay in disbursement of the Deposits (or any part thereof) occasioned by the insolvency of any financial institution unto which the Deposits is placed by the Escrow Agent or the assumption of management, control, or operation of such financial institution by any government entity.
12. **Risk of Loss:** All risk of loss or damage to the Property by fire, windstorm, casualty or other cause is assumed by Seller until Closing. In the event of a loss or damage to the Property or any portion thereof before Closing, Purchaser shall have the option of either (a) terminating this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall then be deemed null and void and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party, or (b) affirming this Agreement, in which event Seller shall assign to Purchaser all of Seller's rights under any applicable policy or policies of insurance and pay over to Purchaser any sums received as a result of such loss or damage. Seller agrees to exercise reasonable and ordinary care in the maintenance and upkeep of the Property between the Effective Date and Closing. Purchaser and its representatives shall have the right to make an inspection at any reasonable time during the Due Diligence Period or prior to Closing.
13. **Condemnation:** If, prior to Closing, all of any part of the Property shall be condemned by governmental or other lawful authority, Purchaser shall have the right to (1) complete the purchase, in which event all condemnation proceeds or claims thereof shall be assigned to Purchaser, or (2) terminate this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall be terminated, and this Agreement shall be deemed null and void and none of the parties hereto shall then have any obligation to any other party hereto or to any third party, except as otherwise provided in this Agreement.
14. **Notices:** All notices and demands which, under the terms of this Agreement must or may be given by the parties hereto shall be delivered in person or sent by Federal Express or other comparable overnight courier, or certified mail, postage prepaid, return receipt requested, to the respective hereto as follows:

SELLER:

The City of Petersburg
Kenneth Miller
Interim City Manager
135 North Union Street
Petersburg, VA 23803

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

PURCHASER:



COPY TO:

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

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

16. **Assignment; Successors:** This Agreement may not be transferred or assigned without the prior written consent of both parties. In the event such transfer or assignment is consented to, this Agreement shall inure to the benefit of and bind the parties hereto and their respective successors and assigns.
17. **Counterparts:** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one of the same instrument.
18. **Survival:** All of the representations, warranties, covenants and agreements made in or pursuant to this Agreement made by Seller shall survive the Closing and shall not merge into the Deed or any other document or instrument executed and delivered in connection herewith.
19. **Captions and Counterparts:** The captions and paragraph headings contained herein are for convenience only and shall not be used in construing or enforcing any of the provisions of this Agreement.
20. **Governing Law; Venue:** This Agreement and all documents and instruments referred to herein shall be governed by, and shall be construed according to, the laws of the Commonwealth of Virginia. Any dispute arising out of performance or non-performance of any term of this Agreement shall be brought in the Circuit Court for the City of Petersburg, Virginia.
21. **Entire Agreement:** This Agreement contains the entire agreement between Seller and Purchaser, and there are no other terms, conditions, promises, undertakings, statements or representations, expressed or implied, concerning the sale contemplated by this Agreement. Any and all prior or subsequent agreements regarding the matters recited herein are hereby declared to be null and void unless reduced to a written addendum to this Agreement signed by all parties in accordance with Section 16.
22. **Copy or Facsimile:** Purchaser and Seller agree that a copy or facsimile transmission of any original document shall have the same effect as an original.
23. **Days:** Any reference herein to "day" or "days" shall refer to calendar days unless otherwise specified. If the date of Closing or the date for delivery of a notice or performance of some other obligation of a party falls on a Saturday, Sunday or legal holiday in the Commonwealth of Virginia, then the date for Closing or such notice of performance shall be postponed until the next business day.
24. **Title Protection:** Deed to this property is conveyed without warranty. During the due diligence period, purchaser may research title issues associated with the property and may purchase title insurance at his own expense or terminate the agreement in accordance with the provisions of this contract in the event that issues regarding title are discovered.

25. **Development Agreement:** A Development agreement detailing the development scope, budget, funding, schedule and any other agreed upon performance requirements of the Developer will be executed prior to the transfer of the deed for the property.
26. **Reversion Provision:** The deed of conveyance to this property shall contain a provision that this property will revert back to the City if performance requirements are not met by the Developer within the time period specified in the Development Agreement (March 2022) upon Notice of Breach to Developer and failure to timely cure.
27. **Compliance with Zoning, land use and Development requirements:** Execution of this document shall not be construed to affect in any way the obligation of the purchaser to comply with all legal requirements pertaining to zoning, land use, and other applicable laws.

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

PURCHASER: Cynthia Bernstein

By: _____,

Title: _____

Date: 6-2-2022

SELLER:

The City of Petersburg, Virginia

By: _____, Kenneth Miller

Title: Interim City Manager

Date: _____

ESCROW AGENT:

By: _____,

Title: _____

Date: _____

Approved as to form:

Date: _____

By: _____, Anthony Williams

Title: City Attorney

ORDINANCE

An Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Terry and Cynthia Bradshaw towards the sale of City-owned property at 2902 Nivram Road, parcel ID 080-060011

WHEREAS, the City of Petersburg has received a proposal from Terry and Cynthia Bradshaw to purchase the City-owned property at 2902 Nivram Road, Parcel ID: 080060011; and,

WHEREAS, the conveyance of this property shall be contingent upon the subsequent submission of a Development Agreement by Terry and Cynthia Bradshaw in accordance with the terms of the Purchase Agreement which Development Agreement must be approved by City Council by Resolution at its sole discretion within the due diligence period as outlined in the Purchase Agreement; and

WHEREAS, Terry and Cynthia Bradshaw proposes to remodel the vacant residential home for occupancy by their son; and

WHEREAS, the potential benefits to the City include a reduction in the number of City-owned lots to be maintained and an inclusion of the property on the City's list of taxable properties; and

WHEREAS, in accordance with applicable legal requirements, a public hearing was held prior to consideration of an ordinance authorizing the sale of City-owned property on July 19, 2022; and

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby approves the ordinance authorizing the City Manager to execute a Purchase Agreement with Terry and Cynthia Bradshaw toward the sale of City-owned property at 2902 Nivram Road.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Stacey Jordan

RE: **A Public Hearing for consideration and to adopt the PY2022/FY2023 funding recommendations from the Community Development Block Grant (CDBG) Advisory Board. (Page 59)**

PURPOSE: A Public Hearing for consideration and to adopt the PY2022/FY2023 funding recommendations from the Community Development Block Grant (CDBG) Advisory Board

REASON: To comply with applicable procedures and laws regarding the consideration of CDBG funding allocations.

RECOMMENDATION: It is recommended that City Council approve the action plan and recommendations of the Community Development Block Grant (CDBG) Advisory Board

BACKGROUND: The City of Petersburg receives funding from the U.S. Department of Housing and Urban Development (HUD) through Community Development Block Grant (CDBG) program.

COST TO CITY:

BUDGETED ITEM: CDBG Funding

REVENUE TO CITY: \$583,253

CITY COUNCIL HEARING DATE: 7/19/2022

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

AFFECTED AGENCIES: Finance and Subrecipients approved for funding

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Associated Action Plan 2022
2. PY22 FY23 CDBG Ordinance

Executive Summary

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

1. Introduction

The City of Petersburg's goals continue to be the provision of housing opportunities, the revitalization of commercial areas and residential neighborhoods, the promotion of private investment and job creation and the development of communities through the provision of services to address needs.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items, or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis, or the strategic plan.

In 2022-2023, the City will strive to achieve goals through the following associated objectives: repair 23 homes through home repair services of subrecipients; Project Homes and Rebuilding Together to promote neighborhood revitalization; serve 100 individuals through the meals, clothing, and utility assistance programs of Downtown Churches United; serve 500 youth through the YMCA development programs to support youth and families.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The city experienced severe disinvestment over a long period. The City has budgeted 15% of its funds to support social service providers due to the extreme demand for services. However, the needs continue. The City has provided support to the Public Housing Authority and promotes infill residential development, however, needs for housing opportunities including those for low- and moderate-income families continue. Despite new businesses, the City's unemployment level continues to exceed State and National averages. The city seeks to promote additional residential and commercial development, private investment, and job creation.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City provides web-based information related to how to submit a proposal for the use of CDBG funds and a public hearing at the beginning of the process was conducted. The city works with a Citizen

Advisory Board in developing program recommendations. A public hearing is conducted when the city adopts the final funding for programs.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Public comments received during public hearings and a voicemail call in line, support the programs proposed in the Consolidated Plan.

