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1. Council Agenda And Reports

Documents:

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2. Council Action Agenda

Documents:

[AG 09-06-16.PDF](#)

**NOTICE:**

**The Full Agenda consists of scanned images of only those reports and communications submitted to the City Clerk before the deadline established for such agenda and will not include any matter or item brought before Council for consideration at the meeting.**

**The original documents are available for inspection in the Office of the City Clerk, Room 456 Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., Roanoke, Virginia 24011.**

**To receive the City Council agenda (without reports) automatically via e-mail, contact the Office of the City Clerk at [clerk@roanokeva.gov](mailto:clerk@roanokeva.gov) or (540) 853-2541.**

**The records of City Council and City Clerk's Office will be maintained pursuant to Section 42.1-82 of the Code of Virginia (1950), as amended, and the Commonwealth of Virginia, Library of Virginia Records Management and Imaging Services Division, Records Retention and Disposition Schedules, for compliance with Guidelines provided by the Library of Virginia.**



**ROANOKE CITY COUNCIL  
INFORMAL SESSION**

**SEPTEMBER 6, 2016  
9:00 A.M.**

**CITY COUNCIL CHAMBER  
ROOM 450**

**AGENDA**

**Call to Order -- Roll Call**

Welcome. Mayor Sherman P. Lea, Sr.

**NOTICE**

This morning meeting and briefings will be televised live and replayed on RVTV Channel 3 on Thursday, September 8 immediately following the 2:00 p.m. session at 7:00 p.m.; and Saturday, September 10 at 4:00 p.m.; and video streamed by Internet through Rev.Net Technologies, Inc., at <http://www.wrev.net>. Council Meetings are offered with closed captioning for the hearing impaired.

**ITEMS FOR ACTION:**

A communication from Mayor Sherman P. Lea, Sr., requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. A list of current vacancies is included with the agenda for this meeting.

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ITEMS LISTED ON THE 2:00 P.M. COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION AND ADDITIONS/DELETIONS TO THE 2:00 P.M. AGENDA. (5 MINUTES)

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL.  
(5 MINUTES)

**Recess.**

**Legislative Committee meeting scheduled for 9:00 a.m., in the Council Chamber.**

**Reconvene.**

**BRIEFINGS:**

- Parks and Recreation Master Plan Update - 30 minutes
- City Property Disposition Process - 30 minutes
- Colonial Avenue Improvement Project - 30 minutes

**THE COUNCIL MEETING WILL STAND IN RECESS UNTIL 2:00 P.M., FOR A CLOSED MEETING IN THE COUNCIL'S CONFERENCE ROOM, ROOM 451, NOEL C. TAYLOR MUNICIPAL BUILDING.**



**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**SEPTEMBER 6, 2016  
2:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**1. Call to Order--Roll Call.**

The Invocation will be delivered by The Reverend Kathy Okeeffe, Pastor, Kingdom Life Ministries International.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Sherman P. Lea, Sr.

Welcome. Mayor Lea.

**NOTICE:**

Today's Council meeting will be televised live and replayed on RVTV Channel 3 on Thursday, September 8 at 7:00 p.m., and Saturday, September 10 at 4:00 p.m.; and video streamed by Internet through CivicPlus, at [roanokeva.gov/councilmeetings](http://roanokeva.gov/councilmeetings). Council meetings are offered with closed captioning for the hearing impaired.

**ANNOUNCEMENTS:**

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT. SPECIAL ASSISTANCE IS AVAILABLE FOR DISABLED PERSONS ADDRESSING CITY COUNCIL. EFFORTS WILL BE MADE TO PROVIDE ADAPTATIONS OR ACCOMMODATIONS BASED ON INDIVIDUAL NEEDS OF QUALIFIED INDIVIDUALS WITH DISABILITIES, PROVIDED THAT REASONABLE ADVANCE NOTIFICATION HAS BEEN RECEIVED BY THE CITY CLERK'S OFFICE.**

**PERSONS WISHING TO ADDRESS COUNCIL WILL BE REQUIRED TO CONTACT THE CITY CLERK'S OFFICE PRIOR TO THE MONDAY COUNCIL MEETING, OR REGISTER WITH THE STAFF ASSISTANT AT THE ENTRANCE TO THE COUNCIL CHAMBER PRIOR TO COMMENCEMENT OF THE COUNCIL MEETING. ONCE THE COUNCIL MEETING HAS CONVENED, THERE WILL BE NO FURTHER REGISTRATION OF SPEAKERS, EXCEPT FOR PUBLIC HEARING MATTERS. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH; HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL-APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE MAY CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE TO COMPLETE AN ONLINE APPLICATION.**

