



# City of Petersburg Virginia

www.petersburgva.gov

## May 16, 2023 - Regular City Council Meeting

May 16, 2023  
Petersburg Public Library  
201 West Washington Street  
Petersburg, VA 23803  
5:00 PM

### City Council

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

### City Administration

John March Altman, Jr. - City Manager  
Anthony Williams - City Attorney  
Nykesha D. Lucas - City Clerk

- 
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. Presentation of a Proclamation designating May 2023 as Jewish American Heritage Month. **(Page 4)**
    - b. Presentation of a proclamation recognizing June 2023 as Homeownership Month. **(Page 5)**
    - c. Presentation of a Proclamation recognizing National Police Week 2023. **(Page 6)**
    - d. Presentation of a Proclamation for National Public Works Week of May 21-27, 2023. **(Page 7)**
  6. **Responses to Previous Public Information Posted**
  7. **Approval of Consent Agenda (to include minutes of previous meetings):**
    - a. Minutes: **(Page 8)**
      - May 2, 2023 - Closed Session Meeting
      - May 2, 2023 - Work Session Meeting
  8. **Official Public Hearings**
    - a. A public hearing on the consideration of an appropriation ordinance for grants for Poor Creek Service Area, South Central Wastewater Treatment Plant, Lock's Watermain, & Emergency Public Safety Communications System, Virginia Tourism Corporation Marketing. **(Page 15)**
    - b. A public hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District. **(Page 18)**
    - c. A public hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District. **(Page 22)**

- d. A public hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for a Multi-Family residential development at 712 High Street. The property is located in the B-2 General Commercial Zoning District. **(Page 26)**
- e. A Public Hearing and consideration of a Petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in the B-2 General Commercial Zoning District. **(Page 30)**
- f. A Public Hearing and consideration of an Ordinance approving a Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District. **(Page 34)**
- g. A Public Hearing for the Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget. **(Page 38)**
- h. A public hearing for Consideration to approve and appropriate the budget for Petersburg City Public Schools for FY23-24. **(Page 75)**
- i. A public hearing on an Ordinance to Amend and Re-Adopt the Petersburg City Code to Rescind Section 118-94. **(Page 78)**

**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**

- a. Update and Presentation on 3rd Quarter Budget Actuals.

**13. Unfinished Business**

**14. New Business**

- a. Consideration of a Resolution Approving the Development Agreement For The Development Of 357 University Boulevard Petersburg, Virginia Between The City of Petersburg And Willie Mitchell, IV. **(Page 87)**
- b. Consideration of a Resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Coastal Virginia Development for the property at 1024 Eighth Street. **(Page 113)**
- c. Consideration of a Resolution Approving The Lease Agreement By And Between The Economic Development Authority Of The City Of Petersburg, Virginia (“Authority”), And The South Central

Wastewater Authority (“SCWWA”) For The Property Located At 130 Pocahontas Street, Petersburg, Va.(**Page 124**)

- d. Consideration of a Resolution Approving the Development Agreement for The Development Of 417 Jefferson Street South, Petersburg, Virginia Between the City of Petersburg And Properties Remembered.(**Page 143**)
- e. Consideration of an amendment to the trash contract with CVWMA.(**Page 155**)
- f. Consideration of appointments or reappointments to the Architectural Review Board. (**Page 158**)
- g. Consideration of approval to extend the lease agreement exercising two one year options (June 1, 2023 - May 31, 2025) for a total amount of \$419,604.00 per year (\$34,967.00 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803 for the Department of Social Services. (**Page 163**)
- h. Consideration of approval to extend the lease agreement exercising two one year options (June 1, 2023 - May 31, 2025) for a total amount of \$120.00 per year (\$10.00 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803 for the City's Human Resources department. (**Page 174**)

**15. City Manager's Report**

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

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

**18. Adjournment**

# Office of The Mayor

# PETERSBURG



# VIRGINIA

## Proclamation

**WHEREAS**, The United States has many heritage months that celebrate the various communities that form the mosaic of our country. By celebrating heritage months, we learn about one another, we honor the richness of our diverse nation, and we strengthen the fabric of American society; and

**WHEREAS**, since 2007, Presidents Bush, Obama, Trump, and Biden have all issued proclamations for Jewish American Heritage Month, which celebrate Jewish Americans and encourage all Americans to learn more about Jewish heritage and contributions to the United States; and

**WHEREAS**, Jewish American Heritage Month has its origins in 1980 when Congress passed a resolution, which authorized and requested the President to issue a proclamation designating April 21-28, 1980 as Jewish Heritage Week; and

**WHEREAS**, The American Jewish community dates back to 1654 when a group of 23 Jews fleeing persecution at the hands of the Portuguese Inquisition fled Brazil and found refuge in New Amsterdam (now New York). From that tiny group, the American Jewish community has grown to over six million, representing approximately 2% of the American population today; and

**WHEREAS**, Over the past 369 years, Jewish Americans have given to their communities and this nation as loyal and patriotic citizens, always grateful for the safe harbor that America provided for them. Jewish Americans have served in government and the military, they have won Nobel prizes, headed universities and corporations, advanced medicine, created and performed in enduring works of performing and visual art, written great American novels, become emblems of justice as members of the Supreme Court, and so much more. American Jews have always pushed America to live up to its promise as a nation that upholds freedom and justice for all; and

**WHEREAS**, Now, American Jews are feeling vulnerable amidst a rise in antisemitism. AJC's *State of Antisemitism in America 2022 report* revealed that 89% of Jewish respondents believe antisemitism is a problem in the U.S. Four in ten American Jews changed their behavior in at least one way out of fear of antisemitism; and

**WHEREAS**, the strength of a society can be measured by how they protect their minority populations, and celebrate their contributions, it is altogether fitting for the U.S. to once again mark May as Jewish American Heritage Month.

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

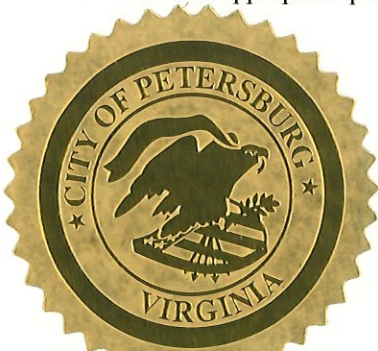
**May 2023**

**As**

**"JEWISH AMERICAN HERITAGE MONTH"**

in the City of Petersburg. I call upon all citizens and residents of our state to learn more about the heritage and contributions of Jewish Americans and to observe this month with appropriate programs, activities, and ceremonies.

Dated: 05/16/2023



  
\_\_\_\_\_  
Mayor, Samuel Parham

ATTEST:   
\_\_\_\_\_  
Clerk of Council, Nykesha D. Lucas



# Office of The Mayor

# PETERSBURG



# VIRGINIA

## Proclamation

**WHEREAS**, the Homeownership rate in the City of Petersburg is 35.9%, compared to 66.6% in the Commonwealth of Virginia, and 64.6% throughout the United States; and

**WHEREAS**, Homeownership is closely tied to the economy, as the number of jobs increase when home sales increase and together, they contribute to the local, state, and national economies.

**WHEREAS**, Homeownership increases involvement of owners in neighborhood and community activities and events which adds to a sense of belonging that is much greater than for a person who is renting, and gets a residents more invested in their community; and

**WHEREAS**, Homeownership builds wealth by allowing owners to sell and make a profit or leverage home equity to pay other big expenses, or to transfer valuable property from one generation to the next; and

**WHEREAS**, Increasing the Homeownership rate in the City of Petersburg will help efforts to enhance the local economy and strengthen communities and neighborhoods, making Petersburg a more livable place; and

**WHEREAS**, in 1917, the "Own Your Own Home" public relations campaign was launched by the National Association of Real Estate Boards and becomes the first federal program (after being taken over by the U.S. Department of Labor) to encourage homeownership; and

**WHEREAS**, National Homeownership Week began in 1995, which was a strategy of the administration under President Bill Clinton to increase homeownership across America; and

**WHEREAS**, in 2002, President George W. Bush expanded the period of observance from a week to the entire month of June; and

**WHEREAS**, National Homeownership Month reinforces the belief that owning a home is one of the steps towards achieving the American dream; and

**WHEREAS**, throughout the Month of June, activities and events will be hosted to promote Homeownership in Petersburg.

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

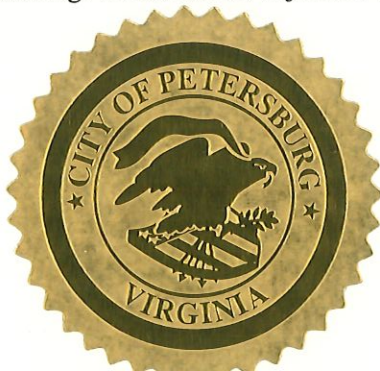
**June 2023**


**as**

**"HOMEOWNERSHIP MONTH"**

in the City of Petersburg and urge all the citizens to join me in this special observance.

Dated: 5/16/2023



  
Mayor, Samuel Parham

ATTEST:   
Clerk of Council, Nykesha D. Lucas



# Proclamation

**WHEREAS**, in 1962, President John F. Kennedy signed the first proclamation recognizing May 15th as Peace Officers Memorial Day and the week in which it falls as National Police Week, "to pay tribute to the law enforcement officers who have made the ultimate sacrifice for our country and to voice our appreciation for those who currently serve on the front lines of the battle against crime;" and,

**WHEREAS**, the members of the Petersburg Bureau of Police are essential and critical leaders in safeguarding the rights and freedoms of the citizens of the City of Petersburg; and,

**WHEREAS**, law enforcement officers report for duty each and every day with the knowledge of the dangers they may face and the sacrifices they may be called upon to make in order to safeguard the public and enforce the laws of the Commonwealth; and,

**WHEREAS**, it is vital that we pay tribute to our Petersburg Officers and all law enforcement officers who have fallen in the line of duty and recognize their sacrifices, as well as the hardship and loss suffered by the families of those fallen officers; and,

**WHEREAS**, Virginia Police Week and Peace Officers Memorial Day are opportunities to honor the officers who have fallen in the line of duty, recognize the sacrifices made by the families of those officers, and the families of those who continue to protect and serve our communities; and,

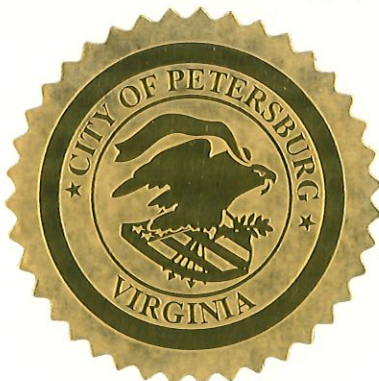
**WHEREAS**, the men and women of the Petersburg Bureau of Police unceasingly provide a vital public service to the Petersburg community at-large.

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

May 14-20, 2023  
as  
"NATIONAL POLICE WEEK"  
and  
May 15, 2023  
as  
"PEACE OFFICERS' MEMORIAL DAY"

in the City of Petersburg, and urge all patriotic, civic, and educational organizations to observe this occasion with appropriate ceremonies and observances in which all of the citizens may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

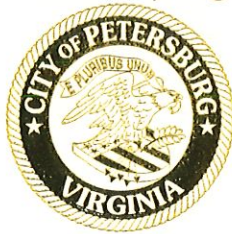
Dated: May 16, 2023



  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
Clerk of Council





# Proclamation

**WHEREAS**, public works services provided in our community are an integral part of our citizen's everyday lives; and

**WHEREAS**, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, street and highways, public buildings, and solid waste collection; and

**WHEREAS**, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

**WHEREAS**, the health, safety and comfort of this community greatly depends on these facilities and services; and

**WHEREAS**, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

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

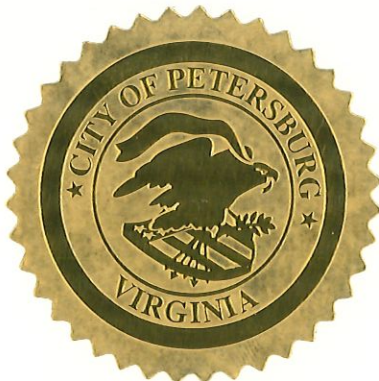
**May 21-27, 2023**

**as**

**"NATIONAL PUBLIC WORKS WEEK"**

in the City of Petersburg, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Dated: May 16, 2023



  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
Clerk of Council



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023  
**TO:** The Honorable Mayor and Members of City Council  
**THROUGH:** March Altman, Jr., City Manager  
**FROM:** Nykesha Lucas  
**RE:** **Minutes: (Page 8)**  
-May 2, 2023 - Closed Session Meeting  
-May 2, 2023 - Work Session Meeting

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**PURPOSE:** For approval with consent agenda

**REASON:** To be approved with consent agenda.

**RECOMMENDATION:** To be approved by city council.

**BACKGROUND:** See attached minutes.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. May 2, 2023 Closed Session Meeting Minutes
2. May 2, 2023 - Work Session city council minutes



The Closed Session Meeting of the Petersburg City Council was held on Tuesday, May 2, 2023, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:00 p.m.

**1. ROLL CALL:**

Present:

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

Absent: Council Member Marlow Jones (absent during roll call)

Present from City Administration:

Clerk of Council Nykesha D. Lucas  
City Manager John March Altman, Jr.  
City Attorney Anthony Williams

**2. CLOSED SESSION:**

Mayor Parham stated that he would entertain a motion to add the discussion of the acquisition of real property to the closed session.

Vice Mayor Hill made a motion to add the discussion of the acquisition of real property to the closed session. Council Member Smith-Lee seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

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

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(1) for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg, specifically including but not limited to discussion of the performance, assignment and appointment of a specific public officer of the City of Petersburg; and under §2.2-3711(A)(29) of the Code of Virginia for the purpose of discussion regarding the subject matter of a public contract involving the expenditure of funds and terms or scope of such contract where discussion in an open session would adversely affect the bargaining or negotiating strategy of the public body, specifically including but not limited to the discussion of the award and terms of public contract; under §2.2-3711(A)(7) and (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the City Attorney, specifically including but not limited to discussion regarding the Virginia Conflict of Interest Act of the Code of Virginia and matters requiring legal advice of the City Attorney, and under §2.2-3711(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 property where the discussion in an open meeting can affect the bargaining position or the negotiating strategy of the public body specifically including but not limited to the acquisition of real property.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted.

Council Member Westbrook seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

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

The City Council entered closed session at 3:03 p.m.

**CERTIFICATION:**

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

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

The motion was approved on roll call vote.

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

**23-R-35      A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.**

**3.      ADJOURNMENT:**

City Council adjourned at 5:32 p.m.

\_\_\_\_\_  
Clerk of City Council

APPROVED:

\_\_\_\_\_  
Mayor

The work session meeting of the Petersburg City Council was held on Tuesday, May 2, 2023, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:32 p.m.

**1. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.  
Council Member Marlow Jones  
Council Member Annette Smith-Lee  
Council Member W. Howard Myers  
Council Member Arnold Westbrook, Jr.  
Vice Mayor Darrin Hill  
Mayor Samuel Parham

Absent: None

Present from City Council Administration:

Clerk of City Council Nykesha D. Lucas  
City Manager John March Altman, Jr.  
City Attorney Anthony C. Williams

**2. PRAYER:**

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

Vice Mayor Hill led the council meeting in prayer. He stated that he would also like every to add to the prayer Pastor Shawn Brooks of Greater Works Christian Fellowship. He had a bad accident in the rain.

**3. PLEDGE OF ALLEGIANCE:**

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

**4. DETERMINATION OF THE PRESENCE OF A QUORUM:**

A quorum is present.

**5. PUBLIC COMMENTS:**

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated that he was looking at some site plans for the wastewater treatment plant. He stated that sadly the city lost an icon, Mr. Richard A. Stewart. He stated what better way to recognize him for all the work that he has done for the city and Pocohontas by naming that road after him. He stated it would be a tribute to name the road after him.

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

- a. A request to schedule a public hearing and consideration of an ordinance approving a petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W. Washington Street. The property is located in a B-2 General Commercial Zoning District.
- b. A request to schedule a public hearing and consideration of an ordinance approving the petition for Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.
- c. A request to schedule a public hearing and consideration of an ordinance approving a petition for a Special Use Permit (SUP) for a Multi-Family residential development at 712 High Street.

The property is located in the B-2 General Commercial Zoning District.

- d. A request to schedule a public hearing and consideration of a petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W. Washington Street. The property is located in the B-2 General Commercial Zoning District.
- e. A request to schedule a public hearing and consideration of an ordinance approving a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.
- f. A request to schedule a public hearing for consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget.
- g. A request to schedule a public hearing for consideration to approve and appropriate the budget for Petersburg City Public Schools for FY23-24.
- h. A request to schedule a public hearing on an ordinance to amend and readopt the Petersburg City Code to Rescind Section 118-94.
- i. A request to hold a public hearing on June 20, 2023, to receive public comments for the consideration of funding recommendations and availability for the CDBG 2023-2024 Action Plan.
- j. Minutes:
  - April 18, 2023 – Closed Session
  - April 18, 2023 – Regular City Council Meeting
  - April 25, 2023 – Special City Council Meeting.

Mrs. Lucas stated that there has been an update to April 18<sup>th</sup> minutes with regard to the background of "14a" and "14b".

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

## **7. SPECIAL REPORTS:**

- a. Presentation from Boys to Men Mentoring

Warren McCrickard, Executive Director of Boys to Men Mentoring Group, gave an overview of the group.

Key notes:

- They are a non-profit that has been operating for 11 years.
- They have been in Hopewell, Prince George, and Colonial Heights and now they are in Petersburg.
- They are currently operating four circles of boys within the ages of 8-12.
- They are given a safe space to talk about how they feel. They do this each week consistently with mentors.
- Currently they are at Blandford, Pittman, and Vernon Johns.

- b. Recognition of students on the Forensic Team at Petersburg High School

Terri Smith, Teacher at Petersburg High School, gave an overview on the Forensic Team being a team



that does public speaking. She stated that it is a like an academic sport. She stated that Petersburg High School will be hosting a competition on December 9. She stated that she will keep everyone posted when they confirm all the details.

Mayor Parham recognized Miangel Brown, Taylor Thomas, Lakayla Galloway, Amelia Basile and Justina Upshaw with a certificate of recognition.

Council Member Jones congratulated the young ladies from Petersburg High School.

**8. MONTHLY REPORTS:**

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

**9. FINANCE AND BUDGET REPORT:**

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

**10. CAPITAL PROJECTS UPDATE:**

a. Presentation of an update from JMT on Poor Creek Project.

Michael P. Luning, Vice President of JMT, gave a briefing.

Key Notes:

- They have awarded the contracts.
- They are waiting to hear back regarding some grant opportunities to receive additional funding.
- They still plan to go out for bid November 2023.
- They are on schedule with everything and their timeline.

There was discussion among City Council and Mr. Luning.

**11. UTILITIES:**

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

**12. STREETS:**

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

**13. FACILITIES:**

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

**14. ECONOMIC DEVELOPMENT:**

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

**15. CITY MANAGER'S AGENDA:**

Mr. Altman stated that he would like to thank the public and the community for their patience with everything that was going on at city hall. He stated that there was a roof replacement that took longer than they thought it would. He stated that they had to close city hall two Friday's ago to accomplish that. He stated that there was also an issue where an individual came in that was quite disruptive in the building and city hall had to be locked down for a little while.

Vice Mayor Hill stated that Ward 2 would be having a meeting on May 9<sup>th</sup> at Good Shepherd Baptist Church beginning at 6pm. He stated that he will have the city manager and Chief Christian in attendance.

Council Member Smith-Lee stated that her Ward 6 meeting was going to be May 11<sup>th</sup>, but it has changed to May 18<sup>th</sup>, 2023. She stated that there will be flyers available. She stated that she also wanted to congratulate herself on being inducted into the Petersburg Hall of Fame.

Mayor Parham congratulated Council Member Smith-Lee.

**16. BUSINESS OR REPORTS FROM THE CLERK:**

\*No items for this portion of the agenda.

**17. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:**

Mr. Williams stated that there may have been a notice of a series of special meetings recently due to scheduling issue with the newspaper with the clerk. He stated that it is unique to Petersburg that we request to schedule public hearings as part of our consent agenda. He stated that it is not legally required. He stated that this does not allow the clerk to advertise during the appropriate time. He stated that the consensus from council going forward is that the agenda will just say first reading. It would not require the clerk to request permission to schedule a public hearing. It would be automatic so there will not be multiple special meetings going forward.

**18. ADJOURNMENT:**

The City Council adjourned at 6:04 p.m.

\_\_\_\_\_  
Clerk of City Council

APPROVED:

\_\_\_\_\_  
Mayor



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Joanne Williams

**RE:** **A public hearing on the consideration of an appropriation ordinance for grants for Poor Creek Service Area, South Central Wastewater Treatment Plant, Lock's Watermain, & Emergency Public Safety Communications System, Virginia Tourism Corporation Marketing. (Page 15)**

**PURPOSE:** To appropriate the following grants for Poor Creek Service Area upgrades:

Environmental Protection Agency (EPA): \$2,432,000

Build Back Better Economic Development Authority (BBBEDA): \$7,468,487

Virginia Department of Environmental Quality & Virginia Department of Health (DEQ/ VDH): \$29,551,500

Poor Creek Total: \$39,451,987

To appropriate the following grant for Lock's Watermain upgrades:

Department of Housing & Urban Development (HUD): \$3,581,531 Lock's Watermain Total: \$3,581,531

To appropriate the following grant for South Central Wastewater Treatment Plant upgrades:

Virginia Department of Environmental Quality (DEQ) Enhanced Nutrient Removal Certainty (ENRCPP)

Program: \$19,290,000

South Central Total: \$19,290,000

To appropriate the following grant for Emergency Public Safety Communications System upgrades:

Department of Justice COPS grant: \$3,203,026

Emergency Public Safety Communications Total: \$3,203,026

To appropriate the following grant for Tourism Marketing: Virginia Tourism Corporation (VTC) grant:

\$60,000 Virginia Tourism Corporation Marketing Total: \$60,000

Total Amount of Grants for Approval: \$65,586,544

**REASON:** These are the funds awarded to the City of Petersburg and issued by the following agencies:

Environmental Protection Agency (EPA)

Build Back Better Economic Development Authority (BBBEDA)

Virginia Department of Environmental Quality (DEQ)

Virginia Department of Health (VDH)

Department of Housing & Urban Development (HUD)

Department of Justice (DOJ)

Virginia Tourism Corporation (VTC)

**RECOMMENDATION:** Recommend that Council approve the appropriation ordinance for grants as stated above in the total amount of **\$65,586,544**.

**BACKGROUND:** The City of Petersburg has been awarded grants from federal and state agencies for the various projects described above in the total amount of \$65,586,544.

**COST TO CITY:** There is no monetary cost of the City. These are reimbursement grants.

**BUDGETED ITEM:** These items are not a part of the adopted FY23 budget.

**REVENUE TO CITY:** These items are no a part of the adopted FY23 budget.

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City of Petersburg

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. Ordinance Poor Creek



**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.

<b>Previously adopted</b>	<b>\$0.00</b>
<b>ADD:</b> Poor Creek, South Central Wastewater, Lock's Watermain, Emergency Public Safety and Tourism Marketing grants:	<b><u>\$65,586,544</u></b>
<b>Total Revenues</b>	<b>\$65,586,544</b>

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:

<b>Previously adopted</b>	<b>\$0.00</b>
<b>ADD:</b> Other Operating Grant Funds	<b><u>\$65,586,544</u></b>
<b>Total Expenses</b>	<b>\$65,586,544</b>



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager  
Brian Moore, Director of Economic Development

**FROM:** Reginald Tabor

**RE:** **A public hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District. (Page 18)**

**PURPOSE:** To consider an ordinance approving the petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

**REASON:** To comply with policies, procedures and laws regarding Special Use Permits.

**RECOMMENDATION:** It is recommended that the City Council considers approving an ordinance on the petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in the B-2 General Commercial Zoning District.

**BACKGROUND:** The City of Petersburg received a petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Revenue from the use of the property.

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** The City Code Appendix B Zoning.

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 0502\_2023OrdinanceSUP1242WWashingtonSt
2. 0504\_2023AgendaItemSummary1242WWashingtonSUP

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)  
FOR USED AUTO SALES AND CAR RENTAL AT 1242 W WASHINGTON STREET**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street, PIN: 024250001; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a B-2 General Commercial Zoning District; and

WHEREAS, the purpose of the Special Use Permit is to permit used Auto Sales and Car Rental; and

WHEREAS, the proposed use is permitted in the B-2 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Residential; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and




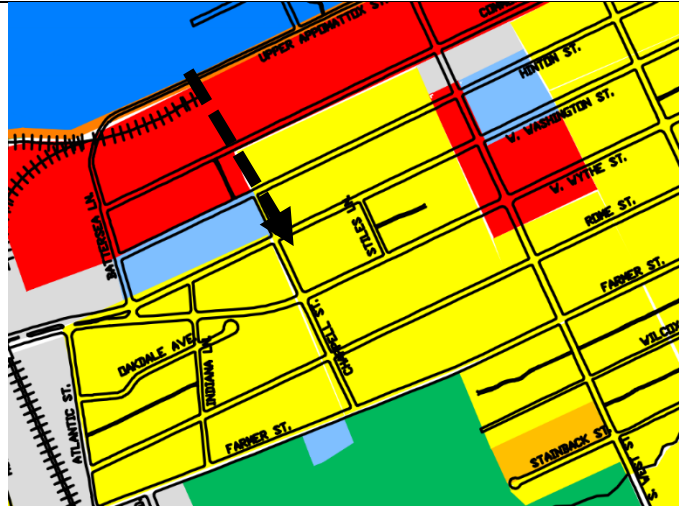
WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street, PIN: 024250001, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for used Auto Sales and Car Rental at 1242 W Washington Street, PIN: 024250001.