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

There were no comments or views that were not accepted.

7. Summary

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	PETERSBURG	Department of Finance

Table 1 – Responsible Agencies

Narrative (optional)

The Department of Finance is the responsible entity for the administration of the City of Petersburg Community Development Block Grant (CDBG) program. The Department is responsible for all reports to HUD and the preparation of each Annual Action Plan. The CDBG Program is managed and coordinated through subrecipient agreements with non-profit organizations, City Departments, and other agencies to carry out CDBG funded public projects. The CDBG Program is also responsible for the management of the City's information input into the IDIS system and the Department coordinates with the City's Department of Finance for program accounting, drawdowns, reporting, and fiscal management.

Consolidated Plan Public Contact Information

CDBG Coordinator, Kimberly Robinson, 125 N Union Street, Petersburg, Virginia, 23803, (804) 203-4639.

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

The City of Petersburg, Virginia is engaged on an ongoing basis in consultation with federal, state, and local agencies, along with private and non-profit service providers related to community development needs assessments, program design and strategy development and implementation to address the diverse needs of the community.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health, and service agencies (91.215(I))

Petersburg maintains an ongoing consultation and planning process for the determination of needs and exploration of alternative strategies. The planning process begins with a public hearing on needs. Staff also maintains an open-door policy for individuals and organizations with an interest in addressing community development needs. They are encouraged to submit applications for funding and Staff provides technical assistance. Staff meets with the Citizen Advisory Board to consider needs then applications are reviewed by the Citizen Advisory Board and recommendations are provide to the City Council for funding allocations. Staff maintains continuous dialogue with housing service providers and continues to establish and cultivate relationships with service providers on an ongoing basis.

2. Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdiction’s consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Project Homes
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The organization was contacted via email and telephone. The outcome was they provided quantity, location, and population information regarding housing repair needs in the city. The also provided information regarding the cost of the repairs.
2	Agency/Group/Organization	Rebuilding Together
	Agency/Group/Organization Type	Rehabilitation Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless Other government - Local

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The organization was contacted via email and telephone. The outcome was they provided quantity, location, and population information regarding housing repair needs in the city. The also provided information regarding the cost of the repairs.

Identify any Agency Types not consulted and provide rationale for not consulting

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Crater Area Consortium on Homelessness	

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal setting

The Citizen Participation Plan is required of Entitlement jurisdictions participating in the federal CDBG program. The City seeks to encourage the public and interested parties to participate in the development of CDBG plans and to provide the public the opportunity to comment on community development needs and the City's performance, as provided in 24CFR Part 91.105.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Minorities Persons with disabilities non-targeted/broad community Residents of Public and Assisted Housing	None	None	None	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Internet Outreach	Minorities Persons with disabilities non-targeted/broad community Residents of Public and Assisted Housing	None	None	None	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c) (1,2)

Introduction

Petersburg will use its entitlement allocation of \$583,253 for the 2022 project year.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Admin Dept of Finance, Housing Repair, Public Facilities, Public Services	583,253	0	0	583,253	0	represents current funding level

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied

There are no matching requirements for the CDBG Program. However, many of the projects funded with CDBG funds include funds from other sources, including federal, State, and local funds, in addition to private resources. Typically, most projects bring significant contributions from other sources.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Discussion

- Projects Homes is an ongoing activity the city supports annually for the repairs of owner-occupied homes.
- The City of Petersburg had a decrease in entitlement funds for the 2022 project year.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Economic Development	2015	2019	Non-Homeless Special Needs Non-Housing Community Development	City Service Area	Residential Rehabilitation	CDBG: \$163,800	Homeowner Housing Rehabilitated: 17 Household Housing Unit
2	Enhance Neighborhood and Improve Housing	2015	2019	Affordable Housing Public Housing	City Service Area	Public Improvement	CDBG: \$275,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted
3	Good Governance and Public Services	2015	2019	Non-Homeless Special Needs Non-Housing Community Development	City Service Area	Public Facilities	CDBG: \$75,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 32000 Persons Assisted
4	Preservation of History, Culture, & Public Fac.	2015	2019	Non-Housing Community Development	City Service Area	Public Services	CDBG: \$65,000	Public service activities other than Low/Moderate Income Housing Benefit: 2000 Persons Assisted

Table 6 – Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Economic Development	2020	2024	Non-Homeless Special Needs Non-Housing Community Development	City Service Area	Public Facilities Public Improvement Public Services	CDBG: \$10,000	Public service activities other than Low/Moderate Income Housing Benefit: 150 Persons Assisted Businesses assisted: 10 Businesses Assisted
2	Enhance Neighborhood and Improve Housing	2020	2024	Affordable Housing Public Housing	City Service Area	Residential Rehabilitation	CDBG: \$325,000	Homeowner Housing Rehabilitated: 20 Household Housing Unit Jobs created/retained: 4 Jobs Housing Code Enforcement/Foreclosed Property Care: 350 Household Housing Unit

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Good Governance and Public Services	2020	2024	Non-Homeless Special Needs Non-Housing Community Development	City Service Area	Public Improvement Public Services	CDBG: \$243,330	<p>Public service activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted</p> <p>Public service activities for Low/Moderate Income Housing Benefit: 200 Households Assisted</p> <p>Overnight/Emergency Shelter/Transitional Housing Beds added: 300 Beds</p> <p>Jobs created/retained: 3 Jobs</p>
4	Preservation of History, Culture,& Public Fac.	2020	2024	Non-Housing Community Development	City Service Area	Public Facilities	CDBG: \$300,000	<p>Public service activities other than Low/Moderate Income Housing Benefit: 750 Persons Assisted</p> <p>Jobs created/retained: 1 Jobs</p> <p>Businesses assisted: 10 Businesses Assisted</p>

Goal Descriptions

1	Goal Name	Economic Development
	Goal Description	Provides for the repair of homes owned by low-income families.
2	Goal Name	Enhance Neighborhood and Improve Housing
	Goal Description	Provides for expansion or improvements to public housing for low-income areas.
3	Goal Name	Good Governance and Public Services
	Goal Description	Provide for improvements to public facilities serving low-income service areas.
4	Goal Name	Preservation of History, Culture, and Public Facilities
	Goal Description	Provides for public services to low-income families and individuals, including elderly, homeless, poor, those with HIV/AIDS, others.

Projects

AP-35 Projects – 91.220(d)

Introduction

There are seven projects; two of these are public service projects, three are relative to home repair, one is administrative/planning, and one is a public facility project.

Projects

#	Project Name
1	City of Petersburg CDBG Program- Administration
2	Downtown Churches United
3	YMCA
4	McKenney Foundation
5	Project Homes
6	Rebuilding Together
7	Tri-Cities Habitat for Humanity

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The priorities were established by the City Council and include 1) public improvements and housing, 2) public facilities 3) planning and 4) public services. The priorities are designed to support the City's Strategic Plan. The obstacle to addressing underserved needs is the lack of money.