**THE COUNCIL OF THE CITY OF ROANOKE IS SEEKING APPLICATIONS FOR THE FOLLOWING CURRENT VACANCIES AND/OR UPCOMING EXPIRATIONS OF TERMS OF OFFICE:**

**BUILDING AND FIRE CODE OF APPEALS – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2017**

**ECONOMIC DEVELOPMENT AUTHORITY – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING OCTOBER 20, 2017**

**PERSONNEL AND EMPLOYMENT PRACTICES COMMISSION  
CITY RETIREE – ONE VACANCY  
THREE-YEAR TERM OF OFFICE ENDING JUNE 30, 2019**

**VISIT VIRGINIA'S BLUE RIDGE, BOARD OF DIRECTORS – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2017**

**YOUTH SERVICES CITIZEN BOARD – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2018**

**THE CITY OF ROANOKE ALSO IS ACCEPTING NOMINATIONS FOR THE 2016 CITIZEN OF THE YEAR. TO OBTAIN INFORMATION TO SUBMIT A NOMINATION, CONTACT THE CITY CLERK'S OFFICE AT (540) 853-2541 OR ACCESS THE FORM AT EACH CITY LIBRARY BRANCH. DEADLINE FOR RECEIPT OF NOMINATIONS IS WEDNESDAY, SEPTEMBER 28, 2016.**

THE ANNUAL STATE OF THE CITY ADDRESS WAS HELD ON THURSDAY, SEPTEMBER 1 AT 8:00 A.M., AT THE HOTEL ROANOKE AND CONFERENCE CENTER. THE ADDRESS WILL BE REPLAYED ON RVTV CHANNEL 3 ON THURSDAY, SEPTEMBER 8 AT 11: 00 A.M. AND 6:00 P.M.; SATURDAY, SEPTEMBER 10 AT 10:30 A.M. AND 2:30 P.M.; THURSDAY, SEPTEMBER 15 AT 11:00 A.M. AND 6:00 P.M.; AND SATURDAY, SEPTEMBER 17 AT 10:30 A.M. AND 2:30 P.M.

## 2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A resolution expressing City Council's deepest regret and sorrow at the passing of Joel Willis Richert.

R 12

## 3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. ALL MATTERS WILL BE REFERRED TO THE CITY MANAGER FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL, AS HE MAY DEEM APPROPRIATE.

## 4. CONSENT AGENDA:

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meetings of City Council held on Monday, June 6, 2016 and Monday, June 20, 2016; Tuesday, July 5, 2016; and Monday, July 18, 2016.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

C-2 A communication from the City Manager requesting that City Council schedule a public hearing for October 3, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard, or as such later date and time as the City Manager may determine, to consider issuing general obligation support of financing by the Western Virginia Regional Industrial Facility Authority.

P 15

RECOMMENDED ACTION: Concur in the request.

C-3 A communication from the City Clerk advising of the resignation of James T. Weber as a member of the Human Services Advisory Board, effective immediately.

P 17

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

C-4 A communication from the Assistant City Manager for Community Development transmitting a report the Library System Statistics for Fiscal Year 2016.

P 18

RECOMMENDED ACTION: Receive and file.

C-5 Annual Report of the Roanoke Redevelopment and Housing Authority for the Fiscal Year July 1, 2015 to June 30, 2016.

P 22

RECOMMENDED ACTION: Receive and file.

C-6 Reports of qualification of the following individuals:

John Missell as a member of the Architectural Review Board ending October 1, 2016; and for an additional four-year term of office ending October 1, 2020;

Duane R. Smith and Edward Garner as Commissioners of the Roanoke Redevelopment and Housing Authority for four-year terms of office, each, ending August 31, 2020;

David Perry as a member of the Mill Mountain Advisory Board for a three-year term of office ending June 30, 2019;

Lorena Wilson as a Citizen at Large representative of the Youth Services Citizen Board for a three-year term of office ending June 30, 2019; and

Stephen Grammer as a member of the Fair Housing Board for a term of office ending March 31, 2019.

RECOMMENDED ACTION: Receive and file.

**REGULAR AGENDA:**

**5. PUBLIC HEARINGS: NONE.**

## 6. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Commonwealth's Attorney recommending acceptance of the Victim/Witness Program Grant for Fiscal Year 2016 – 2017; and a communication from the City Manager concurring in the recommendation.