# City of Petersburg Planning Commission Agenda Item

**Case No:** 2023-SUP-02  
**Public Hearing Date:** May 4, 2023  
**Property Address:** 1242 W Washington Street  
**Parcel ID:** 024250001  
**Agent:** Mr. Russell Johnson

Request		Staff Recommendation	
Petition for a Special Use Permit (SUP)		TBD	
Summary of Proposal			
A Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District.			
Parcel ID	Acreage	Current Zoning Designation	
024250001	.202 acres	B-2	General Commercial District
			
Photo		Comprehensive Plan Designation	
		Residential	
			





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager  
Brian Moore, Director of Economic Development

**FROM:** Reginald Tabor

**RE:** **A public hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District. (Page 22)**

---

**PURPOSE:** To consider an ordinance approving the petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.

**REASON:** To comply with policies, procedures and laws regarding Special Use Permits.

**RECOMMENDATION:** It is recommended that the City Council approves an Ordinance approving a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in the M-1 Light Industrial Zoning District.

**BACKGROUND:** The City of Petersburg received a petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Revenue from the use of the property.

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** The City Code Appendix B Zoning.

**REQUIRED CHANGES TO WORK PROGRAMS: N/A**

**ATTACHMENTS:**

1. 0502\_2023OrdinanceSUP1841AnchorAvenue
2. 0504\_2023AgendaItemSummary1841AnchorAveSUP

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)  
FOR AUTOMOTIVE REPAIR AND DETAILING AT 1841 ANCHOR AVENUE**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue, PIN: 028320007; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a M-1 Light Industrial District; and

WHEREAS, the purpose of the Special Use Permit is to permit Automotive Repair and Detailing; and

WHEREAS, the proposed use is permitted in the M-1 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Light Industrial; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and


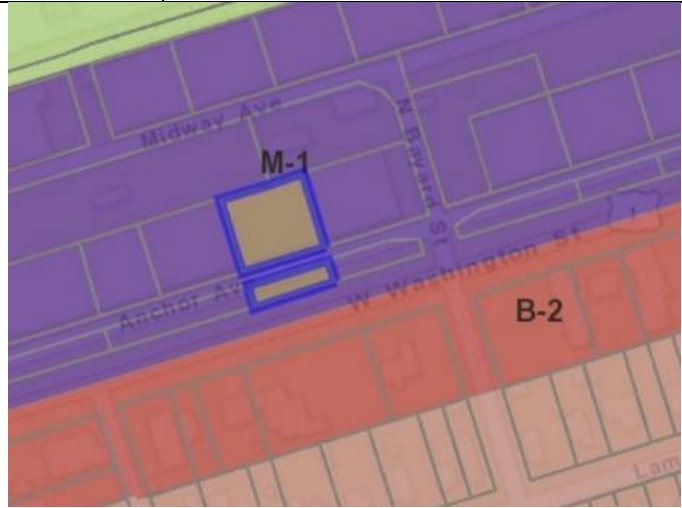


WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue, PIN: 028320007, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for Automotive Repair and Detailing at 1841 Anchor Avenue, PIN: 028320007.



# City of Petersburg Planning Commission Agenda Item

**Case No:** 2023-SUP-03  
**Public Hearing Date:** May 4, 2023  
**Property Address:** 1841 Anchor Avenue  
**Parcel ID:** 028320007  
**Agent:** Mr. Devante Thomas

Request		Staff Recommendation	
Petition for a Special Use Permit (SUP)		TBD	
Summary of Proposal			
A Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.			
Parcel ID	Acreage	Current Zoning Designation	
028320007	.202 acres	M-1	Light Industrial District
			
Photo		Comprehensive Plan Designation	
		Light Industrial 	



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager  
Brian Moore, Director of Economic Development

**FROM:** Reginald Tabor

**RE:** **A public hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for a Multi-Family residential development at 712 High Street. The property is located in the B-2 General Commercial Zoning District. (Page 26)**

---

**PURPOSE:** To consider an ordinance approving the petition for a Special Use Permit (SUP) for Multi-Family residential development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.

**REASON:** To comply with policies, procedures and laws regarding Special Use Permits.

**RECOMMENDATION:** It is recommended that the City Council hold a public hearing and consider an Ordinance approving a Petition for a Special Use Permit (SUP) for a Multi-Family development at 712 High Street. The property is located in the B-2 General Commercial Zoning District.

**BACKGROUND:** The City of Petersburg received a petition for a Special Use Permit (SUP) for Multi-Family residential development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Revenue from the development of the property.

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A



**AFFECTED AGENCIES:** City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** City Code Appendix B Zoning

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 0502\_2023OrdinanceSUP712HighStreet
2. 0504\_2023AgendaItemSummary712HighStreetSUP

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)  
FOR MULTI-FAMILY DEVELOPMENT AT 712 HIGH STREET**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for Multi-Family development at 712 High Street, PIN: 023020005; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a B-2 General Commercial Zoning District; and

WHEREAS, the purpose of the Special Use Permit is to permit Multi-Family development; and

WHEREAS, the proposed use is permitted in the B-2 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as University Boulevard Development Corridor; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and


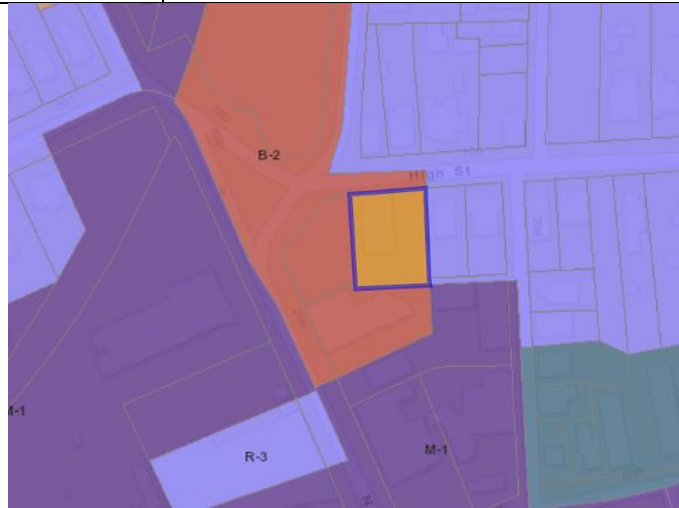

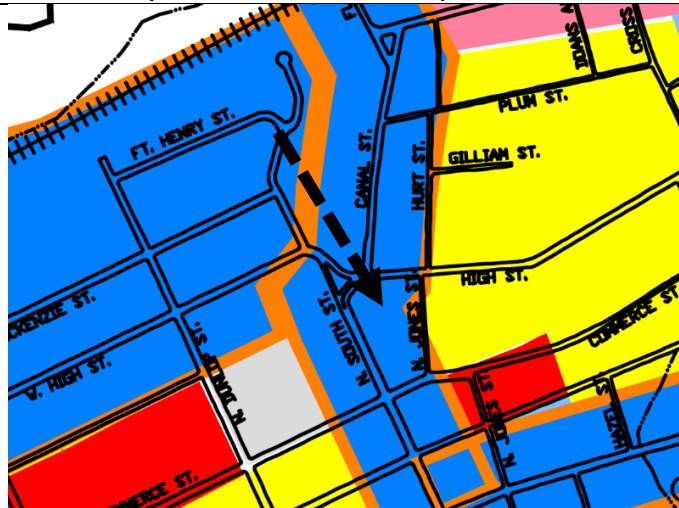
WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Special Use Permit (SUP) for Multi-Family development at 712 High Street, PIN: 023020005, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for Multi-Family development at 712 High Street, PIN: 023020005.



# City of Petersburg Planning Commission Agenda Item

**Case No:** 2023-SUP-04  
**Public Hearing Date:** May 4, 2023  
**Property Address:** 712 High Street  
**Parcel ID:** 023020005  
**Agent:** Southside Community Development and Housing Corporation (SCDHC)

Request		Staff Recommendation	
Petition for a Special Use Permit (SUP)		TBD	
Summary of Proposal			
A Petition for a Special Use Permit (SUP) for Multi-Family development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.			
Parcel ID	Acreage	Current Zoning Designation	
023020005	.28 acres	B-2	General Commercial District
			
Photo		Comprehensive Plan Designation	
		University Boulevard Development Corridor	
			



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager  
Brian Moore, Director of Economic Development

**FROM:** Reginald Tabor

**RE:** **A Public Hearing and consideration of a Petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in the B-2 General Commercial Zoning District. (Page 30)**

---

**PURPOSE:** To consider an ordinance approving the petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

**REASON:** To comply with policies, procedures and laws regarding Special Use Permits.

**RECOMMENDATION:** It is recommended that the City Council hold a Public Hearing and consider an Ordinance approving a Petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

**BACKGROUND:** The City of Petersburg received a petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Revenue from the use of the property

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** The City Code Appendix B Zoning.

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 0502\_2023OrdinanceSUP1602WWashingtonStreet
2. 0504\_2023AgendaItemSummary1602WWashingtonStSUP



**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)  
FOR CAR WASH AND AUTOMOTIVE DETAILING AT 1602 W WASHINGTON  
STREET**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for Car Wash and Automotive Detailing at 1602 W Washington Street, PIN: 028040012; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a B-2 General Commercial Zoning District; and

WHEREAS, the purpose of the Special Use Permit is to permit a Car Wash and Automotive Detailing use; and

WHEREAS, the proposed use is permitted in the B-2 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Commercial; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and




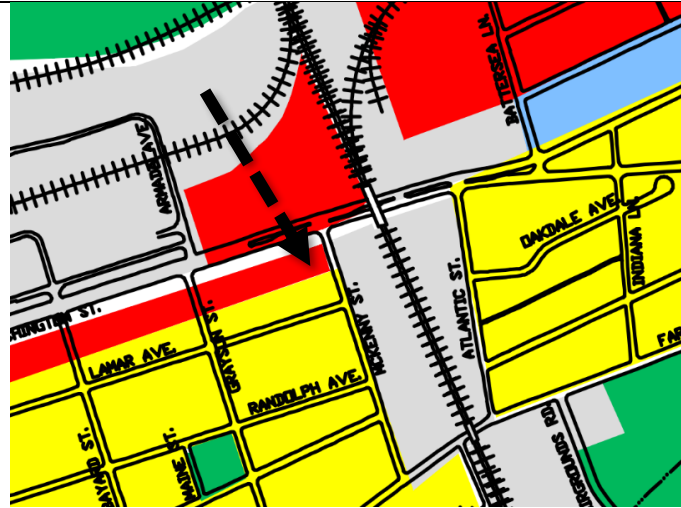
WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Car Wash and Automotive Detailing use at 1602 W Washington Street, PIN: 028040012, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for a Car Wash and Automotive Detailing use at 1602 W Washington Street, PIN: 028040012.



## City of Petersburg Planning Commission Agenda Item

**Case No:** 2023-SUP-05  
**Public Hearing Date:** May 4, 2023  
**Property Address:** 1602 W Washington Street  
**Parcel ID:** 028040012  
**Agent:** Mr. Sada Allen

Request		Staff Recommendation	
Petition for a Special Use Permit (SUP)		TBD	
Summary of Proposal			
A Petition for a Special Use Permit (SUP) for Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.			
Parcel ID	Acreage	Current Zoning Designation	
028040012	.386 acres	B-2	General Commercial District
			
Photo		Comprehensive Plan Designation	
			



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager  
Brian Moore, Director of Economic Development

**FROM:** Reginald Tabor

**RE:** **A Public Hearing and consideration of an Ordinance approving a Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District. (Page 34)**

**PURPOSE:** To consider an ordinance approving the petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

**REASON:** To comply with policies, procedures and laws regarding the rezoning of properties.

**RECOMMENDATION:** It is recommended that the City Council hold a Public Hearing and consider an Ordinance approving a Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

**BACKGROUND:** The City of Petersburg received a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Revenue from the development of the property.

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** Prince George County. The development includes property in both Prince George County and the City of Petersburg.

**AFFECTED AGENCIES:** City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** The City Code Appendix B. Zoning

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 0502\_2023OrdinanceRezoning3287CountyDrive
2. 0504\_2023AgendaItemSummary3287CountyDrREZ

**AN ORDINANCE APPROVING A PETITION TO REZONE PROPERTY IN THE CITY OF PETERSBURG, LOCATED AT 3287 COUNTY DRIVE, PIN 061020001, FROM GENERAL COMMERCIAL DISTRICT (B-2) TO LIGHT INDUSTRIAL DISTRICT (M-1).**

WHEREAS, the City of Petersburg received a petition to rezone the property located at 3287 County Drive, PIN 061020001, from General Commercial District (B-2) to Light Industrial District (M-1); and

WHEREAS, the purpose of the rezoning is to permit the construction of buildings for the operation of a light industrial and warehouse uses; and

WHEREAS, the proposed use is permitted in the M-1 district; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Commercial; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a petition to rezone the property located at 3287 County Drive, and the public hearing was advertised, in accordance with applicable laws.


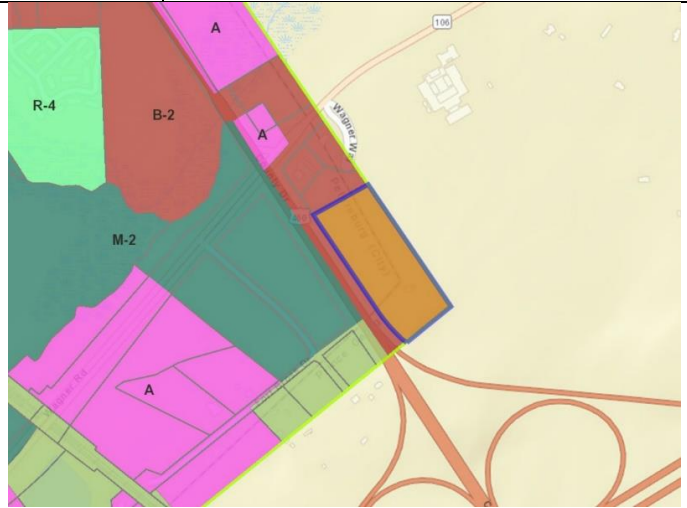


NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition to rezone the property located at 3287 County Drive, PIN 061020001, from General Commercial District (B-2) to Light Industrial District (M-1).





# City of Petersburg Planning Commission Agenda Item

**Case No:** 2023-REZ-04  
**Public Hearing Date:** May 4, 2023  
**Property Address:** 3287 County Drive  
**Parcel ID:** 061020001  
**Agent:**

Request		Staff Recommendation	
Petition to Rezone Property from B-2 to M-1		TBD	
Summary of Proposal			
A Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.			
Parcel ID	Acreage	Current Zoning Designation	
061020001	4.805 acres	B-2	General Commercial District
			
Photo		Comprehensive Plan Designation	
		Commercial	
			



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Stacey Jordan

**RE:** **A Public Hearing for the Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget. (Page 38)**

**PURPOSE:** A Public hearing for Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget.

**REASON:** A Public Hearing is requested to be held in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the proposed budgets of the various funds, known as All Funds, in the amount of \$117,271,252. The All Funds Budget for the Fiscal Year commencing July 1, 2023 and ending June 30, 2024 requires approval, adoption and appropriation by City Council..

**RECOMMENDATION:** Staff recommends that City Council adopts and approves the City of Petersburg's FY2023-24 Proposed Operating Budget and Appropriation Ordinance following the public hearing.

**BACKGROUND:** The City Manager has proposed an operating spending plan of \$117,271,252 for FY2023-24. The Department of Finance will present the FY2023-24 Proposed Operating Budget to City Council on May 2, 2023. There were two community budget work sessions held on April 26<sup>th</sup> and April 27<sup>th</sup> and an official public hearing will be held on May 16<sup>th</sup>. The final step in the budget process is for City Council to adopt the FY2023-24 Proposed Operating Budget and approve the Appropriation Ordinance.

**COST TO CITY:** 117,271,252

**BUDGETED ITEM:** NA

**REVENUE TO CITY:** 117,271,252

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. All Funds Budget 04.25.23
2. FY 2023-24 Proposed Operating Budget-04.25.23 Revised



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 26, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** John ‘March’ Altman, Jr., City Manager

**FROM:** Stacey Jordan

**RE:** **A Request to schedule a Public Hearing for the Consideration of the City of Petersburg's FY2023-24 Proposed Operating and Appropriation Ordinance**

---

**PURPOSE:** Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget Appropriation Ordinance to include rate of taxation on real property.

**REASON:** The Department of Finance will present the FY2023-24 Proposed Operating Budget to City Council on May 2, 2023. A Public Hearing is requested to be held in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the proposed budgets of the various funds, known as All Funds, in the amount of \$117,271,252. The All Funds Budget for the Fiscal Year commencing July 1, 2023 and ending June 30, 2024 requires approval, adoption and appropriation by City Council..

**RECOMMENDATION:** Staff recommends that City Council adopts and approves the City of Petersburg's FY2023-24 Proposed Operating Budget and Appropriation Ordinance.

**BACKGROUND:** The City Manager has proposed an operating spending plan of \$117,271,252 for FY2023-24. The Department of Finance will present the FY2023-24 Proposed Operating Budget to City Council on May 2, 2023. There were two community budget work sessions held on April 26<sup>th</sup> and April 27<sup>th</sup> and an official public hearing will be held on May 18<sup>th</sup>. The final step in the budget process is for City Council to adopt the FY2023-24 Proposed Operating Budget and approve the Appropriation Ordinance.

**COST TO CITY:** \$117,271,252

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** \$117,271,252

**CITY COUNCIL HEARING DATE:** 5/18/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** ALL

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. FY2023-2024 Proposed All Funds Budget 03.30.2023





# FY 2023-24 PROPOSED OPERATING BUDGET

***“WE ARE PETERSBURG”***  
***PETERSBURG PROUD***

*City of Petersburg*  
VIRGINIA



**I AM**  
**PETERSBURG**  
**VIRGINIA**



# CITY COUNCIL

## City Council Members

**Mayor**  
**Samuel Parham**  
**Ward 3**

**Vice Mayor**  
**Darrin Hill**  
**Ward 2**

**Councilmember**  
**Marlow Jones**  
**Ward 1**

**Councilmember**  
**Charlie Cuthbert**  
**Ward 4**

**Councilmember**  
**W. Howard Myers**  
**Ward 5**

**Councilmember**  
**Annette Smith-Lee**  
**Ward 6**

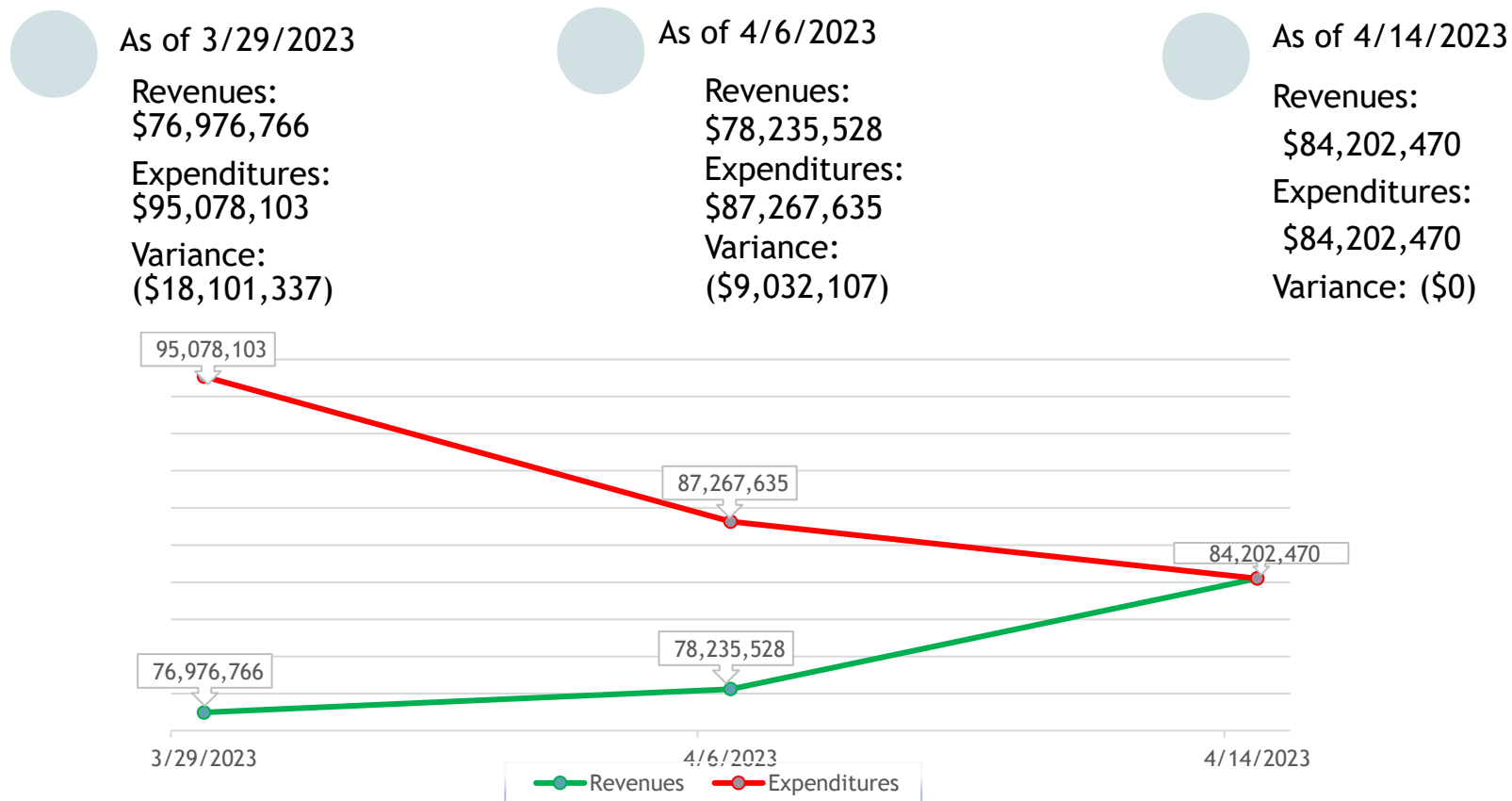
**Councilmember**  
**Arnold Westbrook, Jr.**  
**Ward 7**



# INTRODUCTION AND EXECUTIVE SUMMARY

MARCH ALTMAN  
CITY MANAGER

# Timeline of General Fund Budget Development



Funding from original revenues listed for 3/29/23, increased due to receiving additional data from the City Assessor and the Commissioner of the Revenue as well as an increase to State Funding received for salary increases (also refer to 2021-2022 actuals).