AP-38 Project Summary
Project Summary Information

1	Project Name	City of Petersburg CDBG Program- Administration
	Target Area	City Service Area
	Goals Supported	Economic Development Enhance Neighborhood and Improve Housing Good Governance and Public Services Preservation of History, Culture, & Public Facilities
	Needs Addressed	Public Improvement, Residential Rehabilitation, Public Services, Public Facilities
	Funding	\$116,650
	Description	Provide administrative support for the City of Petersburg CDBG program
	Target Date	06/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	LMI families and citizens of the City of Petersburg, VA.
	Location Description	City of Petersburg Department of Finance 125 N Union Street, Petersburg, VA 23803
	Planned Activities	Administrative support for the city of Petersburg CDBG Program.
2	Project Name	Downtown Churches United, Inc.
	Target Area	City Service Area
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	\$25,000
	Description	Provide meals to low-income individuals and families and provide meal assistance through a food pantry
	Target Date	06/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
3	Project Name	YMCA of Petersburg
	Target Area	City Service Area
	Goals Supported	Good Governance and Public Services
	Needs Addressed	Public Services

	Funding	\$35,000
	Description	Public Service - Youth Programs for summer, after school, and out-of-school time.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Estimated 500 LMI school age you and their families.
	Location Description	YMCA of Greater Petersburg 120 N. Madison Street Petersburg, VA 23803
	Planned Activities	Youth Programs for summer, after school, and out-of-school time.
4	Project Name	McKenney Foundation
	Target Area	City Service Area
	Goals Supported	Preservation of History, Culture, & Public Facilities
	Needs Addressed	Public Facilities
	Funding	\$185,172
	Description	Repurpose the former McKenney Library Building to an African American Museum and Archive to provide activities that benefit low- and moderate-income residents
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	15,000 low-income families, including the children and elderly
	Location Description	McKenney Library 137 South Sycamore Petersburg, VA 2380
	Planned Activities	Provides for the rehabilitation of a historic building as a public facility serving the low-income service area of the City of Petersburg, Virginia.
5	Project Name	Project Homes, Inc.
	Target Area	City Service Area
	Goals Supported	Residential Repairs
	Needs Addressed	Residential Repairs
	Funding	\$113,931
	Description	Provides repairs to homes owned by low-income families.
	Target Date	06/30/2023

	Estimate the number and type of families that will benefit from the proposed activities	37 low-income families, 15 homes repaired
	Location Description	Not yet determined.
	Planned Activities	Repair of homes, including repair or replacement of roofs, heating and cooling systems, water systems, structural repairs, and others.
6	Project Name	Rebuilding Together
	Target Area	City Service Area
	Goals Supported	Residential Repairs
	Needs Addressed	Residential Repairs
	Funding	\$100,000
	Description	Provides for repairs to homes owned by low-income families.
	Target Date	06/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	8 homes repaired, 8 local contractors
	Location Description	Not yet determined.
	Planned Activities	Repairs to homes owned by low-income families, including roof repairs and exterior structural and safety needs.
7	Project Name	Tri-Cities Habitat for Humanity
	Target Area	City Service Area
	Goals Supported	Residential Repairs
	Needs Addressed	Residential Repairs
	Funding	\$7,500
	Description	Provides for repairs to residence damaged by fire
	Target Date	06/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	1 family
	Location Description	1249 Hilton Place, Petersburg, VA 23803
	Planned Activities	Repair to residence damaged by porch fire

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

All census tracts except for three are low or moderate income. The City in its entirety is eligible on a service area basis. Public improvements are located in low-income block groups. Eligibility for residential repairs is determined on an individual household basis. Public services programs are served on a limited clientele basis. Petersburg's population is 77.8% African American and every census tract and the city in its entirety is an area of minority concentration.

Geographic Distribution

Target Area	Percentage of Funds
City Service Area	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Petersburg is a small City of some 32,538 persons and has the lowest household incomes in the area. The entire City is an area of need. The entire City serves as a service area for service programs. The city seeks to support its revitalization strategy through priorities adopted by the City Council. As noted, public improvements are eligible based on block group data. However, only three census tracts, 8110/8111/ and 8112, are middle income. All others are low/moderate income areas. Based on individual household income eligibility, residential rehabilitation can be located anywhere.

Discussion

Most of Petersburg is eligible on an area basis and on a service area basis.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

Petersburg is a participant in the Capital Area Coalition on Homelessness (CACH), Continuum of Care. Petersburg has a system in place for the delivery of emergency shelter for women and children, post emergency shelter for women and children and supportive services for men, woman, and children. The Freedom Support Center for Veterans seeks to identify and serve veterans, and their families, in need of housing and services. The city lacks a Single Room Occupancy facility for men and related program and lacks a permanent transitional housing facility for women and children.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Petersburg participates in the Continuum of Care, which conducts the annual one-time count. in addition, many and diverse agencies identify needs of the homeless and those threatened with homelessness. Petersburg expects to continue to serve some hungry and homeless citizens through Downtown Churches, United.

Addressing the emergency shelter and transitional housing needs of homeless persons

Petersburg has an established Emergency and Transitional Housing program through an Emergency and post shelter program through CARES Inc.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Petersburg has a system for delivery of shelter, post shelter, and transitional housing and related services designed to provide emergency shelter to women with children, post emergency shelter to women and children and related program services to address the unique needs of the individuals and family. Service agencies participate in Rapid Rehousing, but also appreciate the need for transitional housing needs. Services designed to prepare the individuals and or family for self-sufficiency are offered by an array of agencies including Social Services, Freedom Support Center for Veterans, HOPE Center,

CARES Inc., Salvation Army, and many others.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Petersburg has the lowest household incomes in the region. Accordingly, the need for affordable housing is significant. Petersburg long range revitalization strategy is stabilization and enhancement of the residential environments and

Discussion

Petersburg receives some \$583,253 from the CDBG Program. Administrative costs are budgeted at some \$116,650. While the City has funded program operations for the CARES Inc, the City Council priorities rank public service programs 4th, which is last position for CDBG funding.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Petersburg has not identified public policies that inhibit the provision of affordable housing, to the contrary public policies in the City promote investment, development and safety, health and welfare of its citizens and businesses.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In the past many localities engaged in strategies to enhance the tax base through such practices as large lot zoning. As examples, rural jurisdictions experienced a migration of lower income families to urban centers in search of work, but the larger lot zoning had the effect of limiting the replacement of affordable housing as the old housing stock was lost. Some localities, experiencing rising costs for infrastructure and schools with housing growth, adopted cash proffers to be paid by the developers to the locality to defray the costs, but increasing housing costs and decreasing affordability. Petersburg has not experienced these impediments.

Petersburg's current zoning ordinance dates to 1971 and offers many opportunities for the development of affordable housing.

There are no requirements that prevent or exclude individuals from building or providing affordable housing. The lot size requirements in the residential zoning district are comparable to that of other localities and is not of a size that makes it impossible for individuals of limited resources to acquire and build upon.

There are no cash proffers required for new construction or rehabilitation projects that provide housing units. The development of housing units is also permitted in many of our commercial zoning districts; which is unique from many other localities where you are restricted to residentially zoned districts or mixed-use zoning districts; however, in the City of Petersburg residential units are permitted in most commercial districts without the necessity of commercial use.

The zoning ordinance in its imposition of requirements does not mandate or control whether the housing units are rental or owner-occupied. In addition, regulations imposed on housing units in the historic district do not impede individuals of limited resources from occupying the units. The zoning ordinance has provisions that allow for protective maintenance of housing that is in a historic district. This section of the ordinance requires that the building inspector and zoning administrator, to the extent that their power permit shall honor requests made. Furthermore, the City of Petersburg does not require a fee for review and approval of exterior changes to residential units located in a historic district.

There is a level of review by an Architectural Review Board (ARB) for any exterior changes or repairs. No review is required by the local ARB for interior alterations. Nonetheless, the approvals granted by the ARB are based on what an applicant is proposing to do. This can vary from in-kind replacement or a change in the material at the request of an applicant.

The City of Petersburg offers a wide variety of housing style and no one residential or commercial district where residential units are permitted dictates a design standard for the units.

The zoning ordinance in the City of Petersburg does not impede affordable housing opportunities in fact it promotes and encourages the development of residential units, by its generic imposition of requirements on these types of developments.

It is Petersburg's goal to have a diverse community with job and housing opportunities for all its residents. This will require a commitment to a balanced revitalization and development strategy. The city enjoys a rich history and architecture. Historic preservation is an integral component of its revitalization strategy. While reinvestment in the city is mandatory for its revitalization, there is a need to seek and maintain a balance in the City's housing planning efforts going forward.

Discussion:

Petersburg does not believe that it has policies that serve as barriers to affordable housing. The primary barriers to affordable housing include the lack of income by Petersburg residents and the limited resources for housing programs. Petersburg has the lowest household incomes in the surrounding area. Twenty five percent of its 16,325 housing units are vacant. The rental vacancy rate is 33.7%.