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P 30  
R 31  
B/O 32

## 7. REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

- a. CITY MANAGER:

### BRIEFINGS:

- Roanoke Arts Commission Annual Work Plan - 15 minutes
- Roanoke Innovation Corridor - 10 minutes

### ITEMS RECOMMENDED FOR ACTION:

1. Acceptance and appropriation of funds received from the United States Department of Justice for the FY 2017 Bulletproof Vest Partnership Grant Award for use by the Police and Sheriff's Departments.
2. Acceptance and appropriation of funds from the United States Department of Justice for the FY 2016 Edward Byrne Memorial Justice Assistance Grant to support the Roanoke City Police Department bicycle patrol program.
3. Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Alcohol) Grant to be used for traffic enforcement targeting alcohol impaired drivers.
4. Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Speed) Grant to be used for traffic enforcement targeting drivers who are speeding.

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R 35  
B/O 36

P 37  
R 38  
B/O 39

P 40  
R 42  
B/O 43

P 44  
R 46  
B/O 47

- |     |  |                           |
|-----|--|---------------------------|
| 5.  | Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Pedestrian Bicycle Safety) Grant to be used for traffic enforcement targeting pedestrian bicycle safety.   | P 48<br>R 50<br>B/O 51    |
| 6.  | Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Occupant Protection) Grant to be used for traffic enforcement targeting occupant protection.   | P 52<br>R 54<br>B/O 55    |
| 7.  | Acceptance and appropriation of funds from the United States National Highway Traffic Safety Administration through the Virginia Department of Motor Vehicles for a 2016 multi-jurisdictional Driving Under the Influence Taskforce Grant, with the County of Roanoke and the City of Salem to deter, detect and apprehend intoxicated and impaired drivers. | P 56<br>R 94<br>B/O 96    |
| 8.  | Appropriation of funds from the United States Department of Justice for the Office of the Attorney General Asset Forfeiture Grant awarded to the Roanoke City Police Department for enhancing law enforcement operations.  | P 97<br>B/O 99            |
| 9.  | Execution of an Agreement to Contribute to the Costs of Construction and Installation of Curb and Gutters with Cambridge Condominium Unit Owners Association, Inc.; and acceptance of a contribution for \$25,000.00.  | P 100<br>R 112<br>B/O 114 |
| 10. | Execution of a First Amended and Restated Agreement creating the Western Virginia Regional Industrial Facility Authority to conform language more closely to State Code sections and to reflect changes made since 2013.   | P 115<br>O 132            |
| 11. | Acceptance and appropriation of funds from the Virginia Department of Transportation for the FY2017 Revenue Sharing Program Award for seven infrastructure improvement projects.   | P 135<br>R 150<br>B/O 152 |
| 12. | Approval of a one-time payment to all full-time and permanent part-time employees in the classified service of the City who, as of July 1, 2016, were unable to receive the full benefits of the salary increase approved by City Council on May 9, 2016.  | P 154<br>O 156            |

**COMMENTS OF CITY MANAGER.**

b. CITY ATTORNEY:

1. Amendment of the City Code to repeal Section 21-44.1, Offenses Miscellaneous, in connection with panhandling and solicitation of charitable contributions.

|                |
|----------------|
| P 158<br>O 160 |
|----------------|

**8. REPORTS OF COMMITTEES: NONE.**

**9. UNFINISHED BUSINESS: NONE.**

**10. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

**11. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

**CERTIFICATION OF CLOSED MEETING.**

**12. ADJOURN.**



SHERMAN P. LEA, SR.  
Mayor

**CITY OF ROANOKE  
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., SUITE 452  
ROANOKE, VIRGINIA 24011-1594  
TELEPHONE: (540) 853-2444  
FAX: (540) 853-1145  
EMAIL: MAYOR@ROANOKEVA.GOV

September 6, 2016

The Honorable Vice-Mayor Anita J. Price and Members  
of the Roanoke City Council  
Roanoke, Virginia

Dear Vice-Mayor Price and Members of Council:

This is to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. A list of current vacancies is included with the agenda for this meeting.

Sincerely,

Sherman P. Lea, Sr.  
Mayor

SPL:ctw

**COMMITTEE VACANCIES/REAPPOINTMENTS**  
**September 6, 2016**  
**Public**

**VACANCIES:**

Unexpired term of office on the Building and Fire Code Board of Appeals ending June 30, 2017.

Four-year term of office ending October 20, 2020 and an unexpired term of office ending October 20, 2017 on the Economic Development Authority.

Three-year term of office on the Personnel and Employment Practices Commission ending June 30, 2019.

Unexpired term of office on the Visit Virginia's Blue Ridge, Board of Directors ending June 30, 2017.