# FY 2023-24 Proposed Operating Budget Highlights

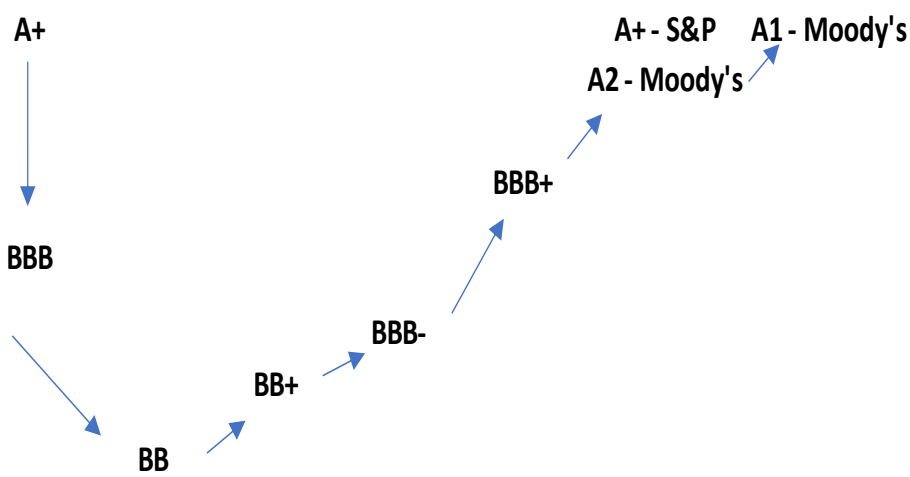
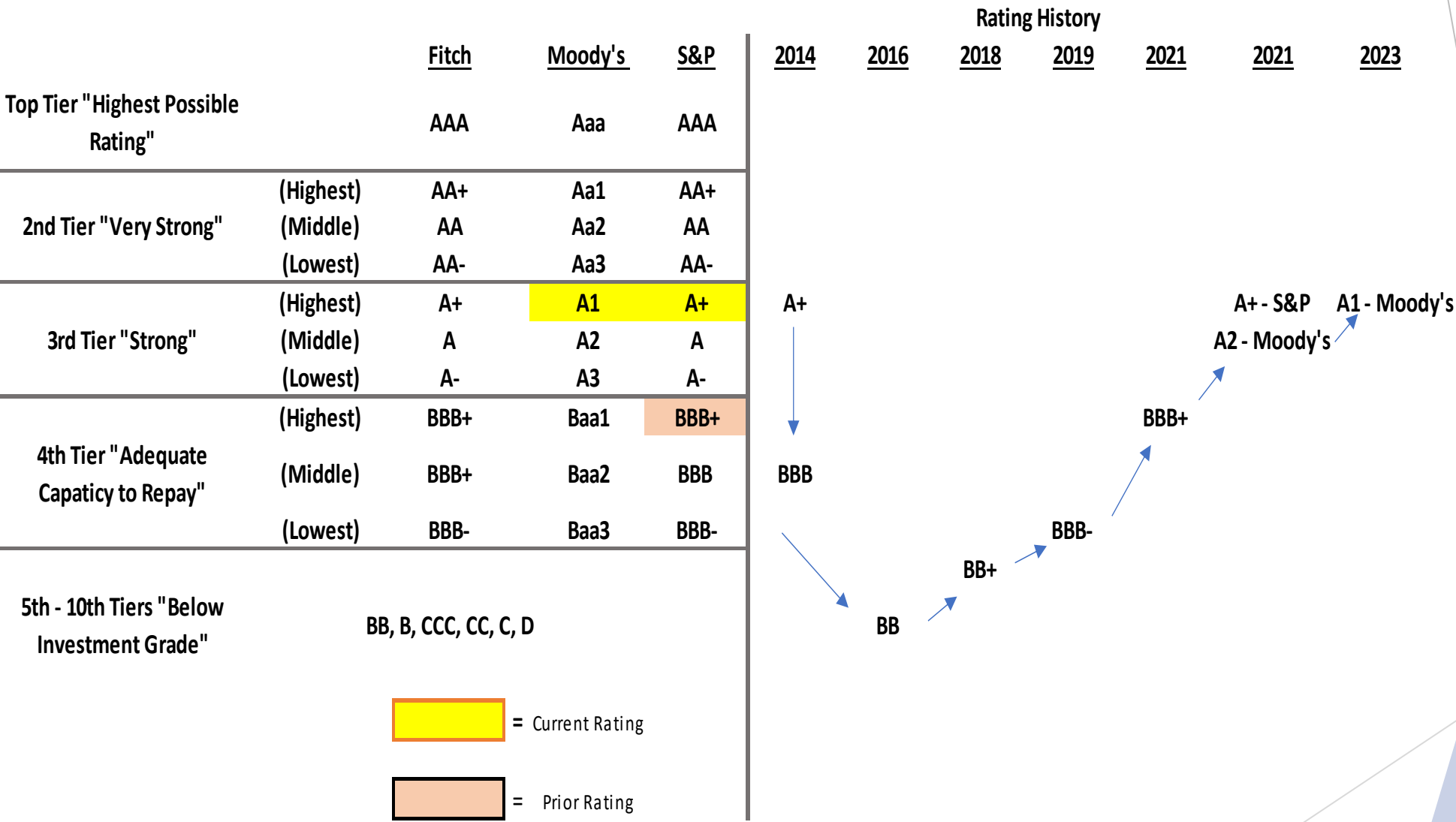
## **City Absorbed Incremental Cost for FY2023-24**

The FY23-24 General Fund Revenue & Expenditures have increased by 8.86% compared to the FY22-23 Amended budget. The two main components that play a part in that increase are as follows:

1. The 8.8% health insurance increase that will be absorbed by the City. For FY22-23 there was an increase of 16%.
2. The transfer amount provided to the City of Petersburg School System has increased from the annual allotment of \$10m to an additional \$2.3m raising the transfer amount to \$12,361,477 for FY23-24.

- The City is looking to take part in the Davenport Vehicle Program to help with replacing the older and worn vehicles. There were numerous request for the FY23-24 budget to replace vehicles throughout the City.

# BOND RATING IMPROVEMENT





# PETERSBURG CREDIT RATING ANALYSIS

Summary: Moody's overall rating for the City was (Aa3 very strong) the fund balance and cash reserves have grown steadily over the last three fiscal years, supported by strong property tax collections. Although, the city plans to issue a significant amount of debt for capital projects in the near term resulting in an above average yet manageable leverage burden. The rating also reflects the city's strong management and commitment to maintaining balanced operations.

Credit strengths: Healthy liquidity and reserves, expanding local economy and low fixed costs. The City has neutral to low exposure to environmental risks, including physical climate risk, natural capital, and waste and pollution as well as strengths in the institutional structure. The score also considers the city's policy credibility, transparency, and strong management and budgeting practices.

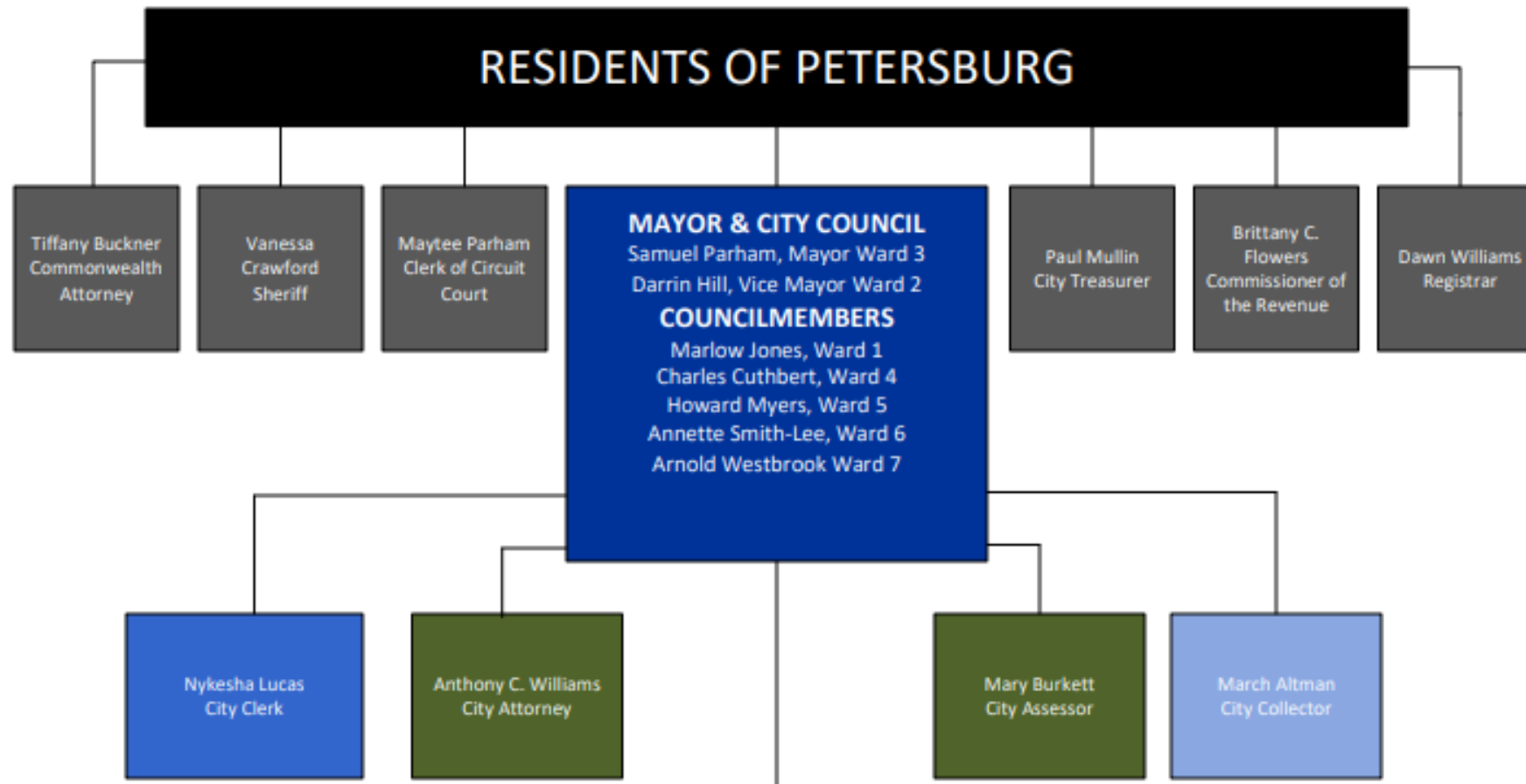
Credit challenges: Below average resident income and wealth levels as well as moderate debt burden expected to grow over the near term. The city's educational attainment metrics lag the state and the city's health and safety metrics are below the state's greater trends.

Factors that could lead to an upgrade: Material increases in reserves, significant declines in fixed costs, improving resident income levels.

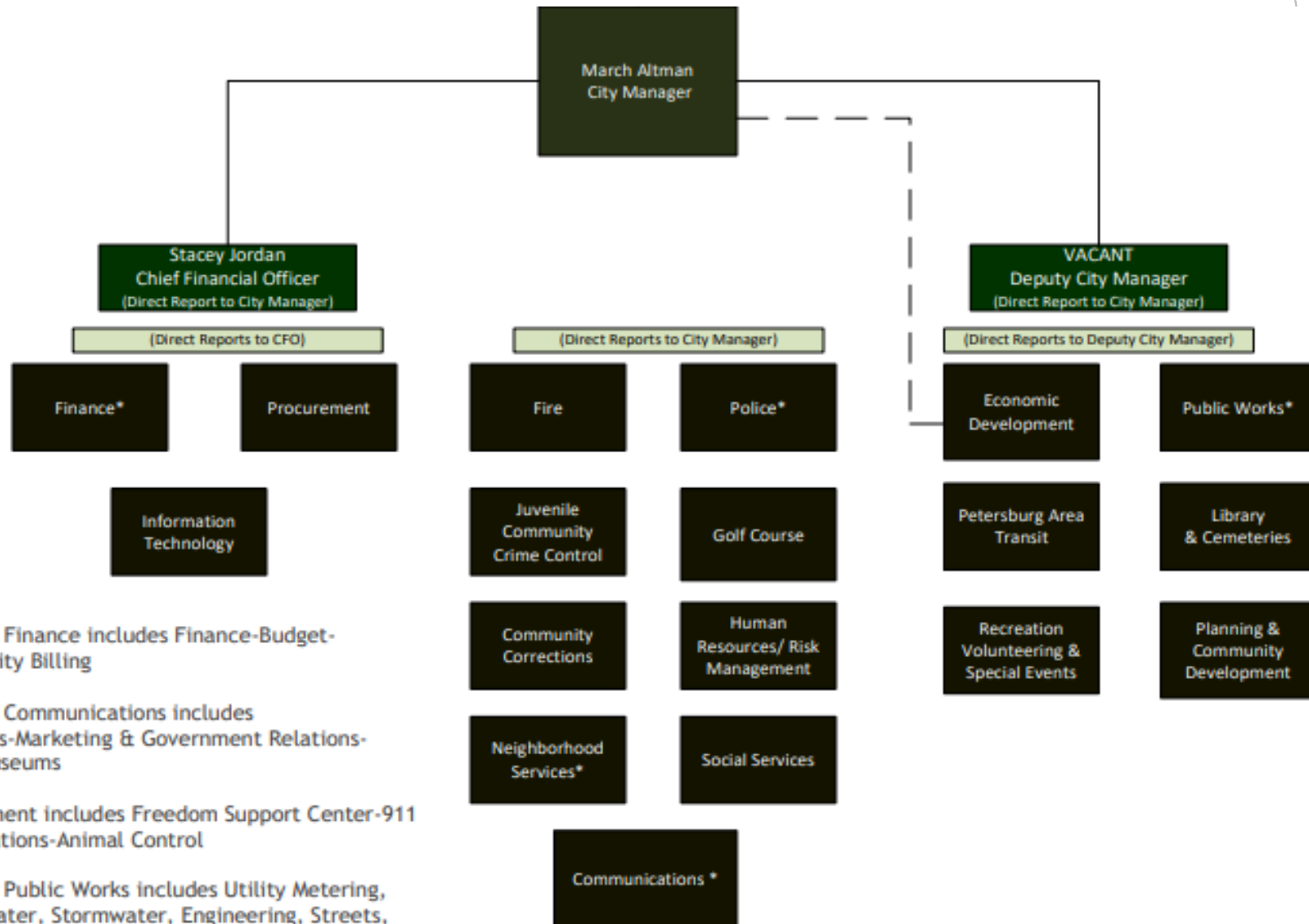
Factors that could lead to a downgrade: Material draws on reserves, increases in leverage and fixed costs, worsening resident income levels.

# City of Petersburg - Current Organizational Chart

## CITY OF PETERSBURG ORGANIZATIONAL CHART



# City of Petersburg - Current Organizational Chart Cont.



\*Department of Finance includes Finance-Budget-Collections-Utility Billing

\*Department of Communications includes Communications-Marketing & Government Relations-Tourism and Museums

\*Police Department includes Freedom Support Center-911 Telecommunications-Animal Control

\*Department of Public Works includes Utility Metering, Water, Wastewater, Stormwater, Engineering, Streets, Facilities and Grounds

# BUDGET EXPLANATION

STACEY JORDAN  
CHIEF FINANCIAL OFFICER

JEANETTE JOHNSON  
BUDGET MANAGER

# STRATEGIC PLAN GOALS

Promote	Promote Economic Development to Attract New Businesses and Strengthen the City's Tax Base
Support	Support Community Development Activities to Enhance Neighborhoods and Improve Housing
Provide	Provide Good Governance for Efficient, Effective, and Equitable Service Delivery, Productive Citizen Engagement, and Community Improvement
Celebrate	Celebrate Petersburg's History and Culture



# FY 2023-2024 BUDGET “ABC’S”



**ACCOUNTING** for structural changes within **ALL** governmental operations



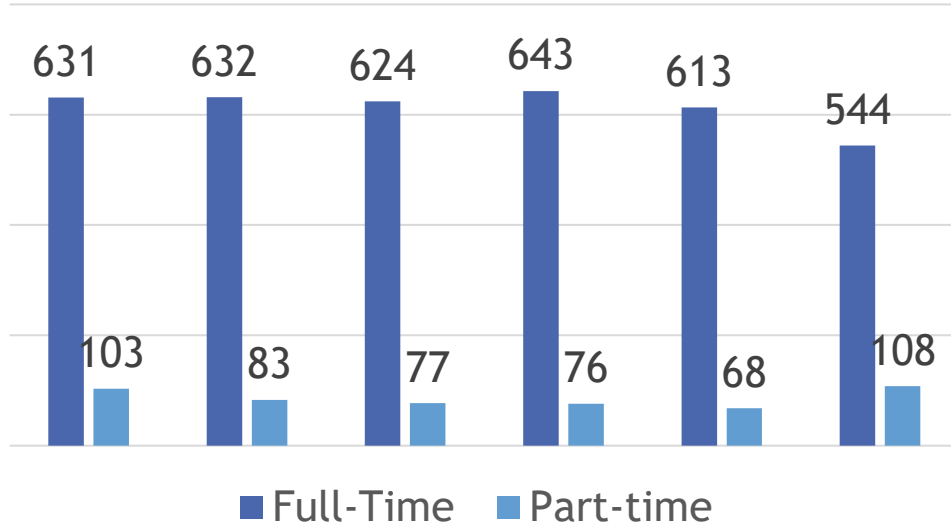
**BALANCING** the continuity of operations with finite resources



**CONTINUE** to build the Fund Balance by a minimum of \$500 thousand annually.



# Full-time Personnel Summary for FY2023-24



DEPARTMENT	FTE	PT	VACANCIES	AMOUNT
CITY COUNCIL	1	7	0	\$ -
CITY MANAGER	3	0	1	\$ 187,409
CITY ATTORNEY	2	0	1	\$ 81,895
COMMISSIONER OF THE REVENUE	6	0	0	\$ -
CITY ASSESSOR	5	0	1	\$ 87,958
CITY TREASURER	3	0	0	\$ -
COLLECTIONS	11	0	0	\$ -
FINANCE	7	0	3	\$ 227,731
PROCUREMENT	2	1	1	\$ 70,331
HUMAN RESOURCES	6	0	0	\$ -
CIRCUIT COURT	1	0	0	\$ -
COMMONWEALTH ATTORNEY	14	2	1	\$ 92,518
CLERK OF CIRCUIT COURT	10	1	2	\$ 127,080
SHERIFF	23	1	1	\$ 23,511
SOCIAL SERVICES	82	2	29	\$ 1,958,461
COMPREHENSIVE SERVICES ACT	1	0	0	\$ -
BLANDFORD CEMETERY	0	2	0	\$ -
POLICE	87	5	15	\$ 1,141,758
EMERGENCY COMMUNICATIONS	11	3	6	\$ 336,987
FIRE	57	0	20	\$ 1,389,909
NEIGHBORHOOD SERVICES	8	0	2	\$ 172,903
ANIMAL CONTROL	3	1	2	\$ 124,640
ENGINEERING	3	0	3	\$ 168,721
STREET OPERATIONS	29	2	9	\$ -
GROUPS	11	0	2	\$ 143,635
FACILITY MANAGEMENT	15	3	4	\$ 209,666
PARKS & RECREATION	4	33	1	\$ 64,919
LIBRARY	7	8	2	\$ 116,712
PLANNING	4	0	2	\$ 229,005
ECONOMIC DEVELOPMENT	3	0	1	\$ 66,738
CDBG	3	0	0	\$ -
REGISTRAR	3	0	3	\$ 41,854
PUBLIC UTILITIES WATER	29	0	7	\$ 412,088
PUBLIC UTILITIES WASTEWATER	7	0	0	\$ -
GOVERNMENT RELATIONS	4	0	0	\$ -
INFORMATION TECHNOLOGY	3	1	1	\$ 72,194
TRANSIT PREVENTIVE MAINTENANCE	13	6	0	\$ -
MASS TRANSIT	38	6	1	\$ 46,233
VICTIM WITNESS	4	0	0	\$ -
COMMUNITY CORRECTIONS	7	1	0	\$ -
VJCCA	1	6	1	\$ 51,787
FREEDOM SUPPORT CENTER	0	1	0	\$ -
PARATRANSIT	4	2	0	\$ -
DOGWOOD TRACE	7	14	0	\$ -
STORMWATER	2	0	2	\$ 198,101
	544	108	124	\$ 7,844,742



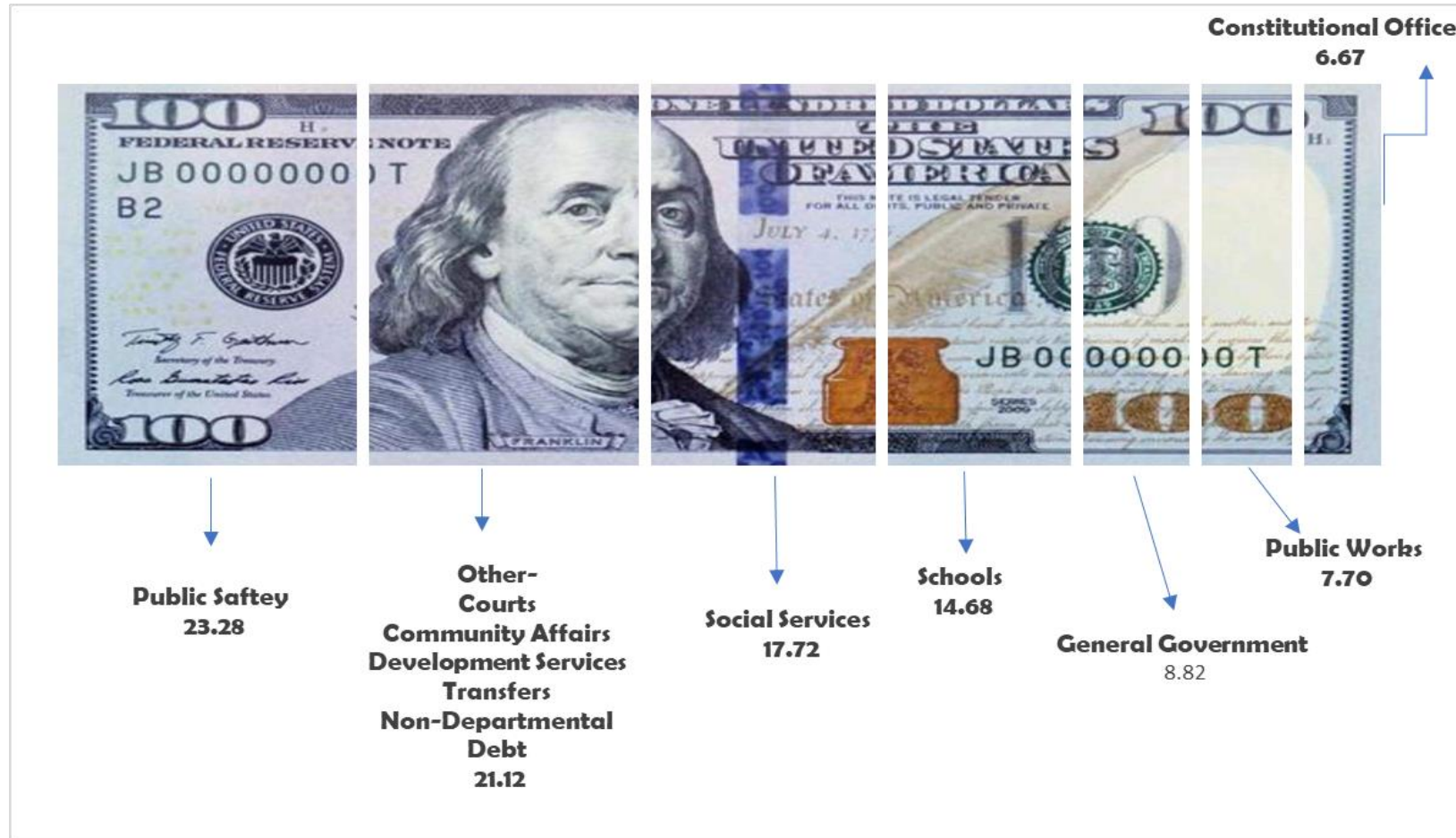


# FY2023-24 BUDGET OVERVIEW

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# How is the General Fund Revenue spent?