AP-85 Other Actions – 91.220(k)

Introduction:

Petersburg has the lowest household incomes of any jurisdiction in the area. There is a need for job opportunities. There is also a need for the rehabilitation of existing housing and new construction. Resources are extremely limited. The city does not have resources for the needs. With up to 4,000 vacant units, the CDBG allocation would provide for the rehabilitation of some twenty homes. Petersburg is not eligible for participation in the HOME Program. The City provides CDBG funds for the repair of some fifteen homes annually. The city is also planning for the construction of new homes for sale and the construction of market rate apartments in the Canal Street corridor. The recovering housing market continues to be seen as an impediment to the sale of homes for both the market rate and subsidized markets.

Actions planned to address obstacles to meeting underserved needs

Petersburg is committed to a revitalization effort for the stabilization and enhancement of residential and commercial environments and the promotion of investment and the creation of jobs. As an example, the City has adopted priorities for the use of CDBG funds to support the strategy. These priorities give preference to infrastructure, housing, public facilities, planning, and lastly, public services. The city actively pursues opportunities for funding to support its housing activities, and to attract investors to develop affordable apartments. Through its CDBG investments, it seeks to support private sector investment in housing opportunities. The revitalization efforts seek to promote residential and commercial investments such as apartments and restaurants and to enhance the overall environment as a place to invest, live and work.

Actions planned to foster and maintain affordable housing

Petersburg's revitalization efforts seek the stabilization and enhancement of its residential and commercial environments to promote investment and create jobs. They seek to repair homes owned by low-income individuals and families to stabilize the residential areas and allow the elderly to age in place. It supports mixed income development, including apartments for all market levels, including multi-family apartments for the elderly. They seek to support of its public housing and has supported development of significant numbers of Low-Income Housing Tax Credit apartments.

Actions planned to reduce lead-based paint hazards

Petersburg requires compliance with Lead Based Paint regulations by all its CDBG funded subrecipients.

The city also seeks to reactivate its Lead Based Paint Program.

Actions planned to reduce the number of poverty-level families

Reduction of the number of poverty level families will depend upon the success of the City's revitalization efforts.

Actions planned to develop institutional structure

Petersburg has an impressive institutional structure for service delivery. The city is currently in the process to designate development partners for its priority activities. It seeks to expand its residential rehabilitation programs and to provide additional homeownership opportunities. It has discussed the need for a Single Room Occupancy (SRO) for men and a permanent transitional housing facility for women and children.

Actions planned to enhance coordination between public and private housing and social service agencies

This is an ongoing and multifaceted process. The city will continue to discuss with its service providers gaps in the service delivery system and unmet needs. It will continue its conversations with housing providers, both public and private, to seek opportunities for coordination and partnership. It will continue its coordination with the Petersburg Redevelopment and Housing Authority and the many housing and development CDCs.

Discussion:

Petersburg actively seeks opportunities to pursue its revitalization goals and objectives. It has defined its highest priorities. It has enlisted the assistance of the U.S. Department of Housing and Community Development in pursuing a dialogue with its many stakeholders for the revitalization of the city.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I) (1,2,4)

Introduction:

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

All of Petersburg funds are allocated to benefit low- and moderate-income families.

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2024.

Previously adopted	\$0.00
ADD: PY22/FY23 Community Development Block Grant	<u>\$583,253</u>
Total Revenues	<u>\$583,253</u>

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

Previously adopted	\$0.00
ADD: Downtown Churches United	\$25,000
YMCA	\$35,000
McKenney Foundation	\$185,172
Project Homes	\$114,201
Rebuilding Together	\$100,000
Tri-Cities Habitat for Humanity	\$7,500
CDBG Administration	\$116,650
Total Expenses	<u>\$583,253</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Brian Moore

RE: **Consideration of a resolution approving the development agreement for development of 1544 Halifax Street, Petersburg, Virginia, between the City of Petersburg and Ruffin Enterprises, LLC. (Page 89)**

PURPOSE: To consider the adoption of a Resolution approving the development agreement for development of 1544 Halifax Street Petersburg, Virginia between the city of Petersburg and Ruffin Enterprises LLC.

REASON: This action is necessary to facilitate the process to sell City-owned property at 1544 Halifax Street

RECOMMENDATION: It is recommended that the City Council consider the adoption of a Resolution approving the development agreement for development of 1544 Halifax Street Petersburg, Virginia between the city of Petersburg and Ruffin Enterprises LLC.

BACKGROUND: The City of Petersburg City Council approved an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 1544 Halifax Street on June 21, 2022. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Ruffin Enterprises LLC 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 Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Coastal Virginia Development. 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: 7/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Attorney

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. DevAgreement1544HalifaxStreet
2. 1544HalifaxSTDevelopmentAgreement
3. ruffin p1056 bwl
4. ruffin p1056

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR
DEVELOPMENT OF 1544 HALFIX STREET PETERSBURG, VIRGINIA BETWEEN
THE CITY OF PETERSBURG AND RUFFIN ENTERPRISES LLC**

WHEREAS, The City of Petersburg City Council approved an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 1544 Halifax Street on June 21, 2022; 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 Ruffin Enterprises LLC shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement; 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 Ruffin Enterprise LLC

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.

**DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF VACANT
PROPERTY AT 1544 HALIFAX STREET PETERSBURG, VIRGINIA 23803 AS
RESIDENTIAL DEVELOPMENT**

On this 19th day of July, 2022 came the parties, Ruffin Enterprise LLC ("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 1544 Halifax Street 052-030005 ("the Property"), 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 the Property, the developer plan to subdivide the lot into four (4) half acres lots and develop four (4) three-bedroom, two full bathroom single-family residential house, approximately 1100 square foot, for sale at market rate ("the Property"). The requirements of the project summary documents are deemed by the Parties to supplement but not supplant all requirements described in this Agreement and shall be binding upon The Purchaser with regard to the development of the property.

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

AGREEMENT

In consideration of the City's conveyance of the Property to The Purchaser, The Purchaser shall perform the development 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 (12 months) 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 twenty six thousand (\$26,000).
- 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: _____