# FY 2023-24 Proposed Operating Budget Summary

REVENUES										
FUND	2019-2020 ACTUALS	2020-2021 ADOPTED	2020-2021 ACTUALS	2021-2022 ADOPTED	2021-2022 ACTUALS	2022-2023 ADOPTED	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED	2023- 2024 PERCENTAGE CHANGE
General Fund	72,322,000	73,338,140	73,342,756	74,724,623	88,643,098	73,856,740	76,742,776	75,686,766	84,202,469	8.86%
Grants Fund	3,714,735	785,302	5,987,466	938,048	(9,341,739)	1,002,267	1,032,077	801,376	1,829,951	43.60%
Streets Fund	8,484,548	5,981,699	6,236,171	5,987,385	6,262,816	5,984,699	6,746,448	8,356,606	6,756,606	0.15%
CDBG Fund	504,863	1,592,032	883,690	632,000	801,995	628,399	583,253	583,253	583,253	0.00%
Utilities Fund	14,575,031	15,119,619	14,696,657	13,475,933	12,347,358	15,116,132	14,719,890	14,600,000	15,000,000	1.87%
Stormwater Fund	968,524	1,460,249	1,349,345	1,057,003	1,511,484	1,259,012	1,243,066	1,322,156	1,322,156	5.98%
Golf Fund	1,100,241	1,204,850	1,151,139	1,205,079	1,112,170	1,379,028	1,357,925	1,086,150	1,104,550	-22.94%
Transit Fund	5,367,414	4,843,163	4,149,754	5,593,585	5,108,189	4,974,745	6,815,205	4,827,849	6,472,267	-5.30%
<b>TOTAL</b>	<b>107,037,356</b>	<b>104,325,053</b>	<b>107,796,978</b>	<b>103,613,656</b>	<b>106,445,371</b>	<b>104,201,022</b>	<b>109,240,640</b>	<b>107,264,156</b>	<b>117,271,252</b>	<b>6.85%</b>
EXPENDITURES										
FUND	2019-2020 ACTUALS	2020-2021 ADOPTED	2020-2021 ACTUALS	2021-2022 ADOPTED	2021-2022 ACTUALS	2022-2023 ADOPTED	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED	2023- 2024 PERCENTAGE CHANGE
General Fund	71,026,092	73,819,626	67,984,547	74,724,623	69,089,713	73,856,740	76,742,775	93,095,961	84,202,470	8.86%
Grants Fund	2,021,680	785,302	5,653,301	938,048	974,611	1,002,267	1,032,077	843,716	1,829,951	43.60%
Streets Fund	4,768,988	5,981,699	5,912,019	5,987,385	5,846,490	5,984,699	6,746,448	8,789,815	6,756,606	0.15%
CDBG Fund	572,332	1,592,032	862,593	632,000	393,055	628,399	583,253	583,253	583,253	0.00%
Utilities Fund	12,198,350	15,119,619	12,683,017	13,475,933	9,828,383	15,116,132	14,719,890	15,724,886	15,000,000	1.87%
Stormwater Fund	507,442	1,460,249	931,761	1,057,003	579,529	1,259,011	1,243,066	1,322,156	1,322,156	5.98%
Golf Fund	740,569	1,204,850	1,221,634	1,205,079	846,602	1,379,028	1,357,925	1,086,150	1,104,550	-22.94%
Transit Fund	4,645,204	4,843,163	5,340,561	5,593,585	5,330,299	4,974,746	6,815,205	4,827,849	6,472,267	-5.30%
<b>TOTAL</b>	<b>96,480,657</b>	<b>104,325,053</b>	<b>100,589,433</b>	<b>103,613,656</b>	<b>92,888,682</b>	<b>104,201,022</b>	<b>109,240,639</b>	<b>126,273,785</b>	<b>117,271,253</b>	<b>6.85%</b>



# FY 2023-24 General Fund Revenue Summary

GENERAL FUND REVENUES	2019-2020 ACTUALS	2020-2021 ADOPTED	2020-2021 AMENDED	2020-2021 ACTUALS	2021-2022 ADOPTED	2021-2022 ACTUALS	2022-2023 ADOPTED	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
General Property Taxes	34,472,889	32,697,309	34,197,809	33,762,886	34,457,439	43,609,745	36,957,828	37,307,828	33,260,743	38,602,120
Other Local Taxes	12,798,820	13,496,877	13,603,680	14,942,698	13,554,136	17,672,509	13,577,400	13,617,400	16,263,400	16,661,901
Permits, Fees & Licenses	324,777	363,600	377,900	616,382	364,890	707,371	302,840	309,540	308,390	369,490
Fines & Forfeitures	930,750	858,643	593,230	597,410	687,079	355,679	405,000	605,000	522,000	522,500
Money/Property	102,583	122,000	99,000	227,715	97,500	69,194	110,000	110,000	80,000	81,000
Charges For Services	2,141,690	3,016,083	3,033,170	2,653,557	3,021,664	3,970,055	2,625,008	2,678,308	2,699,550	3,112,450
Miscellaneous Revenue	1,280,400	1,109,737	1,073,208	1,179,833	970,880	340,286	914,880	914,880	929,000	955,500
Recovered Costs	103,646	80,500	158,326	149,513	30,500	73,004	40,500	40,500	36,500	36,500
Revenue From the Commonwealth	15,124,553	16,428,528	16,415,233	14,987,852	16,336,591	15,303,690	14,023,284	15,008,845	15,007,183	15,277,592
Revenue From the Federal Government	4,822,081	4,931,163	5,030,676	4,697,509	5,003,944	6,593,188	4,700,000	5,950,475	6,200,000	8,203,416
Non-Revenue Receipts	219,810	233,700	-	(472,600)	200,000	(51,622)	200,000	200,000	380,000	380,000
	<b>72,322,000</b>	<b>73,338,140</b>	<b>74,582,232</b>	<b>73,342,756</b>	<b>74,724,623</b>	<b>88,643,098</b>	<b>73,856,740</b>	<b>76,742,776</b>	<b>75,686,766</b>	<b>84,202,469</b>

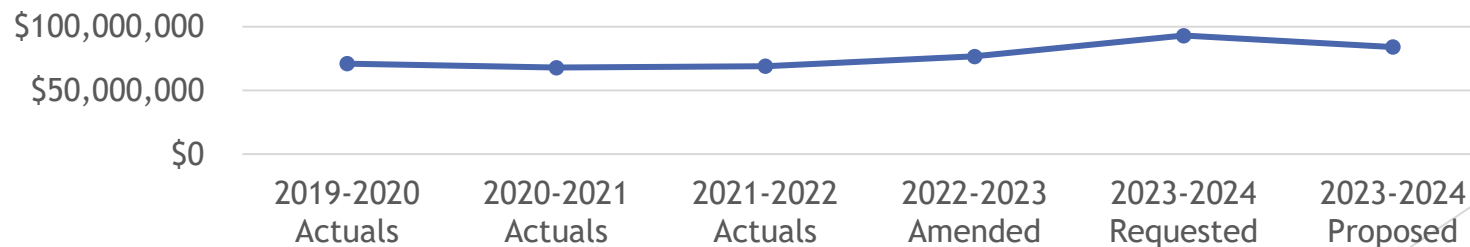




# FY 2023-24 General Fund Expenditure Summary

EXPENDITURES	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED	REQUESTED VARIANCE	REQUESTED % CHANGE	PROPOSED VARIANCE	PROPOSED % CHANGE
General Government	7,459,573	6,744,306	6,565,738	7,095,691	7,850,996	7,425,464	755,305	9.62%	329,772	4.44%
Constitutional Offices	4,391,094	4,368,858	4,367,319	5,047,952	6,605,745	5,617,762	1,557,793	23.58%	569,810	10.14%
Public Safety	16,946,262	16,474,983	17,316,804	18,592,333	25,389,220	19,608,280	6,796,887	26.77%	1,015,947	5.18%
Courts & Other Public Safety	242,729	245,505	207,845	277,002	277,715	282,343	714	0.26%	5,342	1.89%
General Services	4,557,146	5,319,340	4,873,322	5,757,494	6,792,769	6,391,348	1,035,275	15.24%	633,855	9.92%
Social Services	13,150,551	12,032,961	11,164,955	14,530,590	15,007,641	14,886,737	477,051	3.18%	356,148	2.39%
Leisure & Cultural Affairs	1,984,065	1,475,017	1,677,024	1,980,086	2,334,644	2,434,114	354,557	15.19%	454,028	18.65%
Development Services	1,175,844	1,426,253	1,243,887	2,748,512	3,744,679	3,257,553	996,167	26.60%	509,041	15.63%
Debt Service	4,010,086	4,669,051	3,257,952	3,127,269	3,002,126	3,002,126	(125,143)	-4.17%	(125,143)	-4.17%
Schools	10,000,000	7,453,605	10,000,000	10,000,000	12,361,477	12,361,478	2,361,477	19.10%	2,361,478	19.10%
Transfers	1,366,594	1,561,475	2,470,630	2,541,226	2,541,226	2,541,226	-	0.00%	-	0.00%
Non-Departmental	5,742,148	6,213,192	5,944,235	5,044,621	7,187,723	6,394,037	2,143,102	29.82%	1,349,416	21.10%
<b>TOTAL EXPENDITURES</b>	<b>71,026,092</b>	<b>67,984,547</b>	<b>69,089,713</b>	<b>76,742,775</b>	<b>93,095,961</b>	<b>84,202,469</b>	<b>16,353,186</b>		<b>7,459,694</b>	

General Fund Expenditures since FY2019-2020





# FY 2023-24 General Government Summary

GENERAL GOVERNMENT	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
City Council	309,048	270,755	221,805	287,919	329,992	329,992
City Manager	526,718	503,341	731,069	799,766	823,115	823,115
City Attorney	394,431	235,428	295,625	456,833	460,916	460,916
Human Resources	336,203	511,604	1,876,134	1,986,808	2,152,628	2,110,023
Assessor	506,391	502,569	481,927	560,198	588,365	588,365
Finance	1,275,544	1,014,520	1,012,206	1,078,998	1,361,500	1,115,478
Billing & Collections	587,632	579,760	615,462	499,437	585,119	490,019
Risk Management	1,821,588	1,637,372	-	-	-	-
Procurement	338,073	383,228	361,980	319,833	335,135	339,231
Central Store Room	58,162	53,228	521	-	-	-
Information Technology	1,305,782	1,052,501	969,008	1,105,899	1,214,227	1,168,326
<b>TOTAL GENERAL GOVERNMENT</b>	<b>7,459,573</b>	<b>6,744,306</b>	<b>6,565,738</b>	<b>7,095,691</b>	<b>7,850,996</b>	<b>7,425,464</b>

- Overall 4.5% increase to General Government
- 12.5% increase to City Council due to salary increases for councilmembers



# FY 2023-24 Constitutional Officers Summary

CONSTITUTIONAL OFFICERS	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Commissioner of Revenue	348,081	348,162	380,156	428,539	447,434	454,199
Treasurer	212,547	221,545	238,111	226,831	236,312	248,515
Registrar	517,233	376,823	359,718	498,925	542,307	550,739
Clerk of Circuit Court	618,049	640,909	701,526	764,449	1,135,492	841,893
Commonwealth Attorney	1,148,309	1,121,195	1,178,000	1,487,715	2,032,016	1,607,089
Sheriff	1,541,774	1,660,224	1,509,809	1,641,493	2,212,183	1,915,326
<b>TOTAL CONSTITUTIONAL OFFICERS</b>	<b>4,385,993</b>	<b>4,368,858</b>	<b>4,367,319</b>	<b>5,047,952</b>	<b>6,605,745</b>	<b>5,617,762</b>

- Overall 10.14% increase to Constitutional Officers
- Annual 5% Comp Board increase
- Sheriff' Department had an increase of 14% due to the re-instatement of positions that were removed from the amended FY23 budget



# FY 2023-24 Public Safety Summary

PUBLIC SAFETY	2019-2020 ACTUALS	2020-2021 AMENDED	2020-2021 ACTUALS	2021-2022 ADOPTED	2021-2022 ACTUALS	2022-2023 ADOPTED	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Police	8,119,381	8,167,261	8,038,815	8,185,154	8,479,362	8,291,576	8,755,686	12,493,508	9,430,903
911 Emergency Communications	1,647,575	1,858,190	1,537,724	1,815,090	1,467,431	1,771,297	1,874,287	2,389,813	1,558,017
Animal Control	265,861	234,867	209,844	274,359	153,636	255,752	308,866	440,094	325,338
Fire/EMS	6,625,622	6,790,263	6,472,106	6,841,890	7,029,844	7,146,460	7,318,979	9,767,403	7,948,508
VJCCCA Services***	164,626	192,259	142,670	217,845	129,144	221,823	207,384	222,566	218,383
City Funds- Community Corrections	-	-	-	-	-	-	-	-	-
Victim Witness	-	-	-	-	-	-	-	-	26,286
Freedom Support Center	123,197	90,813	73,824	89,866	57,387	98,595	127,131	75,836	127,131
<b>TOTAL PUBLIC SAFETY</b>	<b>16,946,262</b>	<b>17,333,653</b>	<b>16,474,983</b>	<b>17,424,204</b>	<b>17,316,804</b>	<b>17,785,503</b>	<b>18,592,333</b>	<b>25,389,220</b>	<b>19,634,566</b>

- Overall 5.26% increase for Public Safety
- 2% salary increase for the Fire Department
- Due to 10% cut in Federal Funds received, the City will absorb the additional funds of \$26k need to fund Victim Witness



# FY 2023-24 Courts & Other Public Safety Summary

COURTS & OTHER PUBLIC SAFETY	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Circuit Court Judges & Admin.	88,781	88,995	85,584	90,798	91,510	91,510
General District Court	38,334	38,418	14,386	52,500	52,500	52,500
Magistrate	24,538	25,465	20,675	25,000	25,000	25,000
11th District Court Services Unit	87,063	89,170	84,793	99,954	99,955	104,583
Juvenile Domestic Relations Court	4,015	3,457	2,407	8,750	8,750	8,750
<b>TOTAL COURTS &amp; OTHER PUBLIC SAFETY</b>	<b>242,729</b>	<b>245,505</b>	<b>207,845</b>	<b>277,002</b>	<b>277,715</b>	<b>282,343</b>

- Overall 1.89% increase to Courts & Other Public Safety
- 11<sup>th</sup> District Court will see a 2% increase in rent as well as an increase to the cleaning services that are provided.



# FY 2023-24 General Services Summary

GENERAL SERVICES	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Fleet	(5,422)	64,862	43,059	-	-	-
Public Works (Engineering)	-	8,031	1,386	451,058	560,344	463,308
General Services	339,034	262,123	34,159	-	-	-
Facilities Maintenance	2,642,364	2,596,744	2,460,950	2,462,854	2,972,062	2,865,291
Grounds	24,386	694,847	806,344	1,193,581	1,560,363	1,362,749
Refuse Collection	1,556,784	1,692,732	1,527,425	1,650,000	1,700,000	1,700,000
<b>TOTAL GENERAL SERVICES</b>	<b>4,557,146</b>	<b>5,319,340</b>	<b>4,873,322</b>	<b>5,757,494</b>	<b>6,792,769</b>	<b>6,391,348</b>

- Overall 9.2% increase for General Services
- All utilities should now be paid by Facilities Maintenance
- The Turf Division has been removed from Grounds and placed under Parks & Rec



# FY 2023-24 Social Services Summary

SOCIAL SERVICES	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Social Services	8,980,068	8,386,517	8,274,070	10,233,351	10,710,403	10,583,277
Comprehensive Services Act	4,170,483	3,646,444	2,890,886	4,297,239	4,297,238	4,303,461
<b>TOTAL SOCIAL SERVICES</b>	<b>13,150,551</b>	<b>12,032,961</b>	<b>11,164,955</b>	<b>14,530,590</b>	<b>15,007,641</b>	<b>14,886,737</b>

- Overall 2.6% increase
- 7% salary increase
- Currently there are 29 vacancies; 20 will be funded in January 2024





# FY 2023-24 Leisure & Community Engagement Summary

LEISURE & COMMUNITY ENGAGEMENT	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Recreation & Community Engagement	804,934	446,011	531,035	677,089	754,583	854,053
Library	890,245	901,322	1,021,919	1,259,671	1,532,014	1,532,014
Tourism & Special Events	-	-	21,000	-	-	-
Cemeteries Administration	34,411	34,788	36,669	43,326	48,047	48,047
Museums/Tourism	164,444	77,556	66,402	-	-	-
Workforce Development	90,031	15,339	-	-	-	-
<b>TOTAL LEISURE &amp; COMMUNITY ENGAGEMENT</b>	<b>1,984,065</b>	<b>1,475,017</b>	<b>1,677,024</b>	<b>1,980,086</b>	<b>2,334,644</b>	<b>2,434,114</b>

- Overall 18.65% increase
- Recreation & Community Engagement due to additional position Recreation Specialist Special Event & Programs
- Turf Division removed from Grounds and placed to Recreation & Community Engagement
- Library upgrade computers



# FY 2023-24 Development Services Summary

DEVELOPMENT SERVICES	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Planning	305,801	393,393	323,568	676,081	880,125	880,125
Economic Development	319,186	347,360	243,920	432,731	504,271	504,271
Government Relations				731,740	895,462	895,462
Neighborhood Services	550,857	685,500	676,399	907,960	1,464,822	977,695
<b>TOTAL DEVELOPMENT SERVICES</b>	<b>1,175,844</b>	<b>1,426,253</b>	<b>1,243,887</b>	<b>2,748,512</b>	<b>3,744,679</b>	<b>3,257,553</b>

- Planning increased by 23.18% due to addition of the Planning Director
- Government Relations 18.28% increase due to the cost of the quarterly newsletter.



# FY 2023-24 NON-DEPARTMENTAL SUMMARY

NON-DEPARTMENTAL		2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 REQUESTED
	2% Levy - Building Permits	-	-	-	-	-	-
	American Red Cross	-	-	-	-	5,000	5,000
	Brightpoint Community College (Formally John Tyler)	5,108	5,055	4,945	4,713	4,675	4,675
	Central Virginia Health Services (Petersburg Health Dept.)	610,000	610,000	610,000	610,000	610,000	610,000
	Cooperative Extension	30,000	50,000	20,000	53,845	53,845	40,000
	Crater Distr Area Agency On Aging	-	-	-	11,000	12,000	12,000
	Crater Juvenile Detention Services (Crater Youth Care Commission)	441,602	434,705	417,751	417,752	403,591	403,591
	Crime Solvers	-	-	-	2,500	-	-
	District 19 Mental Health Services	161,596	228,349	228,349	258,491	228,349	228,349
	Dues & Associations Memberships	116,413	224,678	372,274	382,883	415,773	439,940
	Employee YMCA Membership Fees	-	-	-	-	-	-
	Hopewell-Petersburg Healthy Start Loving Steps	-	-	-	-	25,000	25,000
	Longwood University	-	-	-	6,300	-	-
	Mayor's Youth Academy	-	-	21,246	-	-	-
	McKenney Foundation	-	-	-	-	200,000	200,000
	Med-Flight Chesterfield County Fire & EMS	-	-	-	2,100	3,800	3,800
	Metropolitan Business League	-	-	37,500	80,000	65,000	65,000
	National League of Cities	-	3,419	-	3,500	3,550	3,550
	Other Contractual Services	-	-	3,908	-	-	-
	Payment to Library Foundation	-	150,000	-	-	-	-
	PCard & TCard Clearing Account	-	2,974	(53,486)	-	-	-
	Petersburg Area Regional Tourism (PART)	-	-	-	83,000	100,000	-



# FY 2023-24 NON-DEPARTMENTAL SUMMARY

NON-DEPARTMENTAL		2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 REQUESTED
	Petersburg Mainstreet Exe. Director	-	-	-	40,000	40,000	40,000
	Petersburg Soil & Water	-	-	-	2,500	2,500	2,500
	Petersburg Symphony & Art League	-	-	-	4,500	4,500	4,500
	Repairs-Courthouse	-	168,003	21,650	-	-	-
	Resiliency Pay	-	283,375	(1,500)	-	-	-
	Richard Bland Community College	-	-	-	1,500	1,500	1,500
	Riverside Regional Jail Authority	3,761,793	3,615,820	2,621,668	4,000,000	4,000,000	3,500,000
	Spousal Surcharge	(8,200)	(5,725)	-	-	-	-
	Unemployment Insurance	24,233	-	-	20,000	20,000	20,000
	US Conference of Mayors	-	-	-	3,500	3,500	-
	VA Hotel Devel- Other Contractual Services	-	-	1,272,440	-	-	-
	Virginia Gateway Region Economic Development	-	-	-	51,692	-	-
	Virginia Municipal League	-	26,135	-	12,773	12,773	12,773
	Work-Force Development Forensic Audit	27,893	-	-	-	-	-
	YMCA After School Program	-	-	-	-	200,508	-
	Banking Analysis Fees	-	-	35	(9,300)		
	FICA	-	21,690	(115)	-	-	-
	Health Insurance Stipends	472,870	135,220	-	(1,660,487)	-	-
	Fund Balance Replenishment	-	-	-	511,859	511,859	511,859
	Contingency	98,840	259,494	23,674	150,000	260,000	260,000
	Lost Revenues	-	-	343,897	-	-	-
NONDEPARTMENTAL		5,742,148	6,213,192	5,944,235	5,044,621	7,187,723	6,394,037



# SPECIAL REVENUE FUNDS

## Grants Fund

- Created to centralize most state, federal and other grant programs

## Streets Fund

- The is a dedicated fund created to centralize the Virginia Department of Transportation Urban Allocation Funds

## CDBG Fund

- Community Development Block Grant Fund is a Federal Development Program that provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities

## Stormwater Fund

- The Stormwater Utility fund houses the City's stormwater management program. The ordinance established a stormwater fee at a rate of \$3.75 per Equivalent Residential Unit (ERU).





# FY 2023-24 Special Revenue Funds Summary

REVENUES						
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Grants Fund	3,714,735	5,987,466	(9,341,739)	1,032,077	801,376	1,829,951
Streets Fund	8,484,548	6,236,171	6,262,816	6,746,448	8,356,606	6,756,606
CDBG Fund	504,863	883,690	801,995	583,253	583,253	583,253
Stormwater Fund	968,524	1,349,345	1,511,484	1,243,066	1,322,156	1,322,156
<b>TOTAL</b>	<b>107,037,356</b>	<b>107,796,978</b>	<b>106,445,371</b>	<b>109,240,640</b>	<b>107,264,156</b>	<b>117,271,252</b>
EXPENDITURES						
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Grants Fund	2,021,680	5,653,301	974,611	1,032,077	843,716	1,829,951
Streets Fund	4,768,988	5,912,019	5,846,490	6,746,448	8,789,815	6,756,606
CDBG Fund	572,332	862,593	393,055	583,253	583,253	583,253
Stormwater Fund	507,442	931,761	579,529	1,243,066	1,322,156	1,322,156
<b>TOTAL</b>	<b>96,480,657</b>	<b>100,589,433</b>	<b>92,888,682</b>	<b>109,240,639</b>	<b>126,273,785</b>	<b>117,271,252</b>

- CDBG budget is currently based on last year's figure until the funding for FY23-24 has been received/established.





# Enterprise Funds



## Golf Course Fund

Accounts for all funding associated with the City's Golf Course



## Mass Transit Fund

Accounts for all funds associated with the Petersburg Area Transit both revenue and expenditure



## Utilities Fund

Accounts for all revenue and expenditures associated with the Water and Wastewater Services

# FY 2023-24 Enterprise Funds Summary

REVENUES						
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Utilities Fund	14,575,031	14,696,657	12,347,358	14,719,890	14,600,000	15,000,000
Golf Fund	1,100,241	1,151,139	1,112,170	1,357,925	1,086,150	1,104,550
Transit Fund	5,367,414	4,149,754	5,108,189	6,815,205	4,827,849	6,472,267
<b>TOTAL</b>	107,037,356	107,796,978	106,445,371	109,240,640	107,264,156	117,271,252
EXPENDITURES						
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Utilities Fund	12,198,350	12,683,017	9,828,383	14,719,890	15,724,886	15,000,000
Golf Fund	740,569	1,221,634	846,602	1,357,925	1,086,150	1,104,550
Transit Fund	4,645,204	5,340,561	5,330,299	6,815,205	4,827,849	6,472,267
<b>TOTAL</b>	96,480,657	100,589,433	92,888,682	109,240,639	126,273,785	117,271,252





*Thank  
you*

We want to say a special thank you to the following:

- ▶ City Council for their support
- ▶ City Manager Altman for his support during the budget development process
- ▶ Budget Department
- ▶ City of Petersburg staff for their cooperation and understanding during this process



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Jeff Ryder, Stacey Jordan

**RE:** A public hearing for Consideration to approve and appropriate the budget for Petersburg City Public Schools for FY23-24. (Page 75)

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**PURPOSE:** To approve and appropriate the budget for Petersburg City Public Schools for FY23-24

**REASON:** The City of Petersburg City Council must approve and appropriate the budget for Petersburg City Public Schools.

**RECOMMENDATION:** Staff recommends that City Council adopts and approves the Petersburg City Public Schools FY2023-24 Proposed Budget and Appropriation Ordinance.

**BACKGROUND:** The total budget for Petersburg City Public Schools is \$82,065,599 which includes the following breakdown:

- Local Fees: \$292,908
- Erate: \$225,000
- Sales Tax: \$5,099,254
- State: \$40,803,292
- City Transfer: \$12,361,437
- Food Service: \$2,750,000
- Grants: \$20,533,708

**COST TO CITY:** \$12,361,478

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** Petersburg City Public Schools

**AFFECTED AGENCIES:** Petersburg City Public Schools

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. School Revenue Budget FY 2024

Petersburg City Public Schools

		FY 23 Adopted	FY 24 School Board Proposed	Difference FY 23 to FY 24
Operating Fund				
	Local Fees	\$346,000	\$292,908	(\$53,092)
	ERATE	\$225,000	\$225,000	\$0
	Sales Tax	\$5,412,356	\$5,099,254	(\$313,102)
	State	\$38,396,716	\$40,803,292	\$2,406,576
	City Transfer	\$10,000,000	\$12,361,437	\$2,361,437
Total Operating		\$54,380,072	\$58,781,891	\$4,401,819
Food Service		\$3,118,262	\$2,750,000	(\$368,262)
Special Revenue (Grants)		\$44,427,255	\$20,533,708	(\$23,893,547)
Total All funds		\$101,925,589	\$82,065,598	(\$19,859,990)





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Anthony Williams

**RE:** **A public hearing on an Ordinance to Amend and Re-Adopt the Petersburg City Code to Rescind Section 118-94. (Page 78)**

**PURPOSE:** In 2004 the State Code was amended to invalidate local ordinances adopted prior to July 1, 2004 pertaining to possession and transportation of firearms unless expressly authorized by State Code. The City of Petersburg had previously adopted Section 118-94 of the City Code prohibiting the possession and transportation of weapons including firearms by taxicab drivers. This section is not expressly authorized by state code and requires rescission in order to be in compliance with the statute. The issue was brought to the attention of the City by the Virginia Citizens Defense League.

**REASON:** In 2004 the State Code was amended to invalidate local ordinances adopted prior to July 1, 2004 pertaining to possession and transportation of firearms unless expressly authorized by State Code. The City of Petersburg had previously adopted Section 118-94 of the City Code prohibiting the possession and transportation of weapons including firearms by taxicab drivers. This section is not expressly authorized by state code and requires rescission in order to be in compliance with the statute. The issue was brought to the attention of the City by the Virginia Citizens Defense League.

**RECOMMENDATION:** Adopt the Ordinance.

**BACKGROUND:** In 2004 the State Code was amended to invalidate local ordinances adopted prior to July 1, 2004 pertaining to possession and transportation of firearms unless expressly authorized by State Code. The City of Petersburg had previously adopted Section 118-94 of the City Code prohibiting the possession and transportation of weapons including firearms by taxicab drivers. This section is not expressly authorized by state code and requires rescission in order to be in compliance with the statute. The issue was brought to the attention of the City by the Virginia Citizens Defense League.

**COST TO CITY:** 0

**BUDGETED ITEM:** n/a

**REVENUE TO CITY:** n/a

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** Rescind 118-94

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 2 - Va. Code Ann. § 15.2-915
2. AN ORDINANCE TO AMEND AND RE
3. 1 - EMAIL WITH ORDINANCE

**User Name:** anthony williams

**Date and Time:** Monday, April 17, 2023 2:12:00PM EDT

**Job Number:** 195107471

## Document (1)

1. [Va. Code Ann. § 15.2-915](#)

**Client/Matter:** -None-

**Search Terms:** 15.2-915

**Search Type:** Natural Language

**Narrowed by:**

**Content Type**  
Statutes and Legislation

**Narrowed by**  
Jurisdiction: Virginia

## [Va. Code Ann. § 15.2-915](#)

Current through Acts of the 2023 Session Effective March 15, 2023

*Code of Virginia 1950 > Title 15.2. Counties, Cities and Towns. (Subts. I — IV) > Subtitle II. Powers of Local Government. (Chs. 9 — 28.2) > Chapter 9. General Powers of Local Governments. (Arts. 1 — 5) > Article 1. Public Health and Safety; Nuisances. (§§ 15.2-900 — 15.2-926.4)*

### **§ 15.2-915. Control of firearms; applicability to authorities and local governmental agencies.**

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A. No locality shall adopt or enforce any ordinance, resolution, or motion, as permitted by [§ 15.2-1425](#), and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof shall not be construed to provide express authorization.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. However, no locality shall adopt any workplace rule, other than for the purposes of a community services board or behavioral health authority as defined in [§ 37.2-100](#), that prevents an employee of that locality from storing at that locality's workplace a lawfully possessed firearm and ammunition in a locked private motor vehicle. Nothing in this section shall prohibit a law-enforcement officer, as defined in [§ 9.1-101](#), from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail, juvenile detention facility, or state-governed entity, department, or agency.

B. Any local ordinance, resolution, or motion adopted prior to July 1, 2004, governing the purchase, possession, transfer, ownership, carrying, or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action challenging (i) an ordinance, resolution, or motion as being in conflict with this section or (ii) an administrative action taken in bad faith as being in conflict with this section.

D. For purposes of this section, “workplace” means “workplace of the locality.”

E. Notwithstanding the provisions of this section, a locality may adopt an ordinance that prohibits the possession, carrying, or transportation of any firearms, ammunition, or components or combination thereof (i) in any building, or part thereof, owned or used by such locality, or by any authority or local governmental entity created or controlled by the locality, for governmental purposes; (ii) in any public park owned or operated by the locality, or by any authority or local governmental entity created or controlled by the locality; (iii) in any recreation or community center facility operated by the locality, or by any authority or local governmental entity created or

controlled by the locality; or (iv) in any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. In buildings that are not owned by a locality, or by any authority or local governmental entity created or controlled by the locality, such ordinance shall apply only to the part of the building that is being used for a governmental purpose and when such building, or part thereof, is being used for a governmental purpose.

Any such ordinance may include security measures that are designed to reasonably prevent the unauthorized access of such buildings, parks, recreation or community center facilities, or public streets, roads, alleys, or sidewalks or public rights-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit by a person with any firearms, ammunition, or components or combination thereof, such as the use of metal detectors and increased use of security personnel.

The provisions of this subsection shall not apply to the activities of (i) a Senior Reserve Officers' Training Corps program operated at a public or private institution of higher education in accordance with the provisions of [10 U.S.C. § 2101](#) et seq. or (ii) any intercollegiate athletics program operated by a public or private institution of higher education and governed by the National Collegiate Athletic Association or any club sports team recognized by a public or private institution of higher education where the sport engaged in by such program or team involves the use of a firearm. Such activities shall follow strict guidelines developed by such institutions for these activities and shall be conducted under the supervision of staff officials of such institutions.

**F.** Notice of any ordinance adopted pursuant to subsection E shall be posted (i) at all entrances of any building, or part thereof, owned or used by the locality, or by any authority or local governmental entity created or controlled by the locality, for governmental purposes; (ii) at all entrances of any public park owned or operated by the locality, or by any authority or local governmental entity created or controlled by the locality; (iii) at all entrances of any recreation or community center facilities operated by the locality, or by any authority or local governmental entity created or controlled by the locality; and (iv) at all entrances or other appropriate places of ingress and egress to any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

## History

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1987, c. 629, § 15.1-29.15; 1988, c. 392; [1997, cc. 550, 587](#); [2002, c. 484](#); [2003, c. 943](#); [2004, cc. 837, 923](#); [2009, cc. 735, 772](#); [2012, c. 757](#); [2020, cc. 1205, 1247](#).

Annotations

## Notes

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**Editor's note.**

At the direction of the Virginia Code Commission, “July 1, 2004,” was substituted for “the effective date of this act” in subsection B.

Pursuant to Acts [1997, c. 587](#), cl. 6, effect has been given in this section, as set out above, to Acts [1997, c. 550](#), which amended § 15.1-29.15, the comparable former version of the section. In accordance with c. 550, the amendment added the third sentence of the second paragraph.

#### **The 2002 amendments.**

The 2002 amendment by c. 484 substituted “resolution or motion, as permitted by § 15.2-1425, and no agent of such locality shall take any administrative action, governing” for “to govern” following “ordinance” in the first sentence of the first paragraph, added the final sentence of the first paragraph, and inserted the second and third sentences of the second paragraph.

#### **The 2003 amendments.**

The 2003 amendment by c. 943 in the second paragraph, deleted the former fourth sentence, which read: “Nothing in this section shall have any effect on any pending litigation,” and rewrote the last sentence, which formerly read: “However, no person may be prosecuted or convicted of a violation of any ordinance regulating the transportation of a firearm if he is (i) in lawful possession of the firearm and he has a valid concealed handgun permit issued pursuant to § 18.2-308 or (ii) otherwise transporting the firearm in a lawful manner,” and added the last paragraph.

#### **The 2004 amendments.**

The 2004 amendment by c. 837 inserted the A designation at the beginning of the first paragraph and in the first sentence, deleted “From and after January 1, 1987” at the beginning, and inserted “or enforce” and deleted the former first and last sentences in the second paragraph; and added subsection B.

The 2004 amendment by c. 923 inserted “storage” following “carrying” in the first paragraph in subsection A.

#### **The 2009 amendments.**

The 2009 amendments by cc. 735 and 772 are identical, and added subsection C.

#### **The 2012 amendments.**

The 2012 amendment by c. 757, in subsection A, added the second sentence in the second paragraph and added “or state-governed entity, department, or agency” to the third paragraph; and added subsection D.

#### **The 2020 amendments.**

The 2020 amendments by cc. 1205 and 1247 are identical, and added subsections E and F.

## **Opinion Notes**

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## **OPINIONS OF THE ATTORNEY GENERAL**



**Local resolutions to opt out of gun safety laws have no legal effect. —**

Localities and local constitutional officers cannot nullify state laws and must comply with gun violence prevention measures that the General Assembly may enact. See opinion of Attorney General to The Honorable Jerrauld C. Jones, Member, Virginia House of Delegates, 19-059, (12/20/19).

**Employees of local school boards are not local government employees. —**

Local public school boards have authority over the care, management, and control of the property of the school division and as such are separate and apart from the local government and the employees of the school board are not local government employees for purposes of [§ 15.2-915](#). Therefore, local school districts may prohibit an employee from storing a lawfully possessed firearm and ammunition in a locked private motor vehicle on school district property. See opinion of Attorney General to the Honorable Tony O. Wilt, Member, House of Delegates, 13-052, [2013 Va. AG LEXIS 64 \(8/2/13\)](#).

**Local zoning authority. —**

A local government has authority to enact a zoning ordinance regulating the location of establishments that sell firearms, provided such ordinance is for a permissible purpose and is reasonably related to the governmental purpose it seeks to accomplish. Such an ordinance is not prohibited by [§ 15.2-915](#) because the statute does not pertain to the location of firearms sales facilities, nor does the statute express a clear intent to preempt local zoning regulations. See opinion of Attorney General to The Honorable Sam Rasoul, Member, Virginia House of Delegates, 18-069, [2019 Va. AG LEXIS 25 \(8/23/19\)](#).

**Voter intimidation. —**

Where activity near polling places makes voters fear for their safety while waiting to cast their vote, or leads them to believe that they would be harmed for supporting a particular candidate, such activity may be considered harassment of a voter under state and federal law. See opinion of Attorney General to The Honorable Marcus B. Simon, Member, Virginia House of Delegates, 20-046, (9/24/20).

**Research References & Practice Aids**

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**Hierarchy Notes:**

[Va. Code Ann. Title 15.2, Subtit. II, Ch. 9, Art. 1](#)

Code of Virginia 1950

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End of Document

**AN ORDINANCE TO AMEND AND RE-ADOPT THE PETERSBURG CITY CODE TO  
RESCIND SECTION 118-94 PERTAINING TO POSSESSION OF WEAPONS BY TAXICAB  
DRIVERS**

WHEREAS, the City of Petersburg adopted Section 118-94 of the City Code in year 1981 prohibiting taxicab drivers from having in their possession or within their vehicles any weapon as specified in the Ordinance including but not limited to firearms; and

WHEREAS, in year 2004, the Commonwealth of Virginia amended Section 15.2-915 of the Code of Virginia to include subsection (b) which invalidates local ordinances governing the purchase, possession, transfer, ownership, carrying, or transporting of firearms, ammunition, or components or combination thereof, other than expressly authorized by statute; and

WHEREAS, there is no state enabling legislation expressly authorizing Section 118-94; and

WHEREAS, the need to rescind the Ordinance in order to be in compliance with state code has been brought to the attention of the City by the Virginia Citizen's Defense League.

NOW therefore be it ORDAINED that the City Code is hereby amended and readopted to rescind Section 118-94 and ordered to be removed from the City's published Code of Ordinances as follows:

**~~Sec. 118-94. -- Possession of weapons by drivers.~~**

~~It shall be unlawful for a driver to operate or drive a taxicab at any time while having in his possession or within the vehicle any weapon, which shall include, but not be limited to, firearms in which ammunition may be used or discharged by explosion, pneumatic pressure or mechanical contrivance.~~

~~{Code 1981, § 37-102}~~

Philip

On Feb 8, 2023, at 5:32 PM, VCDL President <[president@vcdl.org](mailto:president@vcdl.org)> wrote:

Dear Mr. Williams,

This Petersburg ordinance applying to taxicabs has been preempted since 2004. Looks to have fallen through the cracks, but needs to be repealed:

Sec. 118-94. - Possession of *weapons* by drivers.

It shall be unlawful for a driver to operate or drive a taxicab at any time while having in his possession or within the vehicle any *weapon*, which shall include, but not be limited to, *firearms* in which ammunition may be used or discharged by explosion, pneumatic pressure or mechanical contrivance.

(Code 1981, § 37-102)

Richmond had an almost identical ordinance back then, but was repealed after the firearm preemption laws were changed in 2004.

Let me know if you have any questions. I will be glad to testify when this comes up before the City Council.

Philip Van Cleave

-----

Philip Van Cleave  
President  
Virginia Citizens Defense League  
P.O. Box 513  
Newington, VA 22122

Cell: (804) 874-8235  
[Email: president@vcdl.org](mailto:president@vcdl.org)

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# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Brian Moore

**RE:** **Consideration of a Resolution Approving the Development Agreement For The Development Of 357 University Boulevard Petersburg, Virginia Between The City of Petersburg And Willie Mitchell, IV. (Page 87)**

**PURPOSE:** To provide City Council with the details of the Development Agreement for 357 University Boulevard

**REASON:** This action is necessary to facilitate the process to sell City-owned property at 357 University Boulevard.

**RECOMMENDATION:** Staff recommends the City Council make a motion to approve the development agreement by resolution.

### **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 357 University Boulevard on October 18, 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 Willie Mitchel, IV 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 summary documents state the developer will renovate the existing single family dwelling to sale at market rate.

The Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Willie Mitchell, IV. 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:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Manager, Economic Development, City Attorney Office

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. DevAgreementResolution
2. Development Agreement SIGNED
3. Contractor's Bid (1)
4. 357 University Blvd Development Agreement

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR  
DEVELOPMENT OF 357 UNIVERSITY BOULEVARD PETERSBURG, VIRGINIA  
BETWEEN THE CITY OF PETERSBURG AND WILLIE MITCHELL, IV.**

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 357 University Boulevard on October 18, 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 Willie Mitchell, IV, 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 Willie Mitchell, IV .

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 357 UNIVERSITY BOULEVARD PETERSBURG, VIRGINIA  
23803 AS RESIDENTIAL DEVELOPMENT**

On this 16TH day of May 2023 came the parties, Willie H. Mitchell IV ("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 357 University Boulevard, 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 renovate the existing residential structure to 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 or the Property strictly in compliance with the project summary documents and in accordance with the following terms:

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



- B. The Purchaser shall be solely responsible for obtaining all applicable permits and inspections required for the development.
- C. The City makes no representations or warranties regarding the property or its development and shall be responsible only for conveyance of the Property as described herein, which is conveyed in "as is" condition with no warranties of title or condition.
- D. The period of time described in the project summary documents, twelve months (12), 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 thirty-eight thousand five hundred dollars (\$38,500).
- 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: Willie H. Mitchell  
Printed name: Willie H. Mitchell

CITY OF PETERSBURG, VIRGINIA

By: \_\_\_\_\_  
March Altman, City Manager

Approved as to form:

By: \_\_\_\_\_  
Anthony C. Williams, City Attorney

# RENOVATION LOAN CONSTRUCTION BID

---

CONTRACTOR INFORMATION	BORROWER/CLIENT INFORMATION
<b>Company Name:</b> .Urban Development Corp <b>Phone:</b> (804) 586-1361 <b>Email:</b> larrybmurphy@urbandevelopmentva.com	<b>Name:</b> Mr. Willie McDonald <b>Subject Property:</b> 357 University Boulevard Petersburg, Virginia 23803

## **\*\*GUIDELINES ON PROPER BID SUBMISSION\*\***

(This form includes formulas that will generate totals and is best completed digitally)

- Provide adequate details according to each section's requests
- Must include material and labor costs for each category containing work
- ALL monies must remain in material/labor costs. Overhead, profit, management fees, supervision fees, etc. cannot be listed on the bid
- For 203K **Limited** projects -the total rehab cost cannot exceed \$35,000  
(This includes the total cost of repairs and all 203K fees)
- For 203K **Standard** projects -you must coordinate with the borrower and their HUD consultant to ensure the scope of work and cost of repairs reflect the consultant's work write up. They must match during all revisions.
- The contingency reserve will be available - but cannot be listed on the bid
- Supply any plans or drawings that are referenced
- Per state guidelines -you must be licensed for mold, asbestos, or any specialty work listed on your bid
- Any abatement of paint on homes built prior to 1978 will require an active lead based paint certification. Keep in mind the appraisal may come back with these issues even if they are not initially listed on the bid
- Bid must be wet signed/dated via blue/black ink or digitally signed/dated with certified electronic signature software.
- Work will take an estimated four (4) months to completion.

### 1. Masonry (verify location and specific work)

Repair exterior masonry foundation to include parging and repair of front porch supports

| Material:\$ 2000.00 | Labor: \$ 2200.00 | Total: \$4,200.00

### 2. Siding (verify location & specific work)

Remove existing vinyl siding and replace and repair with hardboard, wood or Hardie type siding. Prime and paint.

| Material: \$8600 | Labor: \$12,200 Total :\$20,800

### 3. Gutters/Downspouts (verify specific work)

Install new gutters

| Material: \$1300 | Labor: \$1600 | Total: \$2900 |

#### 4. Roof (verify square footage, shingle type, accessories, and specific work)

Remove and replace existing roof with dimensional asphalt shingles. Repair underlayment as required. Install new ice and water shield, flashing and vent pipe collars as required.

Material:	\$ 3,800	Labor:	\$6,800.00	Total:	\$ 10,600
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#### 5. Shutters (verify quantity & specific work)

Material:		Labor:		Total:	\$ 0.00
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#### 6. Exteriors (verify specific work)

Repairs to side porch, fencing, and front porch

Material:	\$4,000	Labor:	\$6,700.00	Total:	\$10,700
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**7. Walks (verify material type and specific work)**

Material:	Labor:	Total:	\$ 0.00
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**8. Driveways (verify material type and specific work)**

Material:	Labor:	Total:	\$ 0.00
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**9. Painting (verify paint types, interior/exterior, locations, and specific work)**

Paint ceilings and walls flat except in bathrooms and kitchen.

Material:	\$2600	Labor:	\$6,500.00	Total:	\$9,100
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**10. Caulking (verify locations and specific work)**

<b>Material:</b>	<b>Labor:</b>	<b>Total:</b>	<b>\$ 0.00</b>
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**11. Fencing (verify linear footage, type, and specific work)**

<b>Material:</b>	<b>Labor:</b>	<b>Total:</b>	<b>\$ 0.00</b>
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**12. Grading/Landscaping (verify specific work)**

<b>Material:</b> \$1200	<b>Labor:</b> \$2600	<b>Total:</b>	<b>\$ 3,800</b>
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**13. Windows (verify type, quantity, location, and specific work)**

Replace windows with like kind. Eleven (11) total

Material:	\$4,400	Labor:	\$3,400	Total:	\$7,800
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**14. Weather Stripping (verify location and specific work)**

Material:		Labor:		Total:	\$ 0.00
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**15. Doors (exterior - verify type, quantity, location, and specific work)**

Install new front, side and rear entrance doors. Fiberglass doors

Material:	\$ 2400	Labor:	\$600	Total:	\$ 3,000
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**16. Doors (interior - verify type, quantity, location, and specific work)**

Material: \$2400	Labor: 1200	Total:	\$ 3600

**17. Partition Wall (verify any framing details, location, or any structural work)**

Material:	Labor:	Total:	\$ 0.00

**18. Plaster/Drywall (verify finish type, location, and specific work)**

Hang & finish 1/2" drywall as needed  
Repair drywall throughout.

Material: \$2,000.00 Labor: \$ 3,600 Total: \$ 5,600

**19. Decorating (verify specific work)**

Material:	\$	Labor:	\$	Total:	\$
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**20. Wood Trim (verify type, linear footage, location, and specific work)**

Material:	\$1,000	Labor:	\$1,100	Total:	\$ 2100
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**21. Stairs (verify location and specific work)**

Material:		Labor:		Total:	\$ 0.00
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**22. Closets (verify location and specific work)**

Material: \$300	Labor:\$300	Total:	\$ 600
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**23. Wood Floors (verify type, finish option, location, and specific work)**

Material:	Labor:	Total:	
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**24. Finished Floors (verify type, finish option, location, and specific work)**

Material: \$4,000	Labor: \$3,800	Total:	\$ 7,800
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**25. Ceramic Tile (verify square footage, location, and specific work)**

Ceramic tile shower (floor & walls)

Material:	\$3,300.00	Labor:	\$ 6,700	Total:	\$ 10,000
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**26. Bath Accessories (verify items to be installed, location, and specific work)**

Material:	\$2,200	Labor:	\$1,800	Total:	\$ 4,000
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**27. Plumbing (verify rough in, finish, location, and specific work)**

New toilets, vanities and fixtures'

New hot water heater

Material:	\$3,400.00	Labor:	\$4,600.00	Total:	\$ 8,000
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**28. Electrical (verify rough in, finish, location, and specific work)**

Rough in & trim out  
New fixtures  
GCFI outlets where required  
Exterior lighting

Material:	\$4,400	Labor:	\$3,000	Total:	\$ 7,400
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**29. HVAC (verify unit type/model, location, and specific work)**

Install two 2- ton heat pumps.

Material:	\$8,700.00	Labor:	\$6,100	Total:	\$ 14,800
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**30. Insulation (verify type, location, and specific work)**

Fiberglass batts in walls and floors as required

Material:	\$3,800.00	Labor:	\$1,800	Total:	\$ 5,600
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**31. Cabinetry (verify type, style, location, any drawings, and specific work)**

Replace kitchen cabinets and  
counter tops

vanities & tops in  
bathrooms

Material:	\$4,700.00	Labor:	\$3,500	Total:	\$ 8,200.00
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\$

**32. Appliances (check all that apply, provide a cost for each, & total for material & labor)**

Refrig \$1800

Stove \$800

Dishwasher \$700 installed

Garbage Disposal \$300 installed

Microwave Oven \$550

\*Must have cost for each, a material total, & cost for labor of installation\*

Material:	\$4,100	Labor:	\$ 0	Total:	\$4,100
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33. Basements (verify specific work)			

	Materials	Labor:	Total:	
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### 34. Cleanup (verify specific work)

Final clean  
Dumpster

Material:	\$ 1200.00	Labor:	\$3,000	Total:	\$4200.00
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### 35. Miscellaneous (verify miscellaneous items)

Contingencies  
Materials

Material:	\$8,600	Labor:		Total:	\$8,600
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### Project Notes

Permit fees \$800

These costs are not included in bid.

Total proposal is \$167,500

One hundred sixty-seven thousand, five  
hundred.

# CONTRACTOR BID RECAP SUBTOTALS

Category	Totals
1. Masonry	\$4,200.00
2. Siding	\$20,800.00
3. Gutters/Downspouts	\$2,900.00
4. Roof	\$10,600.00
5. Shutters	\$ 0.00
6. Exteriors	\$10,700.00
7. Walks	\$ 0.00
8. Driveways	\$ 0.00
9. Painting (interior & exterior)	\$9,100.00
10. Caulking	\$ 0.00
11. Fencing	\$ 0.00
12. Grading/Landscaping	\$ 3,800.00
13. Windows	\$7,800.00
14. Weather Stripping	\$ 0.00
15. Doors (exterior)	\$3,000.00
16. Doors (interior)	\$3,600.00
17. Partition Wall	\$ 0.00
18. Plaster/Drywall	\$5,600.00
19. Decorating	\$0.00
20. Wood Trim	\$2,100.00
21. Stairs	\$ 0.00
22. Closets	\$ 600.00
23. Wood Floors	\$0.00
24. Finished Floors	\$ 7,800.00
25. Ceramic Tile	\$10,000.00
26. Bath Accessories	\$4,000.00
27. Plumbing	\$8,000.00
28. Electrical	\$7,400.00
29. HVAC	\$14,800.00
30. Insulation	\$5,600.00
31. Cabinetry	\$8,200.00
32. Appliances	\$4,100.00
33. Basements	\$0.00
34. Cleanup	\$4,200.00
35. Miscellaneous	\$8,600.00
<b>Grand Total:</b>	<b>\$167,500.00</b>

Contractor: Larry B Murphy

Date: 4/20/2023

Borrower Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Borrower Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# **Presentation for Council 357 University Boulevard Development Agreement**



**Brian A. Moore**  
**Director of Economic Development, Planning, and Community Development**  
**Petersburg, Virginia**  
**May 16, 2023**

# Introduction

**This presentation will provide information on the proposed development agreement between the City of Petersburg and Willie Mitchell IV for the development of City-owned property located at 357 University Boulevard**

# Background



- Zoning – R3
- Acreage – .112
- Current Use- Vacant Residential Structure
- Proposed Use –renovate existing structure for sale at market rate
- Purchase Price-\$38,500
- Construction Timeline- 12 months

# Summary

- The Department of Economic Development, Planning, and Community Development recommends that the City Council consider the resolution authorizing the City Manager to execute the development agreement between the City of Petersburg and Willie Mitchell IV for the development of city-owned property located at 357 University Boulevard.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Brian Moore

**RE:** **Consideration of a Resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Coastal Virginia Development for the property at 1024 Eighth Street.(Page 113)**

**PURPOSE:** To provide City Council with the details for the amendment to the development agreement for 1024 Eighth Street.

**REASON:** To comply with the City of Petersburg Real Estate Disposition Guidelines adopted by City Council.

**RECOMMENDATION:** Staff recommends the City Council makes a motion to amend the development agreement by resolution.

**BACKGROUND:** On June 21, 2022, the City of Petersburg entered into a development agreement with Coastal Virginia for the development of property located at 1024 Eighth Street. The construction timeline was for a period not to exceed six months after closing, except by the written consent of the City as approved by Petersburg City Council (letter F). Closing occurred on August 17, 2022, and as of April 19, 2023, a Certificate of Occupancy has not been obtained. Coastal Virginia is requesting an extension for a period of twelve months.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Manager, Economic Development

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 1-Coastal Virginia- Resolution
2. 2-1024EightStreetLetter
3. 3-HPSCAN\_20230504132942284\_2023-05-04\_133030096
4. 4-Development Agreement SIGNED

## **Resolution**

### **A Resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Coastal Virginia Development for the property at 1024 Eighth Street**

**WHEREAS;** On June 21, 2022, the City of Petersburg entered into a development agreement with Coastal Virginia Development for the development of property located at 1024 Eighth Street; and

**WHEREAS;** The construction timeline was for a period not to exceed six months except by the written consent of the City as approved by Petersburg City Council (letter F); and

**WHEREAS;** The development schedule calls for the project to be completed within six months after closing on the property. Closing occurred on July 26, 2022, and as of May 1, 2023, a Certificate of Occupancy has not been obtained; and

**WHEREAS;** Coastal Virginia is requesting an extension for a period of twelve months to commence on May 16, 2023; and

**NOW THEREFORE BE IT RESOLVED,** that the City Council of the City of Petersburg hereby approves the City Manager to amend the development agreement between the City of Petersburg and Coastal Virginia for the property at 1024 Eighth Street with the extension of twelve months with an automatic reversion back to the City if the project is not completed by May 16, 2024.