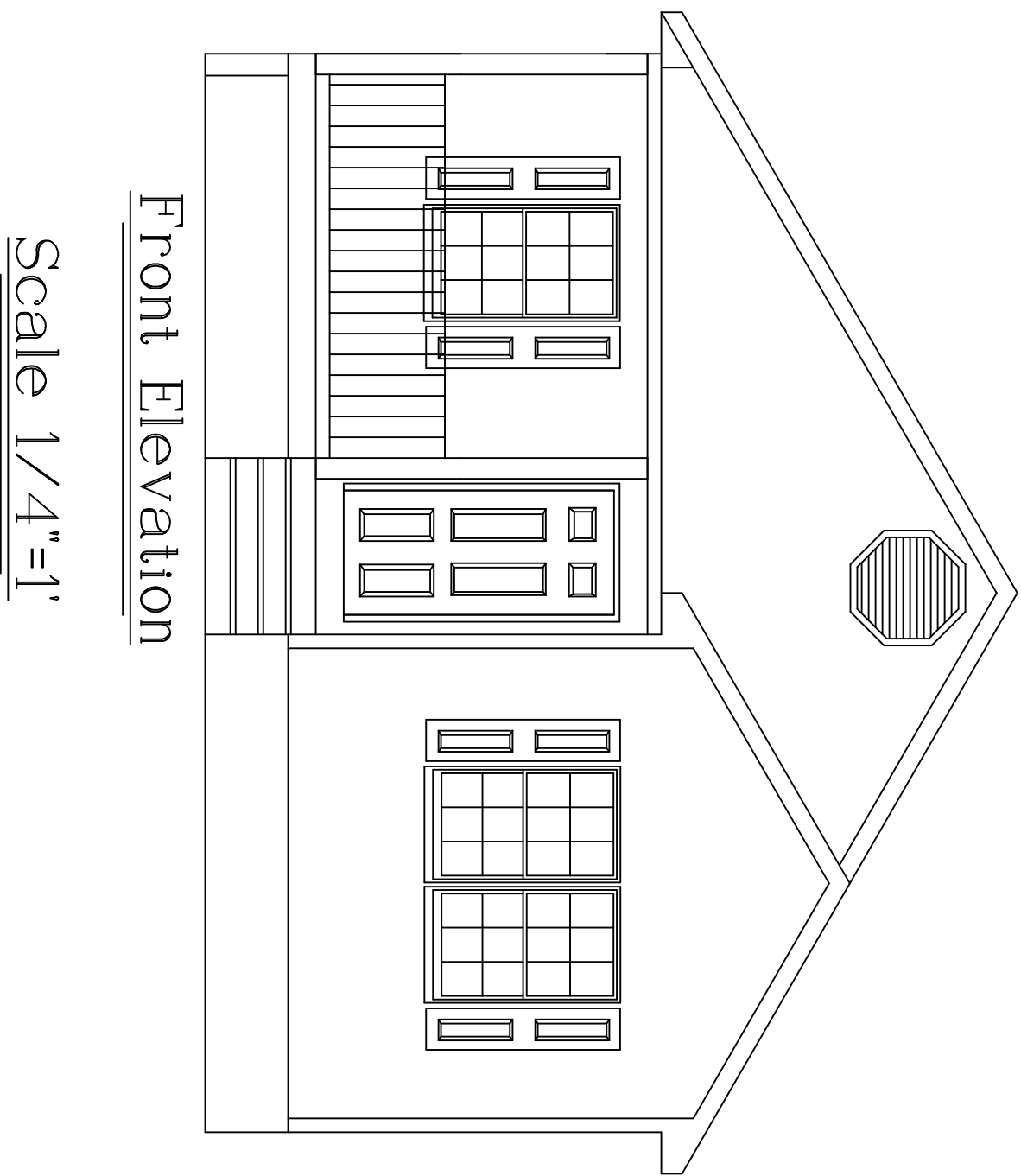
Anthony C. Williams, City Attorney



Virginia Practical Wall Bracing Worksheet

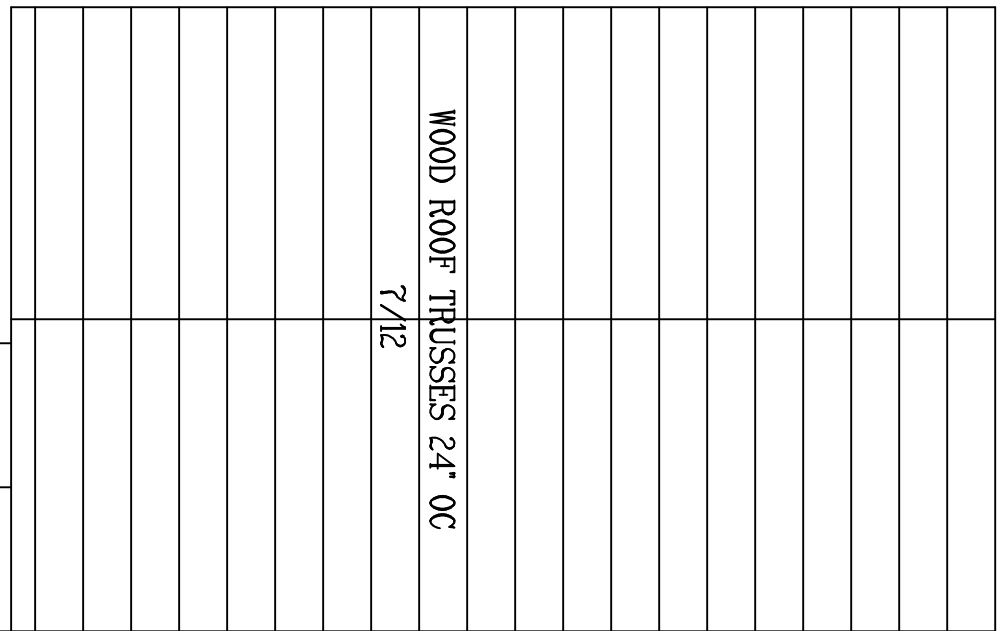
per 2015 Virginia Residential Code R602.12

Ultimate Wind Speed (mph)		115 (90)								
Rectangle Size (ft)		Front/Rear: 26		Left/Right: 46		Aspect Ratio: PASS				
Rectangle Side		Front		Rear		Left		Right		
Number of Floors Above		0		0		0		0		
Eave-to-Ridge Height (ft)		8		8		8		8		
Exterior BWP Material		Wood Structural Panels		Wood Structural Panels		Wood Structural Panels		Wood Structural Panels		
Tabular Requirement (ft)		6.90		6.90		4.40		4.40		
Adjustments	Exposure	B	1.00	B	1.00	B	1.00	B	1.00	
	Wall Ht. (ft)	8.00	0.90	8.00	0.90	8.00	0.90	8.00	0.90	
	Omit Interior Finish?	No	1.00	No	1.00	No	1.00	No	1.00	
	Fasteners @ 4" o.c.?	No	1.00	No	1.00	No	1.00	No	1.00	
Required BWP Length (ft)		6.21		6.21		3.96		3.96		
Required BWP Length from Common Rectangle Side										
Total Required BWP Length (ft)		6.21		6.21		3.96		3.96		
Actual BWPs	Contributing Length (ft) CS-PF=1.5xactual PFG=1.5xactual PFH=4' ABW=4'	BWP	Location	Length	Location	Length	Location	Length	Location	Length
		1	Exterior	3.50	Exterior	22.50	Exterior	14.50	Exterior	27.50
		2	Exterior	4.00			Exterior	18.50	Exterior	7.00
		3	Exterior	4.50			Exterior	10.00	Exterior	5.50
		4	Exterior	4.50						
		5								
		6								
		7								
Actual BWP Length (ft)		16.50		22.50		43.00		40.00		
Actual ≥ Required?		Pass		Pass		Pass		Pass		
BWPs ≤ 20' Apart?		Yes		Yes		Yes		Yes		
BWP within 12' of Corners?		Yes		Yes		Yes		Yes		
Compliant Number of BWPs		Yes		Yes		Yes		Yes		
BWL Compliance		Pass		Pass		Pass		Pass		



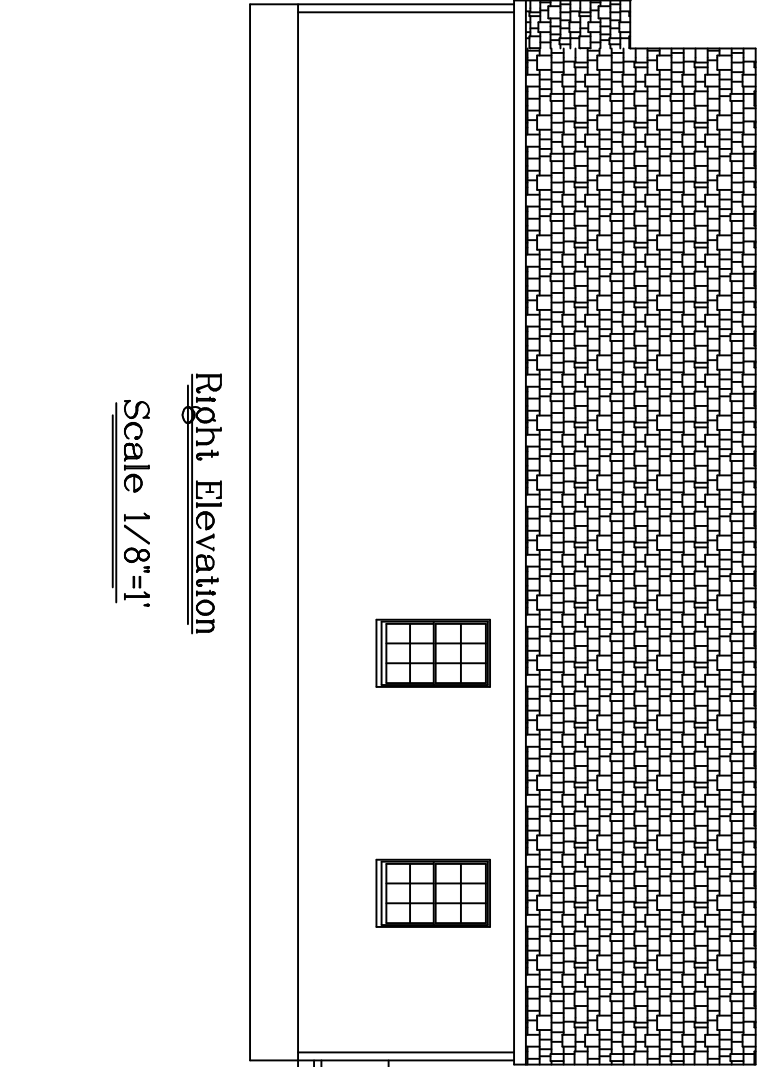
Front Elevation

Scale 1/4"=1'