Coastal Virginia Development, LLC

5245 Cleveland St Ste 209

Virginia Beach, VA 23462

To whom it may concern,

4/24/2023

We are requesting an extension to start building on lots 3, 4, 5, & 6 of 1024 Eighth St. When the City advertised it stated lots 3, 4, 5, & 6. After closing and receiving the deed we noticed it stated that it was only part of lot 3. Once finding this information, we then had to locate the owners of lots 1 & 2 & the other half of lot 3. The Out Reach Center also thought they owned the other half of lot 3 and agreed to sale it to us. We made a bill of sale and purchased the other half of lot 3 from them. When trying to record a new deed we found out that they are not the owners. Our initial plan was to build two homes using lots 3 & 4 for one and lots 5 & 6 for the other at the same time due to economic reasons. This has caused us to do further research since the purchase and delayed the start of the build. We have done a title search and their findings are the following:

1. Joann P. Criss got lots 1-6 in 1983 (398-366)
2. She sold part of lot 3 and lots 4, 5, & 6 to James Smith, Jr and Vanessa Campell in 1987 (435-731) and lots 1 & 2 to William M. Miles. The other part of 3 was left off this sale.
3. There was a tax sale against her in 1993 (516-763). This deed mentioned lots 1 & 2 but did not address the remainder of lot 3. It refers to lots 1 & 2 as TM 13-23-6 which is usually written 013-230006. This property is currently owned by the Reach Out Center of Petersburg, VA.

We are in contact with the City's Attorney and the Special Commissioner for further help with this situation. We do plan to build as soon as this is resolved.

Thank you,

  
W.D. Porter  
  
BRIAN MEEKINS

**FIRST ADDENDUM TO DEVELOPMENT AGREEMENT FOR THE PROPERTY  
LOCATED AT 1024 EIGHTH STREET BETWEEN COASTAL VIRGINIA  
DEVELOPMENT THE CITY OF PETERSBURG DATED MAY 16, 2023.**

WHEREAS, the parties have entered into a Development Agreement for the property located at 1024 Eighth Street in the City of Petersburg, Virginia; and

WHEREAS, in accordance with the terms of said Development Agreement, the Agreement may not be amended except by a written addendum signed by all parties.

NOW, therefore the Parties wish to Amend the Development Agreement to add an extension of twelve (12) months, which is hereby incorporated into said Development Agreement as if set forth fully therein as follows:

The Purchaser agrees that the property located at 1024 Eighth Street will receive a certificate of occupancy by May 16, 2024. If the Purchaser fail to meet this extension deadline, the property will automatically revert back to the City ownership. This Agreement shall be incorporated into the Deed of conveyance of the Property from the City to The Purchaser and shall run with development agreement.

All other provisions of the Purchase Agreement shall remain in full force and effect.

PURCHASER

By: 

Printed name: W Doug Porter

CITY OF PETERSBURG, VIRGINIA

By: \_\_\_\_\_  
City Manager

Approved as to form:

By: \_\_\_\_\_  
Anthony C. Williams, City Attorney

**DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF VACANT  
PROPERTY AT 1024 EIGHTH STREET PETERSBURG, VIRGINIA 23803 AS  
RESIDENTIAL DEVELOPMENT**

On this 21ST day of June 2022 came the parties, Coastal Virginia Development ("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 1024 Eighth Street 013230004, Petersburg, Virginia 23803 as residential development ("the Agreement") to wit:

**RECITALS**

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

The project summary documents describe the intentions of The Purchaser with regard to the purchase and development of property Two (2) 1206 square ft single-family residential dwellings ("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 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

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: W.D. Porter

CITY OF PETERSBURG, VIRGINIA

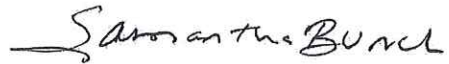
By: 

Kenneth Miller, Interim City Manager

Approved as to form:

By: 

Anthony C. Williams, City Attorney





KVG Enterprise LLC.  
dpor#2705173717  
& BMDP LLC.  
dpor#2705163361  
Subsidiaries of  
Coastal Virginia Development  
5245 Cleveland St. Suite 209  
Virginia Beach Va. 23462

**1) Proposed project,**

We propose to purchase 1024 Eighth St. Petersburg, Va. Legally described as Lots 3-6 Block 27 East Petersburg, for the sum of \$9,100.00. Our intent is to build Two (2) 1,206 square ft. single family dwellings. Both dwellings will conform to the R-2 zoning requirements as set forth by the city code.

**2) Pictures or sketches of proposed project,**

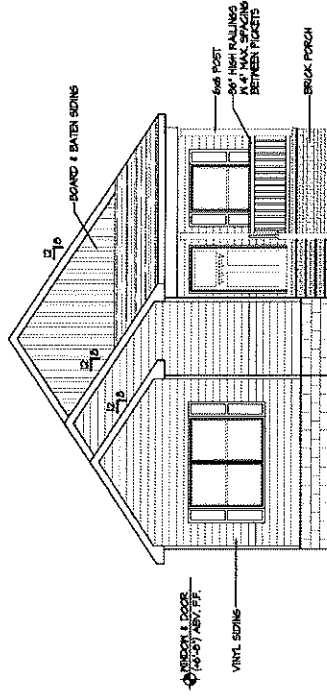
Please find enclosed architectural drawings to include elevation renderings.

**3) Proof of finances to show the wherewithal to purchase the lot and complete the project,**

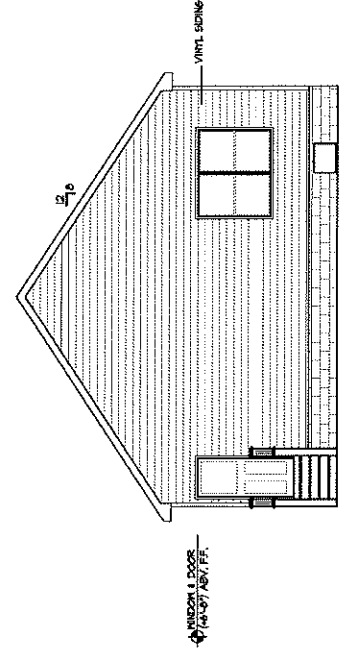
Please find enclosed a certified check in the amount of \$9,100 to purchase the property and to be used as an earnest money deposit until we receive a buildable lot letter (if this offer is accepted). Also enclosed is a notarized letter from Truist bank to prove our intent to "self fund" this project. Each dwelling is estimated to cost \$100,000.00 to construct ( total amount of \$200,000.00 ).

**4) Background and experience of purchase,** Coastal Virginia Development and its subsidiaries, KVG Enterprise and BMDP LLC, have completed over 100 residential new construction projects in the Hampton Roads area from 2000 -2022. For further review I have enclose some pictures and a short list of the completed projects. We also have a facebook page with more pictures and addresses ( KVG Enterprise ).

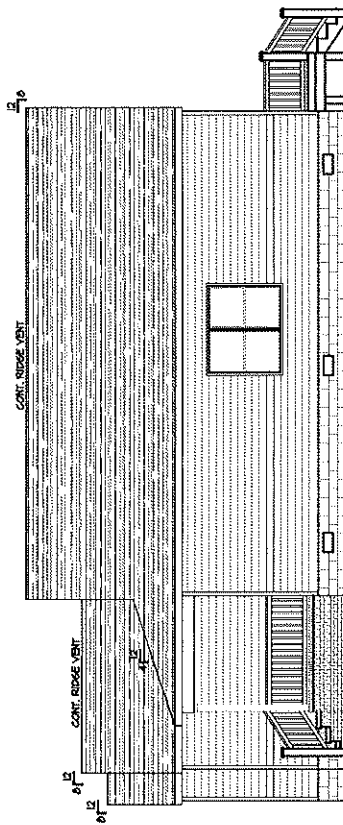
W. Doug Porter  
Coastal Virginia Development  
5245 Cleveland St.  
Virginia Beach Va.  
Suite 209  
757-450-5050



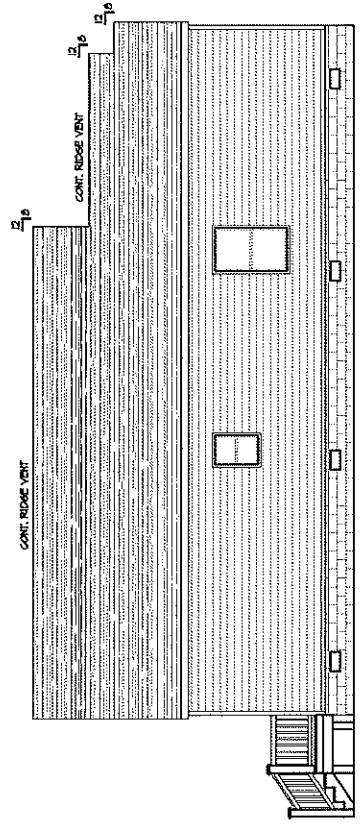
FRONT ELEVATION  
SCALE 1/4" = 1'-0"



REAR ELEVATION  
SCALE 1/4" = 1'-0"



RIGHT SIDE ELEVATION  
SCALE 1/4" = 1'-0"



LEFT SIDE ELEVATION  
SCALE 1/4" = 1'-0"

TOTAL LIVING SPACE 1,206 SF.

SOFT VENTILATION CALCULATION  
ATTIC SF = 1004 S.F.  
20x500 = 4 SF.  
1004 SF / 2 = 502 SF.  
200 SF REQUIRED FOR SOFTLY  
200 SF REQUIRED FOR ROOF  
SERVICES



• ADDITIONS  
• REMODELS  
3048 CLEVELAND ST. #204  
VA BEACH VIRGINIA 23462  
EMAIL: h@mekinsassociates.com  
CELL: (757) 555-8375

ELEVATIONS  
3 BDR. SINGLE FAMILY RESIDENCE AT  
PETERSBURG RANCH MODEL  
PETERSBURG, VIRGINIA

DATE:  
11.10.21

SHEET  
A2 PLAN









# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Brian Moore

**RE:** **Consideration of a Resolution Approving The Lease Agreement By And Between The Economic Development Authority Of The City Of Petersburg, Virginia (“Authority”), And The South Central Wastewater Authority (“SCWWA”) For The Property Located At 130 Pocahontas Street, Petersburg, Va.(Page 124)**

**PURPOSE:** To provide City Council with the details of the Lease Agreement for the property located at 130 Pocahontas Street

**REASON:** This action is necessary to comply with the agreement with the Economic Development Authority and the City of Petersburg for the property located at 130 Pocahontas Street.

**RECOMMENDATION:** Staff recommends the City Council make a motion to approve the lease agreement by resolution.

**BACKGROUND:** The Economic Development Authority of the City of Petersburg wishes to enter into a lease agreement with the South Central Wastewater Authority (SCWWA) for the property located at 130 Pocahontas Street. The proposed use of the property as it relates to the Roper Site Access Road project includes but not limited to warehousing, road construction, and as a construction lay-down yard for SCWWA’s building materials and support services. SCWWA shall pay the Authority sixty-thousand dollars (\$60,000.00) annually for the lease of the Lease Area, such payment to be made on the first day of each lease year of the lease, including any extensions.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Manager, Economic Development, City Attorney Office

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A**

**REQUIRED CHANGES TO WORK PROGRAMS: N/A**

**ATTACHMENTS:**

1. SCWWA Lease Agreement Resolution
2. SCWWA - EDA - REA with Lease and Deed Exhibits (Final) 5.3.23(173467524.2)
3. Exhibit A to Lease Agreement - Lease Area(173339369.1) (1) (1)

**RESOLUTION APPROVING THE LEASE AGREEMENT BY AND BETWEEN THE  
ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF PETERSBURG,  
VIRGINIA (“AUTHORITY”), AND THE SOUTH CENTRAL WASTEWATER  
AUTHORITY (“SCWWA”) FOR THE PROPERTY LOCATED AT 130 POCAHONTAS  
STREET, PETERSBURG, VA.**

**WHEREAS**, the Authority is the current owner of that certain 23.458-acre parcel identified as City of Petersburg Parcel Identification Number 007070009, with a street address of 130 Pocahontas Street, Petersburg, Virginia 23803 (“Property”); and

**WHEREAS**, the Authority wishes to lease to SCWWA, and SCWWA wishes to lease from the Authority, a portion of the Property (also called the “Lease Area”), such Lease Area being more particularly described on the attached Exhibit A entitled “South Central Wastewater Authority Exhibit A: Roper Property Proposed Lease Area Petersburg, Virginia”, such Exhibit A made a part of this lease; and

**WHEREAS**, the REA contemplates that the Authority and SCWWA shall enter into this Lease Agreement, to permit use of the Lease Area by SCWWA for purposes related to the Project, including but not limited to warehousing, road construction, and as a construction lay-down yard for SCWWA’s building materials and support services for the Roper Site Access Road; and

**WHEREAS**, the Authority believes that the objectives and planned uses for the Lease Area are appropriate and will benefit the Authority; and

**WHEREAS**, the Authority wishes to enter into a lease with SCWWA. SCWWA shall pay the Authority sixty-thousand dollars (\$60,000.00) annually for the lease of the Lease Area, such payment to be made on the first day of each lease year of the lease, including any extensions; and

**NOW THEREFORE BE IT RESOLVED**, the City Council of the City of Petersburg approves the Economic Development Authority of the City of Petersburg to enter into a lease agreement with the South Central Wastewater Authority for the property located at 130 Pocahontas Street.

**REAL ESTATE AGREEMENT  
BETWEEN THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY  
OF PETERSBURG, VIRGINIA AND THE SOUTH CENTRAL WASTEWATER  
AUTHORITY**

This Real Estate Agreement (the “REA”), is entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the **ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF PETERSBURG, VIRGINIA**, a body politic and corporate and a political subdivision of the Commonwealth of Virginia, its successors and assignments (“EDA”) (Grantor for indexing purposes); and the **SOUTH CENTRAL WASTEWATER AUTHORITY**, a body politic and corporate and a political subdivision of the Commonwealth of Virginia, its successors and assigns (“SCWWA,” and collectively as the “Parties”) (Grantee for indexing purposes).

**WITNESSETH:**

WHEREAS, the SCWWA has undertaken a public infrastructure improvement project identified as the SCWWA’s Nutrient Removal Technology Upgrade Project (the “Project”), which includes the construction of an extension of Pocahontas Road (the “Roper Site Access Road”); and

WHEREAS, the EDA is the current owner of 130 Pocahontas Street, Petersburg, Virginia 23803 (“Property”); and

WHEREAS, plans for the Roper Site Access Road requires construction upon, and ultimately dedication to the City of Petersburg (the “City”) of, a portion of the Property; and

WHEREAS, the SCWWA has determined that use of the remainder of the Property for a construction lay down yard for building materials and support services related to the Project is necessary for the construction of the Project and accordingly should be acquired for the Project; and

WHEREAS, the EDA has agreed to lease the Property to the SCWWA and to dedicate the Roper Site Access Road upon conclusion of the contemplated lease.

**AGREEMENT**

NOW, THEREFORE, in consideration of the mutual promises contained herein, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the SCWWA and EDA do agree to the following:

1. **Lease for the Property.** The EDA and SCWWA shall execute and enter into a Lease Agreement for use of a portion of the Property as a construction lay-down yard for building materials and support services associated with the Project and for the construction of the Roper Site Access Road. The Lease Agreement shall be in substantially the same form as **Exhibit A**, attached hereto and incorporated herein.
2. **Dedication of the Roper Site Access Road.** At the conclusion of the term of the Lease Agreement for the Property as described above, the EDA shall cause to be executed and recorded a Deed of Dedication that dedicates the Roper Site Access Road, and its improvements, to the City of Petersburg, Virginia, for use as public right-of-way (the “Deed”). The Deed shall be in substantially the same form as attached hereto as **Exhibit B**.
3. **Notice.** All Notices required pursuant to this Agreement shall be provided to the parties as follows:

To the EDA:

Samuel Rhue, Chairman  
135 N. Union Street  
Petersburg, VA 23803

With a copy to:

Brendan Hefty, Authority Counsel  
Hefty, Wiley, and Gore  
100 West Franklin Street, Suite 300  
Richmond, VA 23220

To the SCWWA:

Robert B. Wilson, P.E.  
ARWA/SCWWA Executive Director  
Appomattox River Water Authority  
900 Magazine Road  
Petersburg, VA 23803-3400

With copy to:

Arthur E. Anderson II, ARWA/SCWWA Counsel  
Partner, McGuire Woods LLP  
800 East Canal Street  
Richmond, VA 23219-3916

4. **Recordation of Agreement.** The Parties agree that the SCWWA shall cause the REA, or a memorandum of the same, identifying the EDA's obligation to dedicate the Roper Site Access Road to the City of Petersburg, and subject to the EDA's consent, which shall be recorded among the land records of the City of Petersburg, Virginia.
5. **Amendment.** This Agreement may only be amended, in whole or in part, by an instrument fully executed and delivered by each of the Parties hereto.
6. **Captions and Headings.** The captions and headings contained in this Agreement are included herein only for convenience of reference and shall not be considered a part hereof and shall not be construed as limiting or enlarging the terms hereof nor affecting the meaning or interpretation of this Agreement.
7. **Governing Law.** This Agreement shall be construed in accordance with and governed by the laws of the Commonwealth of Virginia.
8. **Successors and Assigns.** This Agreement shall be binding upon the parties hereto and their respective successors in title and in interest, administrators, legal representatives, heirs, successors and permitted assigns, and shall inure to the benefit of the parties hereto and, except as otherwise provided herein, their respective executors, administrators, legal representatives, heirs, successors and permitted assigns. Notwithstanding the foregoing, upon the sale or transfer by any Party of its interest in its respective Property and the assumption by the transferee of all of such Party's obligations to the extent required under this Agreement, such Party shall be relieved of liability thereafter accruing under this Agreement.
9. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed to be an original copy, and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all the parties shall not have signed the same counterpart.
10. **Entire Agreement; Recitals.** It is understood and agreed by and between the parties hereto that this Agreement contains the final and entire agreement between said parties, and that they shall not be bound by any terms, statements, conditions or representations, oral or written, express or implied, not herein contained. The Recitals set forth above are hereby incorporated into this Agreement.
11. **Severability.** In case any provisions hereof shall, for any reason, be held unenforceable or invalid in any respect, such unenforceability or invalidity shall not affect any other provisions hereof, and this Agreement shall be construed as if such unenforceable or invalid provision had not been included herein.

***/SIGNATURES APPEAR ON THE FOLLOWING PAGES./***

SOUTH CENTRAL WASTEWATER  
AUTHORITY, a body politic and  
corporate and a political subdivision of  
the Commonwealth of Virginia

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMONWEALTH OF  
VIRGINIA,  
CITY OF PETERSBURG, TO-WIT:

I, \_\_\_\_\_, a notary public in and for the  
Commonwealth and City aforesaid, do certify that \_\_\_\_\_, as  
\_\_\_\_\_ of the South Central Wastewater Authority, whose name is signed to  
the foregoing instrument dated \_\_\_\_\_, 20\_\_, has acknowledged the same before  
me.

GIVEN under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public:

Registration No.: \_\_\_\_\_

My Commission Expires:

*[Signatures continue on the following page]*

ECONOMIC DEVELOPMENT  
AUTHORITY OF THE CITY OF  
PETERSBURG, VIRGINIA a body politic and  
corporate and a political subdivision of the  
Commonwealth of Virginia

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA,  
CITY OF PETERSBURG, TO-WIT:

I, \_\_\_\_\_, a notary public in and for the Commonwealth and  
City aforesaid, do certify that \_\_\_\_\_, as \_\_\_\_\_ of the Economic  
Development Authority of the City of Petersburg, Virginia whose name is signed to the foregoing  
instrument dated \_\_\_\_\_, 20\_\_, has acknowledged the same before me.

GIVEN under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public:

Registration No.: \_\_\_\_\_

My Commission Expires:



**EXHIBIT A**

**LEASE AGREEMENT**

***Between the Economic Development Authority of the  
City of Petersburg, Virginia and the  
South Central Wastewater Authority for a laydown yard on property  
addressed as 130 Pocahontas Street***

This Lease Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between the Economic Development Authority of the City of Petersburg, Virginia (“Authority”), and the South Central Wastewater Authority (“SCWWA”).

WHEREAS, the Authority is the current owner of that certain 23.458-acre parcel identified as City of Petersburg Parcel Identification Number 007070009, with a street address of 130 Pocahontas Street, Petersburg, Virginia 23803 (“Property”); and

WHEREAS, the Authority wishes to lease to SCWWA, and SCWWA wishes to lease from the Authority, a portion of the Property (also called the “Lease Area”), such Lease Area being more particularly described on the attached **Exhibit A** entitled “South Central Wastewater Authority Exhibit A: Roper Property Proposed Lease Area Petersburg, Virginia”, such Exhibit A made a part of this lease; and

WHEREAS, the Authority and the South Central Wastewater Authority (“SCWWA”) entered into that certain Real Estate Agreement dated \_\_ of \_\_\_\_\_, 20\_\_ (the “REA”), related to SCWWA’s Nutrient Removal Technology Upgrade Project (the “Project”), and the construction of an extension of Pocahontas Road (the “Roper Site Access Road”); and

WHEREAS, the REA contemplates that the Authority and SCWWA shall enter into this Lease Agreement, to permit use of the Lease Area by SCWWA for purposes related to the Project, including but not limited to warehousing, road construction, and as a construction lay-down yard for SCWWA’s building materials and support services for the Roper Site Access Road; and

WHEREAS, the Authority believes that the objectives and planned uses for the Lease Area are appropriate and will benefit the Authority; and

WHEREAS, the Authority wishes to enter into a lease with SCWWA for rent and for the mutual consideration and promises described herein do agree to be bound by the following terms:

1. **Lease Area:** The Lease Area is a portion of that certain 23.458-acre parcel identified as City of Petersburg Parcel Identification Number 007070009, with a street address of 130 Pocahontas Street, Petersburg, Virginia 23803, and as described as “Area to be Leased” in Exhibit A attached to and made a part of this Lease Agreement.
2. **Lease Term:** This lease shall commence on the first day of the month that SCWWA takes possession of the Lease Area but no later than \_\_\_\_\_, 2023, hereinafter referred to as the “Commencement Date” and shall renew annually, automatically for a term of three (3) years unless terminated in

accordance with this Lease Agreement. Prior to the conclusion of the third year, SCWWA may extend this lease for an additional one-year term by giving the Authority at least thirty (30) days prior notice of its intention to extend.

3. **Rent:** SCWWA shall pay the Authority sixty-thousand dollars (\$60,000.00) annually for the lease of the Lease Area, such payment to be made on the first day of each lease year of the lease, including any extensions.
4. **Condition Precedent:** This Lease Agreement shall be contingent upon its prior approval of the City Council of the City of Petersburg in accordance with the controlling agreement between the City of Petersburg and the Authority relating to the Property.
5. **Representations/Title:** The Authority makes no representations concerning the condition of or title to the Property. The Lease Area is accepted by SCWWA “as is” at SCWWA’s sole risk. Upon the discovery of any issue or concern in relation to the Lease Area, either party may exercise their right to terminate this Agreement for cause with no further recourse except as expressly stated herein.
6. **Use/Improvements:** SCWWA, and its representatives, consultants, and contractors (the “SCWWA Parties”) shall use the Lease Area for purposes related to the Project, including but not limited to a construction lay-down yard for building materials and support services related to Project. Any improvements made to the Lease Area by the SCWWA Parties shall be approved by the Authority at its sole discretion prior to installation/construction. At the conclusion of the lease, all improvements made to the Lease Area shall automatically become the property of the Authority and deemed as part of the consideration provided to the Authority by SCWWA for the lease. Notwithstanding any provision to the contrary, SCWWA does not require additional approval from the Authority for construction of the Roper Site Access Road, and the Roper Site Access Road shall remain subject to the requirements for dedication to the City of Petersburg, Virginia, per the terms of the REA.
7. **Warehouse Access:** The Authority and SCWWA agree that, during the term of this Lease, the Authority shall maintain the right to have access across the Leased Area to use the warehouse labeled as “Existing Warehouse” as shown on Exhibit A. The Parties agree to coordinate to ensure Authority’s reasonable access to the Existing Warehouse, including on issues related to gate lock access and site security. Authority agrees that its right to access the Existing Warehouse shall not, in any event, impede SCWWA’s exercise of its rights to use of the Leased Area during the term of this Lease.
8. **Maintenance/Utilities/Services:** SCWWA shall be responsible for maintaining the Lease Area in accordance with all applicable laws and regulations. SCWWA shall maintain the Lease Area in all respects and shall

be solely responsible for any costs associated with maintenance, lease-hold real estate taxes, and utilities.