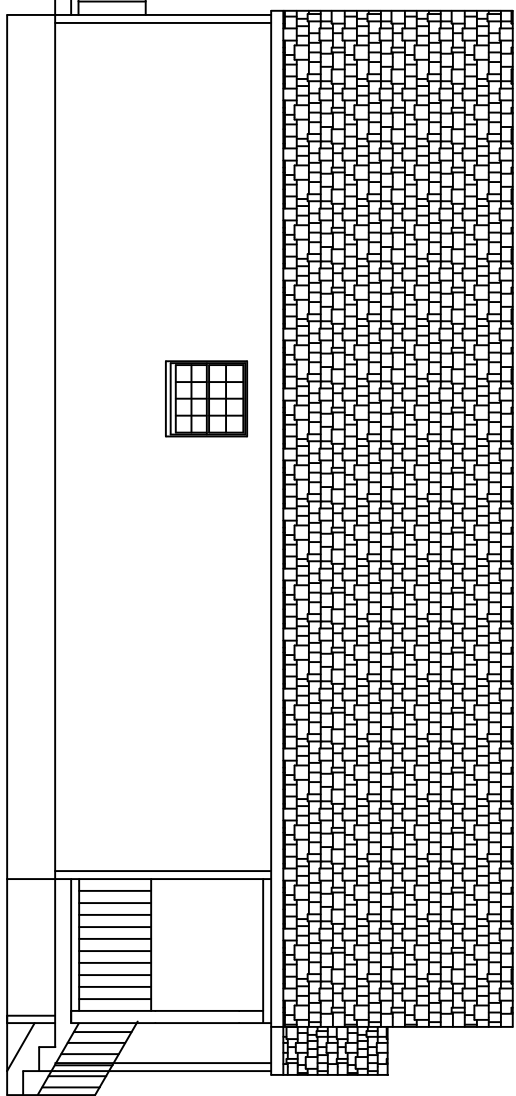
Roof Framing Detail

Scale 1/8"=1'



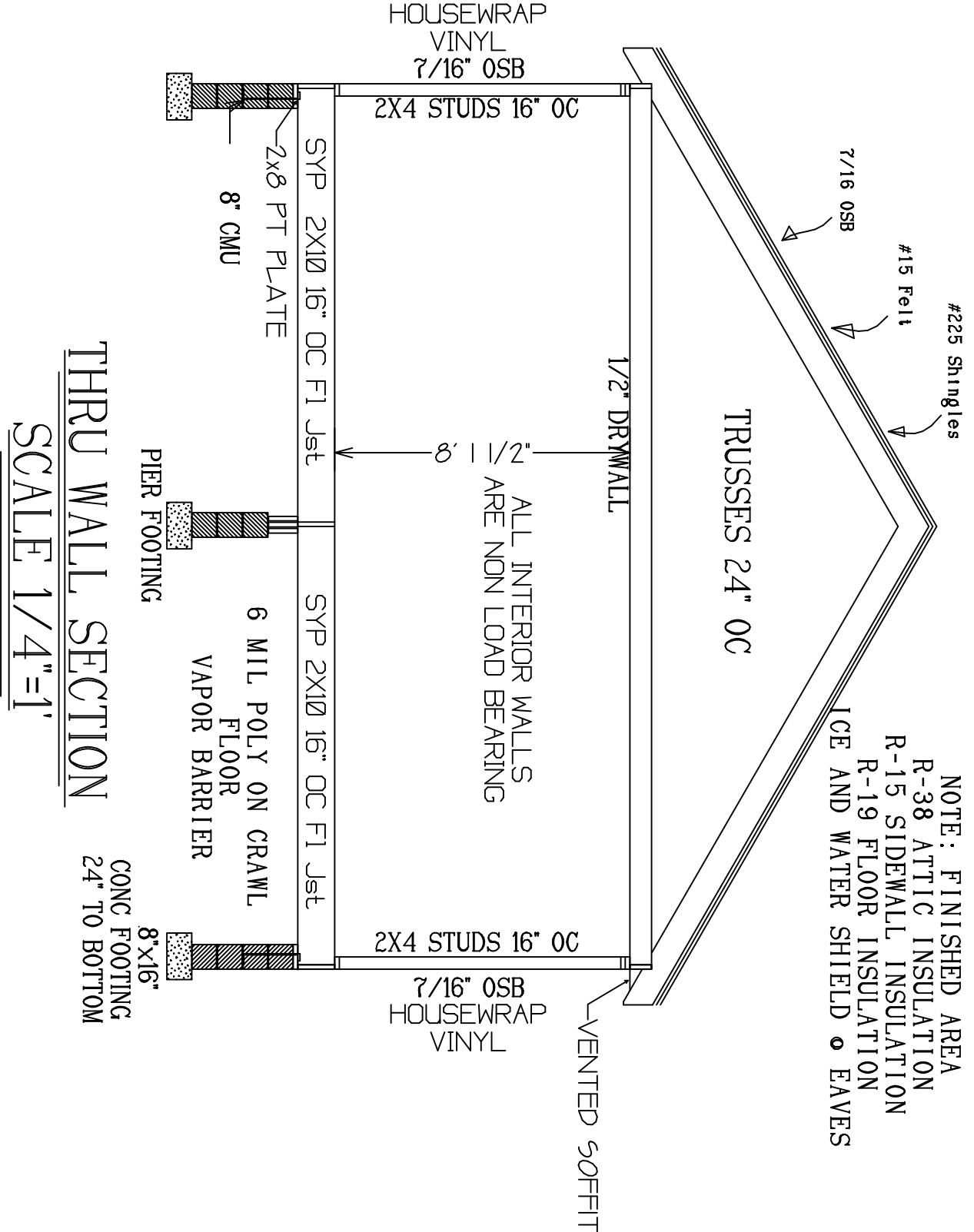
Right Elevation

Scale 1/8"=1'



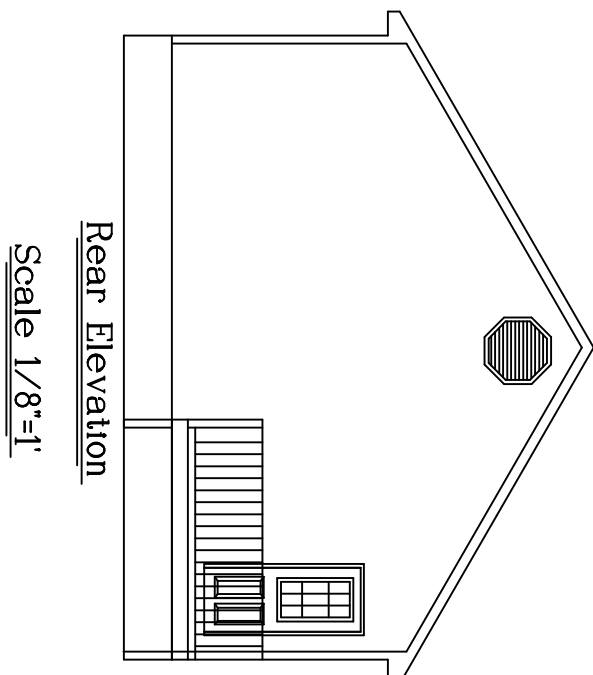
Left Elevation

Scale 1/8"=1'



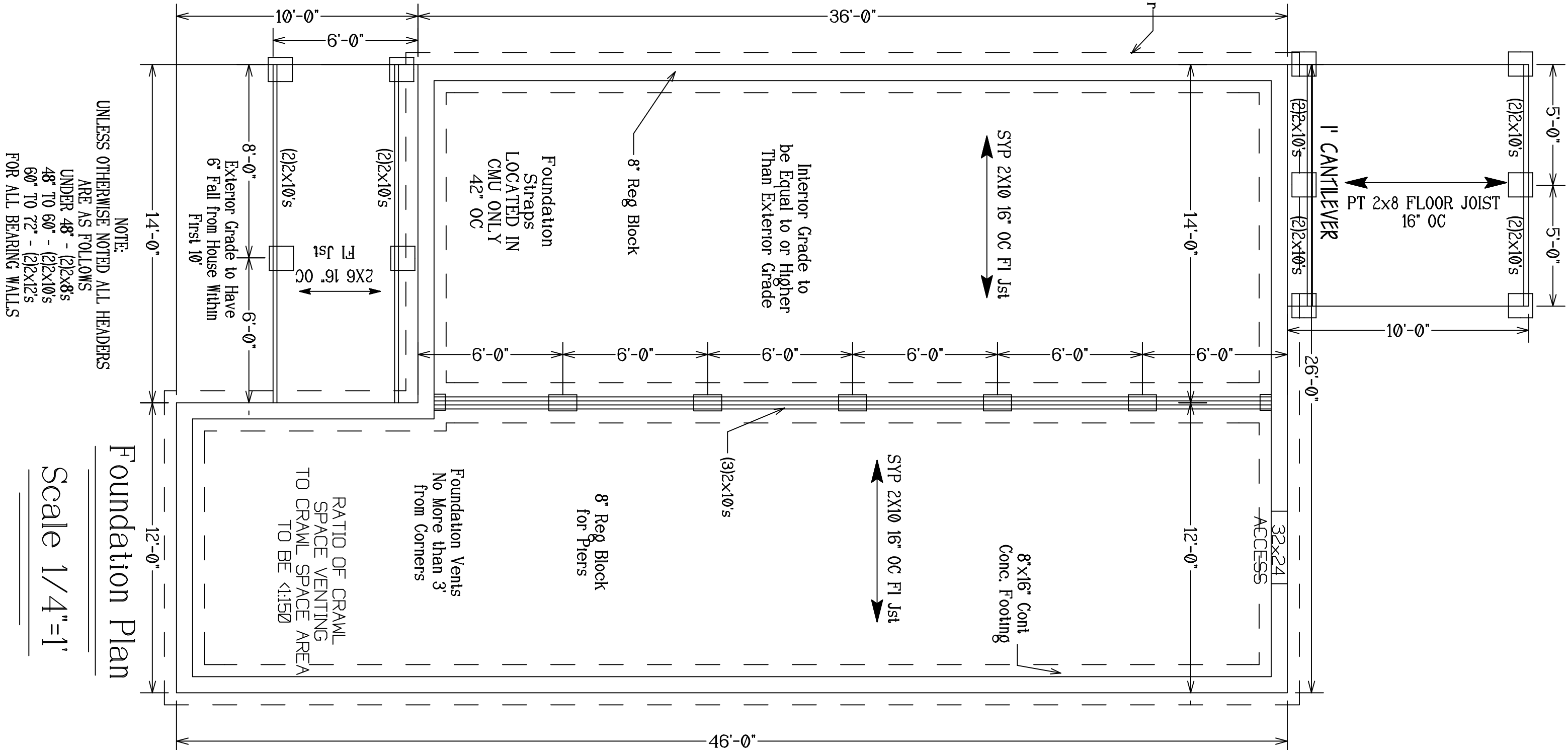
THRU WALL SECTION

SCALE 1/4"=1'



Rear Elevation

Scale 1/8"=1'

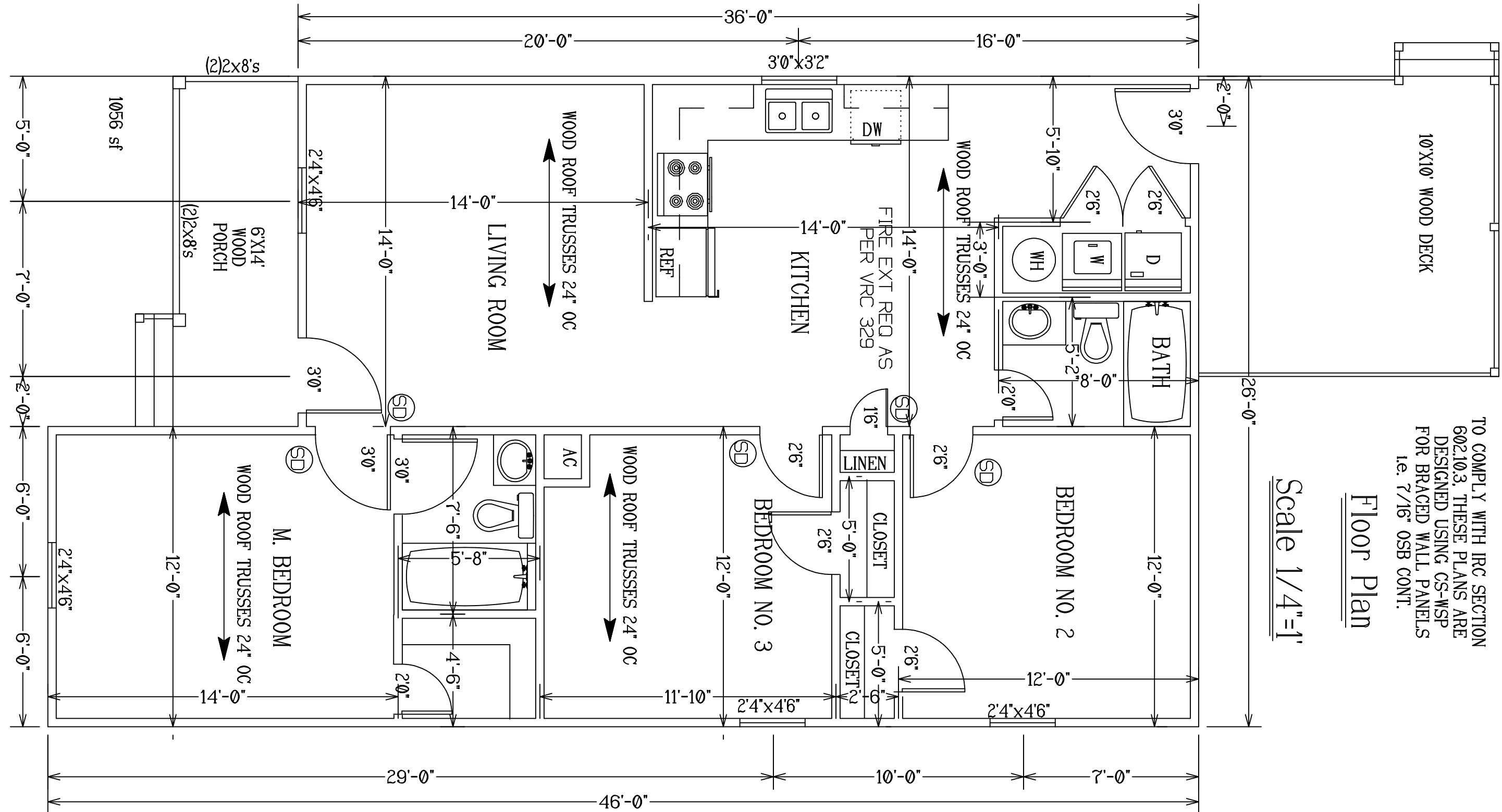


Foundation Plan

Scale 1/4"=1'

UNLESS OTHERWISE NOTED ALL HEADERS ARE AS FOLLOWS

NOTE:
UNDER 48" - 12x8s
48" TO 60" - 12x10s
60" TO 72" - 12x12s
FOR ALL BEARING WALLS



Floor Plan

Scale 1/4"=1'

TO COMPLY WITH IRC SECTION 602.10.3, THESE PLANS ARE DESIGNED USING CS-WSP FOR BRACED WALL PANELS i.e. 7/16" OSB CONT.