**9. Condition:** The Lease Area shall be returned in substantially the same condition that it was in when it was received by SCWWA except for authorized improvements in accordance with this Lease Agreement, including construction of the Roper Site Access Road, and any subsequent addendum thereto. SCWWA shall be responsible for damages to the Lease Area occurring during the lease term including extensions and shall promptly make repairs at their sole expense.

**10. Insurance:** SCWWA shall procure and maintain, through the Lease Term, including all extensions, the following insurances:

(i) Commercial general liability (CGL) insurance on an occurrence basis with minimum limits of One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) general aggregate/products and completed operations aggregate;

(ii) Comprehensive Automobile Liability Insurance (Auto Liability) covering owned, non-owned, or rented automotive equipment to be used in construction of the Project, as defined, with minimum limits of One Million Dollars (\$1,000,000) combined single limit per occurrence;

(iii) Workers' compensation insurance in a form prescribed by the laws of the State of Virginia., including employers' liability insurance with limits of not less than Five Hundred Thousand Dollars (\$500,000);

(iv) Pollution Liability insurance on a claims made basis, with a limit of One Million Dollars (\$1,000,000). Such liability insurance shall remain in effect for the period not to exceed three (3) years after the completion of the work on the Project, and;

(v) Umbrella/Excess Liability on a following form basis providing additional limits of Five Million Dollars (\$5,000,000) per occurrence and aggregate. Such coverage shall be excess of the coverage provided by the above-noted Commercial General Liability and Auto Liability to be provided per the above.

**11. Termination:** This Lease Agreement may be terminated by either party for cause in the event that a breach of the covenants and obligations of the other party (the "Defaulting Party"). Such termination shall occur only after the Defaulting Party has been provided written notice, consistent with the requirements of Section 11 below, of its failure to observe or perform any covenant or obligation of such party hereunder, and shall not have cured such failure within thirty (30) days . However, no termination for cause shall be permitted if such failure is such as cannot with diligent effort be cured within thirty (30) days, and the Defaulting Party demonstrates that it has commenced action to remedy such failure promptly following notice thereof and thereafter

continues in good faith to prosecute the same with due diligence (provided that in no event shall the period granted to such Defaulting Party to remedy such failure exceed ninety (90) days after the non-defaulting Party first delivered notice to the defaulting Party of such failure). Upon termination for cause, the Authority shall have no further liability under this Agreement. Upon termination with or without cause, the other party shall have no further recourse except as expressly stated in this Agreement. Termination of this Lease shall not modify any obligation of the parties under the REA.

**12. Notice:** All Notices required pursuant to this Agreement shall be provided to the parties as follows:

To the Authority:

Samuel Rhue, Chairman  
135 N. Union Street  
Petersburg, VA 23803  
With a copy to:

Brendan Hefty, Authority Counsel  
Hefty, Wiley, and Gore  
100 West Franklin Street, Suite 300  
Richmond, Virginia. 23220

To SCWWA:

Robert B. Wilson, P.E.  
ARWA/SCWWA Executive Director  
Appomattox River Water Authority  
900 Magazine Road  
Petersburg, VA 23803-3400

With copy to:

Arthur E. Anderson II, ARWA/SCWWA Counsel  
Partner,  
McGuireWoods LLP  
800 East Canal Street  
Richmond, Virginia. 23219-3916

**13. Jurisdiction and Venue:** This Lease Agreement shall be construed under the laws of the Commonwealth of Virginia. Any dispute arising from the performance or non- performance of any term contained herein shall be litigated exclusively in the Circuit Court for the City of Petersburg, Virginia or the federal court in Richmond, Virginia.

**14. Modification:** This document represents the entire agreement between the parties concerning the matters described herein. Any prior or subsequent agreement concerning these matters that is not memorialized in a written addendum to this Agreement and signed by all parties is hereby declared to be null and void.

The undersigned represent that they have the power to bind their respective entities to the terms of this Agreement and by executing this document do hereby bind said entities to all terms contained herein.

**AUTHORITY:**

**Economic Development Authority of the City of Petersburg, Virginia**

By: \_\_\_\_\_  
Samuel Rhue, Chairman

Approved as to Form

By: \_\_\_\_\_  
Brendan Hefty, Authority Counsel

**SCWWA:**

**South Central Wastewater Authority**

By: \_\_\_\_\_  
Robert B. Wilson, Executive Director

Approved as to Form

By: \_\_\_\_\_  
Arthur E. Anderson, SCWWA Counsel

**EXHIBIT A TO LEASE AGREEMENT**  
**LEASE AREA**

**EXHIBIT B**  
**DEED OF DEDICATION**

Prepared by and return to:  
McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons, Virginia 22102  
Attn: Steven M. Mikulic  
VSB: 92408  
City of Petersburg PIN: 007070009

THIS DEED OF DEDICATION is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the **ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF PETERSBURG, VIRGINIA**, a body politic and corporate and a political subdivision of the Commonwealth of Virginia ("EDA"), Grantor; and the **CITY OF PETERSBURG, VIRGINIA**, a municipal corporation of Virginia, its successors and assigns ("City"), Grantee.

**WITNESSETH:**

WHEREAS, the EDA is the owner of certain property by virtue of that certain Special Commissioners' deed recorded as Deed Instrument Number 11-001866, dated and recorded August 30, 2011, among the land records of the City of Petersburg ("Property"), as further depicted on that plat dated April 20, 2021, entitled "PLAT SHOWING DEDICATION OF POCAHONTAS STREET RIGHT OF WAY" and prepared by WW Associates of Charlottesville, VA, attached hereto and incorporated herein ("Plat"); and

WHEREAS, the Property is not subject to the lien of any deed of trust; and

WHEREAS, it is the desire of the EDA to dedicate public streets, as hereinafter provided.

**STREET DEDICATION**

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the EDA does hereby dedicate for public street purposes and convey to the City, in fee simple, that portion of the Property designated as "PROPOSED STREET 55' WIDE R/W 1.966 AC IS HEREBY DEDICATED" on the Plat.

**COVENANTS REAL**

The EDA declares that the agreements and covenants stated in this Deed are not covenants personal to the EDA, but are covenants real, running with the land.

**FREE CONSENT AND DESIRE**

This Deed is made with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any.

### **MISCELLANEOUS**

This Deed shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia. This Deed may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument. This Deed is in accordance with the Statutes of Virginia and the ordinances in force in the City of Petersburg governing the platting and subdivision of land and is approved by the proper authorities as evidenced by their endorsement hereto and the Plat.

Witness the following signatures and seals:

**[SIGNATURES APPEAR ON THE FOLLOWING PAGES]**



APPROVED AS TO FORM,

CITY OF PETERSBURG, VIRGINIA, a  
municipal corporation

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
NAME: \_\_\_\_\_

\_\_\_\_\_  
TITLE: \_\_\_\_\_

Commonwealth of Virginia:  
City of Petersburg, to wit:

I, \_\_\_\_\_, a notary public in and for the Commonwealth  
and City aforesaid, do certify that \_\_\_\_\_, as \_\_\_\_\_ of the City  
of Petersburg, Virginia whose name is signed to the foregoing instrument dated  
\_\_\_\_\_, 20\_\_, has acknowledged the same before me.

GIVEN under my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public:

Registration No.: \_\_\_\_\_

My Commission Expires:

*[Signatures continue on the following page]*

ECONOMIC DEVELOPMENT AUTHORITY  
OF THE CITY OF PETERSBURG, VIRGINIA  
a body politic and corporate, and a subdivision  
of the Commonwealth of Virginia

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA,  
CITY OF PETERSBURG, TO-WIT:

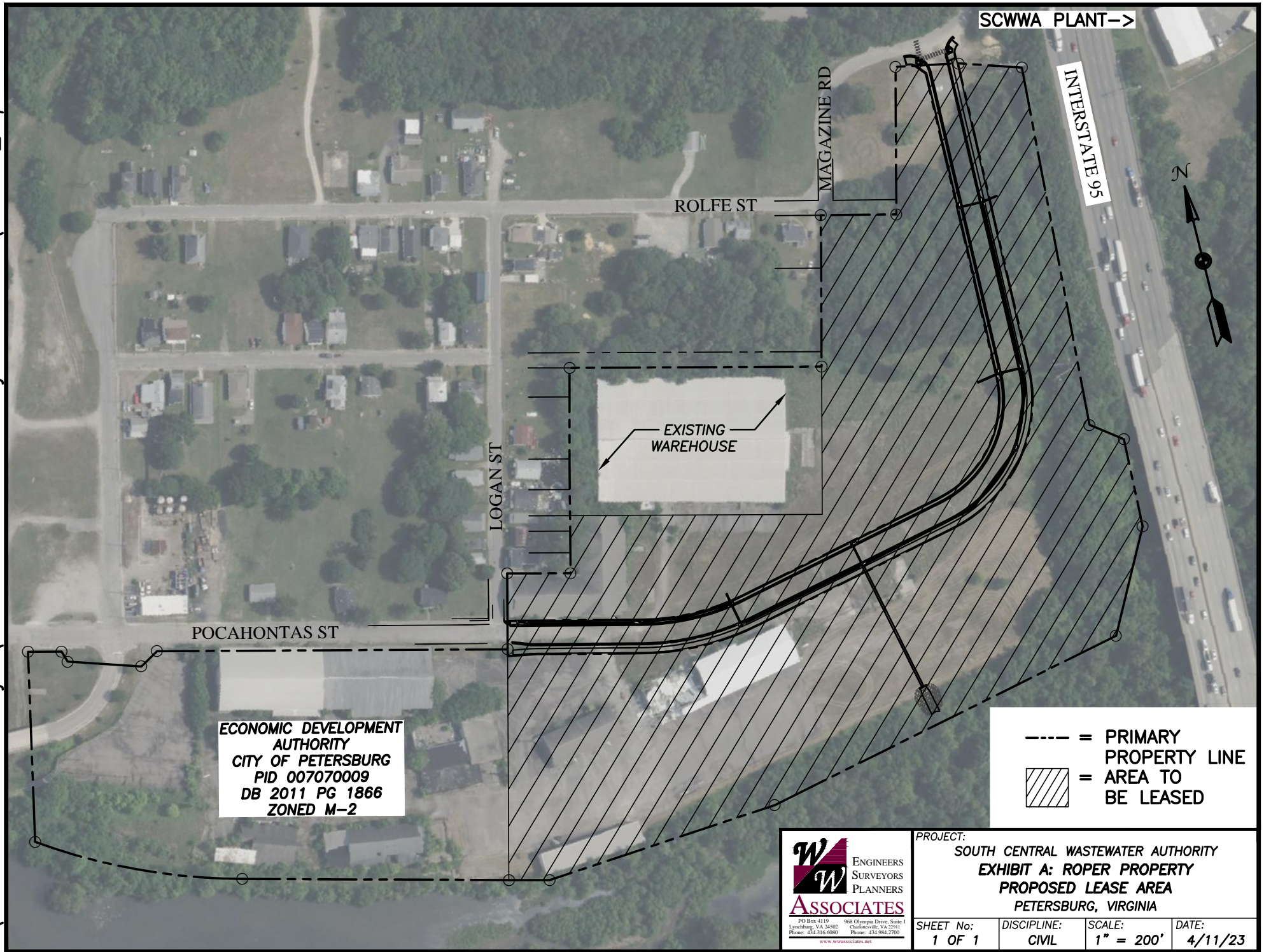
I, \_\_\_\_\_, a notary public in and for the Commonwealth and  
City aforesaid, do certify that \_\_\_\_\_, as \_\_\_\_\_ of the Economic  
Development Authority of the City of Petersburg, Virginia whose name is signed to the foregoing  
instrument dated \_\_\_\_\_, 20\_\_, has acknowledged the same before me.

GIVEN under my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public:

Registration No.: \_\_\_\_\_

My Commission Expires:





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Brian Moore

**RE:** **Consideration of a Resolution Approving the Development Agreement for The Development Of 417 Jefferson Street South, Petersburg, Virginia Between the City of Petersburg And Properties Remembered.(Page 143)**

**PURPOSE:** To provide City Council with the details of the Development Agreement for 417 Jefferson Street South

**REASON:** This action is necessary to facilitate the process to sell City-owned property at 417 Jefferson Street South.

**RECOMMENDATION:** Staff recommends the City Council make a motion to approve the development agreement by resolution.

**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 417 Jefferson Street on February 21, 2023. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Properties Remembered 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 summary documents state the developer will construct a single-family dwelling in accordance with the zoning ordinance. On October 14, 2022, the developer was advised the following from the Zoning Administrator "417 Jefferson Street - TP# 022390008; R-3, Two Family Residence District; Requires Lot frontage of 60' to construct a duplex and minimum of 6,000 sq ft lot area; new construction requires installation of a driveway to accommodate 2 cars. \*\* Tax Assessors records shows a lot width of 50' X 150' for a total lot area of 7,500 sq ft.; This lot can be approved for a single-family residence as the required minimum lot width fails to meet Sixty (60')."

The Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Properties Remembered. 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:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Manager, Economic Development, City Attorney Office

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 1-DevAgreementResolution
2. 2-417JeffersonStreetDevelopmentAgreement
3. 3-417 S. Jeffereson St Proposed layout2 (2)
4. 4-417 Jefferson Streect- Development Agreement

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR  
DEVELOPMENT OF 417 JEFFERSON STREET SOUTH PETERSBURG, VIRGINIA  
BETWEEN THE CITY OF PETERSBURG AND PROPERTIES REMEMBERED.**

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 417 Jefferson Street South on February 21, 2023; 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 Properties Remembered, shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement (single family dwelling); 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 Properties Remembered.

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 417 JEFFERSON STREET PETERSBURG, VIRGINIA 23803 AS  
RESIDENTIAL DEVELOPMENT**

On this 16TH day of May 2023 came the parties, Properties Remembered ("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 417 Jefferson Street, 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 develop the property into a to 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 or the Property strictly in compliance with the project summary documents and in accordance with the following terms:

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

- B. The Purchaser shall be solely responsible for obtaining all applicable permits and inspections required for the development.
- C. The City makes no representations or warranties regarding the property or its development and shall be responsible only for conveyance of the Property as described herein, which is conveyed in "as is" condition with no warranties of title or condition.
- D. The period of time described in the project summary documents, twelve (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 seven thousand one hundred dollars (\$7,100).
- 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

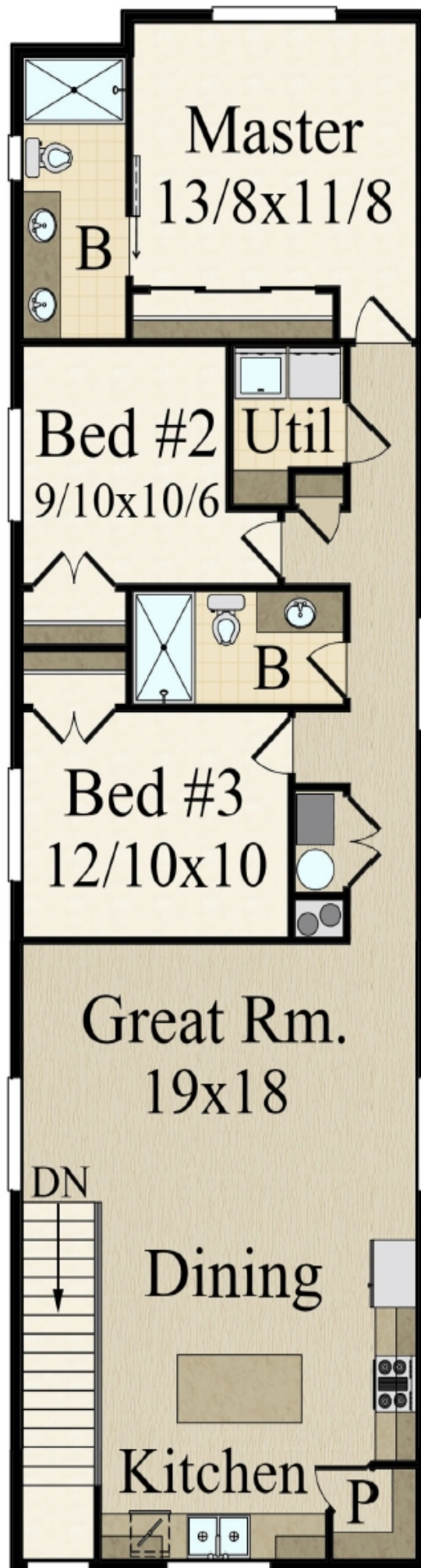
By: \_\_\_\_\_

March Altman, City Manager

Approved as to form:

By: \_\_\_\_\_

Anthony C. Williams, City Attorney



# **Presentation for Council 417 Jefferson Street Development Agreement**

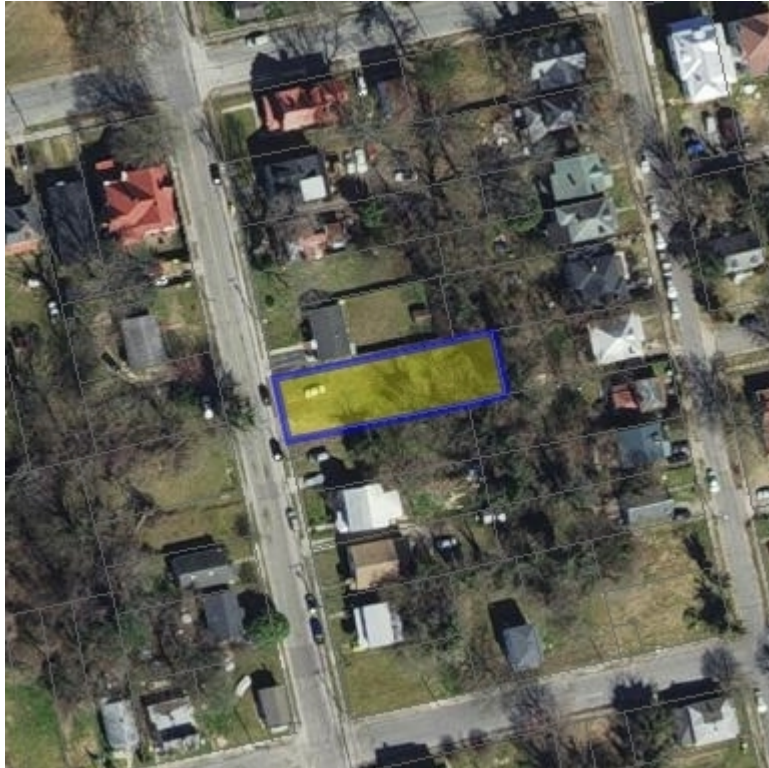


**Brian A. Moore**  
**Director of Economic Development, Planning, and Community Development**  
**Petersburg, Virginia**  
**February 21, 2023**

# Introduction

**This presentation will provide information on the proposed development agreement between the City of Petersburg and Properties Remembered for the development of City-owned property located at 417 Jefferson Street.**

# Background



- Zoning – R3
- Acreage – .172
- Current Use- Vacant Residential Lot
- Proposed Use – 2000 square foot single family dwelling with three bedrooms and two bathrooms
- Assessed value- \$9,200
- Purchase Price-\$7,100
- Construction Timeline- 12 months

# Summary

- The Department of Economic Development, recommends that the City Council consider the resolution authorizing the City Manager to execute the development agreement between the City of Petersburg and Properties Remembered for the City-owned property located at 417 Jefferson Street.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** March Altman, Jr.

**RE:** Consideration of an amendment to the trash contract with CVWMA.(Page 155)

**PURPOSE:** Solid Waste Fee Increase request by Meridian Waste Virginia, LLC.

**REASON:** See City Council approval of fee increase Meridian Waste Virginia, LLC.

**RECOMMENDATION:** City Council authorize Central Virginia Waste Management Authority to renegotiate the existing solid waste contract with Meridian Waste to increase the monthly collection fee by \$4.00 per household retroactive to April 1, 2023.

**BACKGROUND:** On March 22, 2023 Meridian Waste submitted a petition to the Central Virginia Waste Management Authority (CVWMA) per Section 5D of the solid waste disposal contractor for an adjustment to the associated fees on the basis of unusual changes. Meridian Waste Virginia, LLC cited inflation, labor cost, supply chain issues, and increased tonnage and cost for disposal as the reason for the petition to adjust the per household cost of the fee. Meridian Waste Virginia, LLC submitted a similar request in July 2021 that was denied by CVWMA.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** Solid Waste Disposal Contract with CVWMA

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A



**ATTACHMENTS:**

1. CVWMA - Petersburg Unusual Rate Increase Petition 3-22-2023



333-B Industrial Drive  
Petersburg, VA 23803  
p: (804) 748-8324

March 22, 2023

Ms. Kimberly Hynes  
Executive Director  
Central Virginia Waste Management Authority  
2100 West Laburnum Avenue, Suite 105  
Richmond, Virginia. 23227

RE: Petition for Unusual Rate Increase – CVWMA / City of Petersburg Residential Contract

On behalf of The CFS Group and its successor, Meridian Waste Virginia, LLC, I respectfully ask that CVWMA and the City of Petersburg consider an unusual rate increased as allowed by Section 5D of the contract as stated:

i.i. **Section 5D** says that the Contractor may petition the CVWMA at any time for adjustments or addition as to associated fees on the basis of unusual changes, such as new or revised laws, ordinances or regulations, or similar reasons, The CVWMA shall have the right, as a pre-condition for approval of such petition, to demand inspection by itself, or by an independent auditor or consultant, or pertinent records that demonstrate the unusual changes resulting in the need for an adjustment to the fees. CVWMA shall have sole discretion as to whether it wishes to grant such petition or not.

This is in follow up to the July 2021 petition for an Unusual Rate Increase that was denied by CVWMA. In the year since the original petition, the state of the economy has only worsened with higher fuels costs, greater inflation (9.1% in June 2022 and an additional 6.4% in January 2023), higher labor costs (including the impacts of the Virginia Overtime Wage Act), increased supply chain blockages and increased tonnages and costs of disposal.

Meridian has met with Petersburg and has tentatively agreed to a \$ 4.00 increase per home. This rate will go into effect as soon as approved and will be retroactive to April 1, 2023. This rate will compensate the Company for significant losses incurred due to the unusual costs associated with doing business based upon the above factors that reside outside the control of the Company.

Thank you for your consideration of this request. I understand that the Staff and City Council will need to vote on this matter at it next Council meeting. I am happy to provide any additional information you may need in order to support this request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Webb'.

Tim Webb  
Area President – Virginia  
804-241-3801  
[TWebb@MeridianWaste.com](mailto:TWebb@MeridianWaste.com)





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Nykesha Lucas

**RE:** **Consideration of appointments or reappointments to the Architectural Review Board. (Page 158)**

**PURPOSE:** To consider an appointment/s to the Architectural Review Board.

**REASON:** There is a vacancy and all current members terms have expired.

**RECOMMENDATION:** Recommend Council to make appointments or reappointments to the Architectural Review Board.

**BACKGROUND:** The Architectural Review Board consists of 7 members appointed by City Council. The duties of the Board include, but are not limited to the following: administer the provisions of the City Code, Article 35, and preservation of the Historical Areas within the City. In addition to those duties, under the CLG Program the review board shall, at a minimum, perform the following duties: conduct or cause to be conducted a continuing survey of cultural resources in the community, according to guidelines established by the State Historic Preservation Office; act in an advisory role to other officials and departments of local government regarding protection of local cultural resources; disseminate information within the locality on historic preservation issues and concerns; and review all proposed National Register nominations for properties with the boundaries of the locality.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS: N/A**

**ATTACHMENTS:**

1. ARB
2. res arb

	<b>ARCHITECTURAL REVIEW BOARD</b>		
	Number of members: 7		
<b>TERMS</b>	<b>APPOINTMENTS</b>	<b>NEW APPLICANTS</b>	
06/15/2021 - 09/30/2022	Louis Malon, 1578 Westover Avenue, Petersburg, VA	Larry Murphy, 4106 Rockridge Place, 23831	
02/19/2019 - 09/30/2022	Dino Lunsford, 4017 Birchett Place, 23875	Dino Lunsford, 4017 Birchett Place, 23875	
06/15/2021 - 09/30/2022	William H. Hartsock, 239 High Street, Petersburg, VA 23803	Celeste Wynn, 319 East Fillmore Street, 23803	
02/19/2019 - 09/30/2022	Larry Murphy, 4106 Rockridge Place	William Hartsock, 239 High Street, 23803	
02/19/2019 - 09/30/2022		Louis Malon, 1578 Westover Avenue, 23805	
02/19/2019 - 09/30/2022	Joe Battiston, 18610 Waterford Drive - chair	Joe Battiston, 18610 Waterford Drive - chair	
02/19/2019 - 09/30/2022	Celeste Wynn, 319 East Fillmore Street		
	<b>TERMS:</b>		
	*Three year terms		

**A RESOLUTION REAPPOINTING \_\_\_\_\_ TO THE  
ARCHETECTURAL REVIEW BOARD WITH A TERM ENDING  
SEPTEMBER 30, 2025.**

---

**BE IT RESOLVED**, by the City Council of the City of Petersburg, that it hereby appoint..  
\_\_\_\_\_ to the Architectural Review Board with a term ending  
September 30, 2025.