THIS PLAN WAS DESIGNED FOR

RUFFIN ENTERPRISES

THIS PLAN DESIGNED BY

NetCaddDrafting

804-640-0791
www.netcaddrafting.com

RANCHER

PLANS

DATE OF PLANS

4/27/22

PLANS DRAWN BY

BRAD PRICE

1 OF 1



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Vanessa Crawford, Perteacher Drone

RE: **Consideration of an appropriation in the amount of \$4,321 from the Office of the Attorney General Crime Prevention for Seniors Grant Program - 2nd Reading (Page 98)**

PURPOSE: The purpose of these funds is to purchase equipment for the seniors in the TRIAD to help with crime prevention and consumer protection. The flashlights will be used to assist the seniors during power outages and while in the community.

REASON: There are continuous safety equipment needs that will promote safety for our seniors and this is a part of our efforts to educate, promote safety and crime prevention for our seniors while they are in the community and at home. This grant will ensure we are addressing the need to promote safety and crime prevention.

RECOMMENDATION: It is recommended that this appropriation ordinance be approved as it will allow the Sheriff's Office to purchase the safety equipment for the senior's participating in TRIAD.

BACKGROUND: On February 3, 2021, the Petersburg Sheriff's Office was awarded a grant which was solicited by Office of the Attorney General. This funding was made available to assist the Sheriff's Office in their efforts to promote safety and crime prevention for TRIAD members.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 7/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Sheriff's Office

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. AN ORDINANCE

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS
FOR THE FISCAL YEAR COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted	\$0.00
ADD: Cameron Foundation to Support Project Lifesavers	\$4,321.00
Total Revenues	\$4,321.00

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

Previously adopted	\$0.00
ADD: Cameron Foundation to Support Project Lifesavers	\$4,321.00
Total Expenses	\$4,321.00



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **Consideration of a resolution of Support for Smart Scale Applications Submitted by the Tri-Cities Area Metropolitan Planning Organization and the Crater Planning District Commission and to Authorize the Use of City Owned Property. (Page 101)**

PURPOSE: To consider adoption of a resolution of support for Smart Scale Funding applications.

REASON: To indicate local support of funding applications.

RECOMMENDATION: Staff recommends approval of the attached resolution.

BACKGROUND: SMART SCALE is a process established in 2014 to help Virginia meet critical transportation needs using limited tax dollars by evaluating potential transportation projects based on key factors like how they improve safety, reduce congestion, increase accessibility, contribute to economic development, promote efficient land use, and affect the environment. Through the SMART SCALE process, the anticipated benefits of proposed transportation projects are calculated, and the projects are scored and ranked. Project scoring and selection under SMART SCALE takes place as part of the Six-Year Improvement Plan (SYIP) development process. The scoring and ranking information is used by the Commonwealth Transportation Board to help guide and inform their project selection and funding decisions.

To demonstrate that a project has the support of key stakeholders and that the public has been afforded the opportunity to provide comments and input, all applications must include a Resolution of Support from the locality's governing body. The City Council of the City of Petersburg has previously approved resolutions and ordinances supporting the development of the Appomattox River Trail, Ashland to Petersburg/Fall Line Trail, and University Boulevard Gateway. Applications for the following projects located in the City of Petersburg were submitted in Smart Scale for funding approval by the Tri-Cities Area Metropolitan Planning Organization:

APP. 9104 - Fall Line Trail Phase 1A, Patton Park through VSU to River Rd

APP. 9125 – Trailhead for ART and FLT (in Patton Park)

APP. 9126 - Appomattox River Trail, Adams Street to I-95 and Bridge to Colonial Heights.

Applications for the following projects located in the City of Petersburg were submitted in Smart Scale for funding approval by the Crater Planning District Commission:

APP. 9166 - Appomattox River Trail, Old Town Petersburg (Squaw Alley to Adams Street).

All resolutions of support must be approved and uploaded as supporting documents to the SMART Portal system before the August 1 application deadline.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from visitors using transportation projects funded through Smart Scale to visit Petersburg.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Virginia Department of Transportation (VDOT), **Commonwealth Transportation Board (CTB)**

AFFECTED AGENCIES: Public Works, Economic Development and Planning

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Resolutions and ordinances previously adopted by the City Council that support the development of the Appomattox River Trail, the Ashland to Petersburg/Fall Line Trail, and the University Boulevard Gateway.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0719_2022ResolutionOfSupport

A RESOLUTION OF SUPPORT FOR SMART SCALE APPLICATIONS
SUBMITTED BY THE TRI-CITIES AREA METROPOLITAN PLANNING
ORGANIZATION AND THE CRATER PLANNING DISTRICT COMMISSION AND
TO AUTHORIZE THE USE OF CITY-OWNED PROPERTY

WHEREAS, SMART SCALE is a process established in 2014 to help Virginia meet critical transportation needs using limited tax dollars by evaluating potential transportation projects based on key factors like how they improve safety, reduce congestion, increase accessibility, contribute to economic development, promote efficient land use, and affect the environment; and

WHEREAS, through the SMART SCALE process, the anticipated benefits of proposed transportation projects are calculated, and the projects are scored and ranked; and

WHEREAS, project scoring and selection under SMART SCALE takes place as part of the Six-Year Improvement Plan (SYIP) development process; and

WHEREAS, the scoring and ranking information is used by the Commonwealth Transportation Board to help guide and inform their project selection and funding decisions; and

WHEREAS, to demonstrate that a project has the support of key stakeholders and that the public has been afforded the opportunity to provide comments and input, all applications must include a Resolution of Support from the locality's governing body; and

WHEREAS, the City Council of the City of Petersburg has previously approved resolutions and ordinances supporting the development of the Appomattox River Trail, Ashland to Petersburg/Fall Line Trail, and University Boulevard Gateway; and

WHEREAS, applications for the following projects located in the City of Petersburg were submitted in Smart Scale for funding approval by the Tri-Cities Area Metropolitan Planning Organization:

APP. 9104 - Fall Line Trail Phase 1A, Patton Park Through VSU to River Rd

APP. 9125 – Trailhead for ART and FLT (in Patton Park)

APP. 9126 - Appomattox River Trail, Adams Street to I-95 and Bridge to Colonial Heights; and

WHEREAS, applications for the following projects located in the City of Petersburg were submitted in Smart Scale for funding approval by the Crater Planning District Commission:

APP. 9166 - Appomattox River Trail, Old Town Petersburg (Squaw Alley to Adams Street); and

WHEREAS, all resolutions of support must be approved and uploaded as supporting documents to the SMART Portal system before the August 1 application deadline.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Petersburg hereby supports these SMART SCALE applications and approves this Resolution of Support.

BE IT FURTHER RESOLVED, that if any of these applications are approved, a legal instrument will be submitted to the City Council for approval.

A Resolution of Support for Smart Scale Applications Submitted by the Tri-Cities Area Metropolitan Planning Organization and the Crater Planning District Commission and to Authorize the Use of City Owned Property



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

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

FROM: Paul Johnson

RE: Consideration of a request to install a sidewalk mural along Perry St. at Artist Space.
(Page 105)

PURPOSE: To present to the City Council a proposed mural to be installed along a 135' stretch of Perry St sidewalk at the Artist Space development prior to July 30, 2022 in preparation for a celebration on July 30, 2022.

REASON: To act as a memorial for the young woman whose life was taken in gun violence on July 2, 2022.

RECOMMENDATION: Public Works & Utilities supports this activity.

BACKGROUND: On July 2, 2022 an incident of gun violence occurred in front of the Artist Space entrance, resulting in loss of life. This mural will be created as a memorial to the loss of life.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 7/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Department of Public Works

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: This activity 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. IMG-0508
2. IMG-0509