Resolution \_\_\_\_\_  
Adopted by the City of Petersburg  
Council of the City of Petersburg on:  
\_\_\_\_\_

\_\_\_\_\_  
Clerk of City Council



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Randall Williams, Norris Stevenson

**RE:** **Consideration of approval to extend the lease agreement exercising two one year options (June 1, 2023 - May 31, 2025) for a total amount of \$419,604.00 per year (\$34,967.00 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803 for the Department of Social Services. (Page 163)**

**PURPOSE:** Approval to extend the lease agreement exercising two one year options (June 1, 2023 - May 31, 2025) for a total amount of \$419,604.00 per year (\$34,967.00 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803. This property houses the City of Petersburg's Department of Social Services.

**REASON:** To extend the lease agreement, exercising two one-year options (June 1, 2023 - May 31, 2025) for the property that houses the City of Petersburg's Social Services Department.

**RECOMMENDATION:** Staff recommends that Council approves the lease extension exercising the two one year options.

**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 it's fourth year (May 31, 2023) occupying space at 3811 Corporate Road. Two one year extensions will ensure that the Department of Social Services will occupy the building for another two years.

**COST TO CITY:** \$419,604.00 per year (the state reimburses the City 84.5% of this amount, \$354,565.38 for a net cost to the City in the amount of \$65,038.62 per year).

**BUDGETED ITEM:** Yes

**REVENUE TO CITY:** \$0

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A



**AFFECTED AGENCIES:** Department of Social Services

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. EXTENSION OF LEASE AGREEMENT - Social Services
2. Ordinance SS Corporate Rd

## COMMERCIAL LEASE AGREEMENT

THIS LEASE AGREEMENT (this "Lease"), made and entered into this \_\_\_\_\_ day of May 1923, by and between **P&P Associates, LLC**, hereinafter called the "Lessor", party of the first part, and **City of Petersburg**, hereinafter called the "Lessee", party of the second part.

WITNESSTH: That for and in consideration of the rents reserved, and the mutual covenants, conditions and agreements as hereinafter set forth, the parties hereby agree as follows:

1. LEASED PREMISES: The Lessor does hereby lease and demise unto the Lessee, and the Lessee does hereby rent from the Lessor, **3811 Corporate Road, Petersburg, VA 23805** (the "Leased Premises") as shown on attached "Space Plan" consisting of approximately 28,000 SF; city Tax Parcel ID: 102-060003
2. TERM: This lease shall be for a term of **Two (2) years** beginning on **June 1, 2023 and ending May 31, 2025**.
3. RENT: Rent shall be due and payable upon the **first day of each month** and on the first day of each month thereafter. The Lessee shall also pay to Lessor a **late charge of ten percent (10%)** of any monthly rental installment not received by the Lessor or his agent **within five (5) days** after the installment is due. Rental payments shall be made payable to: **Old Mansion, Inc.** and mailed to: **P.O. Box 1838, Petersburg, VA 23805** or at such other place that Lessor may designate in writing to Lessee. See attached "Exhibit A" for rent payments.
4. SECURITY DEPOSIT: NONE
5. OPTION TERM AND RENT: The Lessee shall have the option, at its discretion, to extend the term of this Lease for up to **Two (2) One-year options**, provided that Lessee is not in default under the provisions herein. To exercise the option, the Lessee must furnish the Lessor with written notice at least **Ninety (90) days** before the expiration of the current term. Option term rent will have 3% increases per option (see exhibit A).
6. HOLDOVER: If the Lessee remains in possession of the Leased Premises at the end of the term or option term, if taken, this Lease will automatically continue on a month-to-month basis at a rate 120% of the previous year's rent upon the same provisions, covenants and conditions until terminated by the serving of thirty (30) days written notice by either the Lessor or Lessee.
7. DELIVERY OF POSSESSION TO LESSEE: The Lessor shall deliver possession of the Leased Premises to the Lessee once this lease has been signed by both parties and Lessor has received the **first month's rent**. If there is early Possession all lease terms apply except for Rent. If the Lessor is unable to give possession of the Leased Premises on the date of commencement of the Lease term because of the Leased Premises are not ready for

occupancy, or for any other reason, the Lessor shall not be subject to any liability for such inability to give possession. In such case of the Lessor unable to give possession, the Lessee will not be required to pay rent until possession is granted.

8. **USE AND OCCUPANCY:** The Lessor grants the Lessee the right to use the Leased Premises for Social Services and City Administrative Department offices. The Lessee shall restrict its use to such purposed and shall not permit the Leased Premises to be used for any other purpose(s) without written consent of the Lessor, which consent shall not be withheld unreasonably, conditioned or delayed. The Lessee shall (A) remove all trash accumulated in connection with its use of the Leased Premises, (B) permit no nuisance in the Leased Premises, (C) keep the Leased Premises free of insects and other pests and (D) use the Leased Premises in a manner which complies with all laws, ordinances and regulations applicable thereto, including without limitation all laws, ordinances and regulations relating to hazardous and/or toxic materials. The Lessee shall be responsible for damage and loss caused by Lessee's use of the premises other than ordinary wear, including any costs arising out of the presence of hazardous substances on the Leased Premises, along with reasonable attorney's fees, incurred by the Lessor as a result of such action, other than those which may have been caused by the Lessor.
9. **REPAIRS AND MAINTENANCE:** The Lessor shall maintain, repair and replace the exterior of the building including the roof, exterior walls, foundation, including the doors and windows, as well as all repairs and maintenance to HVAC, Plumbing and Electrical that is part of the building, so long as needed repairs are not due to Lessee's negligence or misuse.
10. **UTILITIES:** Water, sewer and electricity are included in the Rent. The Lessee shall pay all charges or fees for any other services it may need.
11. **NET CHARGES:** This is not a Triple Net Lease. In addition to Rent, Tenant will pay for janitorial services/cleaning of the space, as well as trash removal. Lessor shall be responsible for all real estate taxes associated with the property.
12. **DAMAGES TO LEASED PREMISES:** If the Leased Premises or any part thereof are damaged by fire, the elements, or any other casualty, not caused by the negligence of the Lessee or the Lessee's employee(s) or agent(s), and remains wholly tenantable, the Lessor shall at its own expense cause such damage to be repaired and the rent shall not abate. If by any reason of such occurrence the Leased Premises shall be rendered untenable only in part, the Lessor shall at its own expense cause damage to be repaired and, until the repairs are performed, the rent shall abate proportionately as to the portion of the Leased Premises rendered untenable. If by reason of such occurrence the Leased Premises shall be rendered wholly untenable, the Lessor shall at its own expense cause such damage to be repaired and, until the repairs are performed, the rent shall be abate in full, provided, however, that the Lessor shall have the right, to be exercised by notice given to the Lessee with sixty (60) days after the date of such occurrence, to elect not to repair the Leased Premises, and in such event this Lease shall be terminated as of the date of such occurrence, and the rent shall be prorated as of such date. If by reason of such occurrence the Leased Premises is rendered wholly untenable for more than ninety (90) days, the Lessee will have the right to terminate this Lease by given written notice to the Lessor and the rent will be prorated as of the date of such occurrence. If any such damage is caused by negligence of the Lessee and/or the Lessee's employee(s) or agent(s), there shall be no abatement of rent or right of the Lessee to terminate this lease during any reasonable period required for repairs.

13. ALTERATIONS, ADDITIONS AND IMPROVEMENTS: The Lessee shall not make any alterations to the Leased Premises without the prior written consent of the Lessor, which consent shall not be withheld unreasonable, conditioned or delayed. If consent is given by the Lessor, any alteration shall become the property of the Lessor unless otherwise agreed in writing by the Lessor and the Lessee. **Lessor may make alterations to the space on the Lessee's behalf which may require an addendum to this Lease agreement modifying terms.**
14. INDEMNIFICATION AND HOLD HARMLESS: To the extent permissible under Virginia law, the Lessor and the Lessee shall indemnify and save each other harmless from and against any and all liabilities, claims and costs (including reasonable attorney's fees, penalties and fines) for death, injury or damages to persons, or property during the term of this Lease, arising from (a) any default by each in the performance of its obligations under this lease (b) the manner of each party's use and occupancy of the Leased Premises, or (c) any acts, omissions, or negligence of each party or its agents, employees, contractors or invitees. If any action or proceeding is brought against the other based upon any such claim, the party at fault shall cause such action to be defended, at its expense, by counsel reasonably satisfactory to the other party. This hold harmless and indemnity shall survive termination of this Lease.
15. WARRANTIES OF LESSOR: The Lessor warrants and represents unto the Lessee that: (a) the Lessor is an owner and has the right to sign on behalf of the Lessor, (b) to the best of the Lessor's knowledge, there are no pending proceedings or plans to change the zoning of the Leased Premises and (c) neither the property nor any portion thereof is being condemned or taken by eminent domain and to the best of the Lessor's knowledge, no such proceedings are contemplated by any lawful authority.
16. INSURANCE: At all times while this Lease is in effect, the Lessor shall maintain fire and extended insurance covering the Leased Premises for its full replacement value and the Lessee shall not do or permit anything to be done to the Leased Premises, or bring or keep anything therein, which will increase the rate of fire insurance. The Lessee shall maintain (a) insurance covering its property for its full replacement value and (b) at least One Million Dollars (\$1,000,000.00) for injury to person (including without limitation death) and damage to the Leased Premises, covering the Lessee and the Lessor (as an additional insured) for the actions of the Lessee and the Lessee's employee(s), guest(s) and agent(s). The liability insurance policy shall provide that the cancellation, termination or non-renewal of the policy, and all of the policies required by this paragraph shall be endorsed to prohibit subrogation by the insurance company against the Lessor or the Lessee or any employee or agent of the Lessor or the Lessee. The Lessee shall furnish the Lessor with a certificate or other evidence from the insurance company confirming that any coverage required by this paragraph is in effect.
17. CONDEMNATION: If the whole of the Leased Premises, or such portion thereof as will make the Leased Premises unsuitable or untenable for Lessee's continued use, is condemned for any public use or purpose by any legally constituted authority then, in either of such events, either the Lessor or the Lessee may elect to terminate this Lease effective as of the time of taking by such authority and rental shall be accounted for between the Lessor and the Lessee as of such date. Such termination shall be without prejudice to the rights of either the Lessor or the Lessee to recover compensation from the condemning authority for their respective loss or damage caused by such condemnation. Neither party shall have any rights in or to any award made to the other by the condemning authority. The Lessee hereby assigns to the Lessor any award or payment which is payable for the value of the real estate.
18. SUBLEASE OR ASSIGNMENT BY LESSEE: The Lessee may not mortgage, pledge or otherwise encumber this Lease, or in any sub-lease of the Leased Premises. The Lessee may not assign this Lease nor sub-let the property

without the expressed written consent of the Lessor being first obtained, which consent shall not be unreasonably withheld.

19. **SUBORDINATION OF LEASE:** This Lease, and any modification of the Lease, shall be subordinate to any first lien Deed of Trust against this property. Lessee agrees to execute any document(s) necessary to effectuate such a subordination so long as such document(s) acknowledge the Lessee's right to continue in possession of the Leased Premises pursuant to this Lease so long as the Lessee is not in default under the terms of this Lease.
20. **SURRENDER OF PREMISES:** The Lessee shall peaceably surrender the Leased Premises to the Lessor on the expiration date or earlier termination of this Lease, in broom-clean condition and in as good condition as when the Lessee took possession, including, without limitation, the repair of any damage to the Lease Premises caused by the removal of any of the Lessee's equipment or property from the Lease Premises, but excluding reasonable wear and tear and loss by fire or other casualty not caused by the Lessee or its agents. Any of the Lessee's equipment and other property left on or in the Leased Premises, the building or the common elements after the expiration date or earlier termination of this Lease shall be deemed to be abandoned, and at the Lessor's option, title thereto shall pass to the Lessor under this Lease.
21. **DEFAULT BY LESSEE:** Each of the following shall constitute an Event of Default:
  - (a) Failure of the Lessee to pay rent with 15 days after it is due. The Lessor shall have no obligation to give the Lessee notice of such default.
  - (b) Failure of the Lessee to perform any obligation of the Lessee under this Lease, other than the payment of rent, within 15 days after the Lessor gives the Lessee notice that the Lessee has failed to perform such obligation.
  - (c) The Lessee abandons or vacates the Leased Premises.
  - (d) The filing of a petition by or against the Lessee under any provision of any bankruptcy or insolvency law, or the appointment of a receiver for the Lessee.
22. **LESSOR'S REMEDIES:** Upon the occurrence of an Event of Default, Lessor may at its option terminate this Lease by written notice to the Lessee, in which event the Lessor shall have the right to enter the Leased Premises and take possession thereof, and the Lessor shall have the right to resort to any other remedies provided by law or equity, including but not limited to the right to distrain upon any and all property of the Lessee located in or on the Leased Premises. The Lessee agrees to pay all reasonable costs, including but not limited to reasonable attorney's fees, incurred by the Lessor as a result of such default.
23. **ENTRY BY LESSOR:** The Lessor and/or his agent shall have the right to enter the Leased Premises at reasonable times for any reasonable purpose (includes making any necessary repairs, decorations, alterations or improvements). Beginning six months before the end of this Lease, the Lessor and/or his agent shall have the right to show the Leased Premises to prospective Lessees and/or Purchasers provided this is done at reasonable times and does not interfere with the Lessee's use of the Leased Premises. The Lessor and/or his agent may also place a "Lease or Sale" sign on the Leased Premises.
24. **NOTICES:** All notices, demands, requests, consents, approvals, offers, statements and other instruments or communications required or permitted to be given hereunder shall be in writing and shall be deemed to have been given when delivered, or when mailed by first class Registered or Certified mail, postage prepaid, addressed to the Lessor and the Lessee as follows:

LESSOR:

P&P Associates, LLC  
c/o Dale Patton  
P.O. Box 1838  
Petersburg, VA 23805  
Office (804) 862-9889

LESSEE:

City of Petersburg  
City Manager (w/ copy to City Attorney)  
135 N. Union Street 2<sup>nd</sup> Floor  
Petersburg, VA 23803  
Office (804) 733-2301

25. **MECHANIC'S LIEN:** The Lessee shall not permit any mechanic's or materialmen's lien to be filed against or upon the Leased Premises for work claimed to have been done for, or materials claimed to have been furnished to the Lessee. The Lessee, at its sole cost and expense, including but not limited to attorney's fees incurred in connection with the discharge of a lien or the filing of any bond required by law, shall cause any such lien to be released or discharged within ten (10) days after notification of the filing thereof by the Lessor.
26. **SIGNS:** Before installing any signs (which must comply with city or county sign ordinances), the Lessee will obtain prior written consent of the Lessor, which consent will not be unreasonably withheld. The Lessee will remove any such signs at the end of the Lease and will repair any and all damage caused by or due to the installation, maintenance and/or removal of such signs.
27. **NO AGENCY:** Nothing in this Lease will be construed to constitute the Lessor and the Lessee as an agent of the other or to constitute the Lessor and the Lessee as partners or joint ventures.
28. **AMENDMENT OR MODIFICATION:** This Lease may not be amended, modified or terminated, nor may any obligation hereunder be waived orally, and no such amendment, modification, termination or waiver shall be effective for any purpose whatsoever unless it is in writing signed by all parties.
29. **SEVERABILITY OF PROVISIONS:** If any provisions of this Lease or any application thereof is determined by a Court to be invalid or unenforceable, the remainder of this Lease and any other application of such provision shall not be affected thereby.
30. **AGENCY DISCLOSURE:** Nathan Jones of Dominion Commercial, LLC has acted on behalf of and represented the Lessor in this transaction. The Lessor shall have the sole responsibility to pay all fees and commissions due to such representatives, per a separate agreement. The Lessor and the Lessee each covenant to the other that it has not incurred or created any other obligation to pay a commission or other amount to any broker, agent or finder in connection with this Lease and each agrees to indemnify and save the other harmless from and against any and all liability, damages and expenses incurred by the other because the indemnifying party incurred or created such an obligation to pay such a commission or other amount.
31. **TRANSFER OF PROPERTY:** In the event of the sale of the Leased Premises by the Lessor subject to the terms and provisions of this Lease, the Lessor shall thereupon be released from all liability, assuming the liability is assumed by the new Lessor. This lease shall be recorded in the land records of the Petersburg Circuit Court and shall be effective upon all successors in interest for the term of this lease.

32. NON-WAIVER OF FUTURE PERFORMANCE: The failure of the Lessor to insist upon strict performance of any of the covenants, conditions or agreements of this Lease, or to exercise any option herein conferred, shall not be construed as a waiver or relinquishment of the future performance of any such covenants, conditions or options, but the same shall be and remain in full force and effect.
33. BINDING EFFECT: This Lease shall be binding upon and inure to the benefit of and be enforceable by the respective heirs, successors and assigns of the parties hereto.
34. QUIET ENJOYMENT: Upon due performance of the covenants and agreements to be performed by the Lessee under the terms and provisions of this Lease, the Lessor covenants that the Lessee shall and may at all times peaceably and quietly have, hold and enjoy the property during the term of this Lease.
35. GENDER: Any word contained in the text of this Lease shall read as the singular or the plural and as the masculine, feminine or neuter gender as may be applicable in the particular context.
36. RULES AND REGULATIONS: Lessee shall not place any furniture, equipment, records, trash or other objectionable material in the common areas of the building. Lessee or his employees shall not make any unseemly or disturbing noises or disturb or interfere with neighboring occupants of the building or that having business with them, whether by use of musical instrument loudspeaker, singing or in any other way. Lessee shall not throw anything out of the door or windows of the building. Lessor does not assume any responsibility for any damage or loss of automobile or personal property in the parking lot or for any injury sustained by any person in the parking lot. This is a smoke free facility and smoking is prohibited in the facility.
37. ENTIRE AGREEMENT: This Lease contains all the agreements of the parties and cannot be changed unless in writing and signed by all parties.
38. LAW TO BE APPLIED: This Lease shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the parties hereto have hereto set their hands and seals as of the day and date first hereinabove written.

39. The City's obligations under this lease shall be contingent upon annual appropriation by City Council. In the event of a failure of City Council to appropriate funds for this lease, the City's obligations under the lease shall terminate without recourse by the Lessor.

By: \_\_\_\_\_ (SEAL)  
P&P Associates, LLC – Dale Patton, Managing Member

LESSEE:

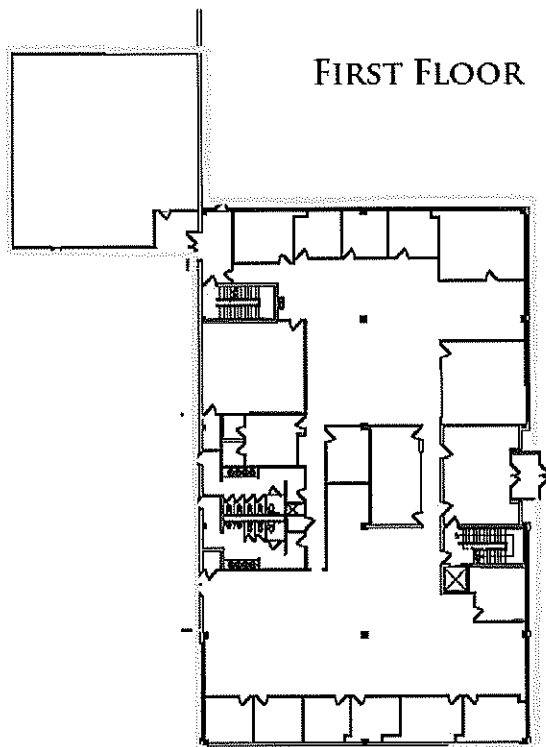
By: \_\_\_\_\_ (SEAL)  
City of Petersburg, City Manager

EXHIBIT "A"

	<u>YEAR</u>	<u>MONTHLY RENTAL</u>	<u>YEARLY RENTAL</u>
	1	\$ 34,967.00	\$ 419,604.00
	2	\$ 34,967.00	\$ 419,604.00
<u>OPTION 1:</u>	3	\$ 35,960.00	\$ 431,520.00
<u>OPTION 2:</u>	4	\$ 37,039.00	\$ 444,468.00



SPACE PLAN



SECOND FLOOR



**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENSION OF LEASE  
AGREEMENT FOR LEASED PROPERTY LOCATED AT 3811 CORPORATE ROAD**

WHEREAS the City of Petersburg approved the initial commercial lease agreement for a three-year term which ended on May 31, 2022, for the property located at 3811 Corporate Road and approved to extended it another year that will end on May 31,2023.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Petersburg that the City Manager is hereby authorized to execute the extension of lease agreement for the property located at 3811 Corporate Road.

BE IT FURTHER ORDAINED, by the City Council of the City of Petersburg, that the City Manager, is hereby authorized to sign such agreements and documents as necessary to complete the lease of the aforementioned property on behalf of the City.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** May 16, 2023

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Randall Williams

**RE:** **Consideration of approval to extend the lease agreement exercising two one year options (June 1, 2023 - May 31, 2025) for a total amount of \$120.00 per year (\$10.00 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803 for the City's Human Resources department. (Page 174)**

**PURPOSE:** The purpose is for City Council to provide authorization for the City Manager to execute the Extension of Lease Agreement with P & P Associates, LLC, exercising the two one-year options for the leased property located at 3811 Corporate Road Petersburg, VA for the period of June 1, 2023 through May 30, 2025 for the City's Human Resources department.

**REASON:** The City has received the Commercial Lease Agreement extending the lease term for up to two one year options for the leased property located at 3811 Corporate Road, and this ordinance authorizes the City Manager to execute the agreement for the period of June 1, 2023 through May 30, 2025 for the City's Human Resources department.

**RECOMMENDATION:** Staff recommends that Council approves the lease extension exercising the two one year options.

**BACKGROUND:** The City approved the initial lease between the City and P & P Associates, LLC for the purposes of leasing the property located at 3811 Corporate Road, approximately 4,000 sq. feet. The initial term of the agreement ended May 31, 2022. This space is currently being utilized by the Human Resources Department.

**COST TO CITY:** \$120.00 per year

**BUDGETED ITEM:** Yes

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 5/16/2023

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** Human Resources Department  
Department of Public Works and Utilities

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. EXTENSION OF LEASE AGREEMENT Corporate Rd HR
2. Ordinance HR Corporate Rd

## EXTENSION OF LEASE AGREEMENT:

This extension of lease agreement made and entered into as of this day \_\_\_\_\_, 2023 by and between **P & P Associates, LLC**, hereinafter called the “Lessor”, party of the first part and the **City of Petersburg**, hereinafter called the “Lessee” party of the second part.

### Recitals:

- A. Lessor and Lessee are parties to that certain Lease Agreement dated the 16<sup>th</sup> of May, 2019 for the lease of certain office space, consisting of approximately 4,000 SQ', located at 3811 Corporate Rd., Petersburg, VA as more fully described in the lease.
- B. The term of the original lease with first option expires on May 31, 2022.
- C. The Lessor and Lessee now desire to extend the Term of the Lease until May 31, 2024 at the monthly rate of \$3.00 or \$36.00 per annum.

### Agreement:

**Now, Therefore**, in consideration of the mutual agreements set forth herein and other good and valuable consideration, the receipt of sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree as follows:

- 1. **Extension:** The term of the lease is hereby amended to extend the term of the original lease until May 31, 2024 at the rate specified above.
- 2. **Entire Agreement:** This extension constitutes the entire agreement among the parties with respect to the subject matter hereof.
- 3. **Ratifications:** The terms of the original lease, except as modified hereby, remain in full force and effect.
- 4. **Successors and assigns:** This extension agreement shall bind and inure to the benefit of the parties hereto and respective successors and assigns.
- 5. **Governing Laws:** This extension agreement shall be governed by and construed according to the laws of the Commonwealth of Virginia.

6. **Counterparts:** This extension agreement may be executed in counterparts each of which shall constitute an original but all of which shall constitute one document. It shall not be necessary that the signature on behalf of both parties hereto appear on each counterpart hereof.

IN WITNESS WHEREOF, the parties have executed this amendment to the lease agreement as of the date first above written.

Lessor:

P & P ASSOCIATES, LLC

---

J. Dale Patton, Manager

Lessee:

CITY OF PETERSBURG

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**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENSION OF LEASE  
AGREEMENT FOR LEASED PROPERTY LOCATED AT 3811 CORPORATE ROAD**

WHEREAS the City of Petersburg approved the initial commercial lease agreement for a three-year term which ended on May 31, 2022, for the property located at 3811 Corporate Road and approved to extended it another year that will end on May 31,2023.

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BE IT FURTHER ORDAINED, by the City Council of the City of Petersburg, that the City Manager, is hereby authorized to sign such agreements and documents as necessary to complete the lease of the aforementioned property on behalf of the City.