Unexpired term of office on the Youth Services Citizen Board ending June 30, 2018.

Four-year term of office on the Human Services Advisory Board ending November 30, 2020.

Three-year term of office on the Towing Advisory Board ending October 31, 2019.

*Handwritten signature*

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION memorializing the late Joel Willis Richert, longtime resident, historian, and neighborhood activist for the Old Southwest neighborhood.

WHEREAS, the members of Council learned with sorrow of the passing of Ms. Richert on Thursday, July 21, 2016;

WHEREAS, Ms. Richert, her husband, Bob, and children became residents of the Old Southwest neighborhood in 1971;

WHEREAS, by 1971 Old Southwest's notorious reputation as an unattractive and unsafe neighborhood was the result of the many dilapidated properties located within the neighborhood;

WHEREAS, Ms. Richert and her husband led a core group of homeowners who were determined to prevent further deterioration of their neighborhood, and started the movement to improve their Old Southwest neighborhood by fixing up their own homes, inspiring other property owners to do the same;

WHEREAS, Ms. Richert was known for confronting landlords and tenants alike, regarding their properties and their bad habits which impacted the appearance and quality of the Old Southwest neighborhood;

WHEREAS, Ms. Richert created a file for every property in the Old Southwest neighborhood including old photos and other historical documents about the property, and donated all these files to the Virginia Room at the city's Main Library, making them available to anyone doing research on property in Old Southwest;

WHEREAS, Ms. Richert thoroughly researched the history of the Old Southwest neighborhood, published a book containing narratives, historic photographs of homes, and documents associated with the Old Southwest neighborhood, and wrote a column called "In Retrospect" that was published in many Old Southwest newsletters;

WHEREAS, Ms. Richert worked tirelessly with residents, city staff, police, media, and City Council to protect, preserve, and enhance the historic fabric of the Old Southwest neighborhood;

WHEREAS, Ms. Richert not only helped to save this historic neighborhood which, in its day, was "the place to live," but was responsible for the preservation of many of its historic features throughout the neighborhood, including the Alexander Gish House and its ultimate renovation, the historic gazebo nearby, the Ensign designed historic Horse Trough fountain that was relocated to Highland Park from the 2nd Street railroad grade crossing after the 2nd Street Bridge was built, as well as the fountain's surrounding garden;

WHEREAS, Ms. Richert also salvaged the historic streetlamps in the Gish House parking lot that once graced the streets of downtown Roanoke and salvaged the Belgian block that was excavated from underneath Franklin Road during one of its early repairs, carved granite curbing removed during street paving, and countless historic glazed star bricks that the City had removed and was planning to dispose of in the landfill;

WHEREAS, in an effort to guard against traffic issues for the neighborhood's streets, Ms. Richert led the effort for the placement of four-way stop signs throughout the neighborhood, made certain Franklin Road was not widened to four lanes through Old Southwest, and ensured the Coca Cola plant was not located in the neighborhood;

WHEREAS, Ms. Richert served on the City's Board of Zoning Appeals and was a regular attendee at the City's Architectural Review Board meetings;

WHEREAS, Ms. Richert and her husband laid the groundwork for the Old Southwest neighborhood's inclusion on the State and National Register of Historic Places and creation of its zoning overlay district protecting the neighborhood's historic character with guidelines administered by an Architectural Review Board;

WHEREAS, Ms. Richert championed the importance healthy neighborhoods played in the city's overall quality of life, as well as for those who live in them;

WHEREAS, the results of Ms. Richert's leadership in the restoration, preservation, and enhancement of Old Southwest neighborhood will be appreciated for many years to come and will serve as her legacy to the people of the City of Roanoke;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Joel Willis Richert, extending to her family its sincerest condolences, and recognizing the impact she had on Roanoke and the Old Southwest neighborhood.
2. The City Clerk is directed to forward an attested copy of this resolution to Ms. Richert's husband, Bob Richert, of Roanoke.

ATTEST:

City Clerk.



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** Request to authorize the City Manager to schedule a public hearing on the proposed issuance by the City of Roanoke of its general obligation bond for a project with the Western Virginia Regional Industrial Facility Authority

## **Background:**

Pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia of 1950, as amended (the "Act") in 2013, the governing bodies of Botetourt County, Franklin County, Roanoke County, the City of Roanoke, the City of Salem and the Town of Vinton (the "Member Localities") each adopted an ordinance for the creation of the Western Virginia Regional Industrial Facility Authority (the "Authority") in order to enhance the economic base of each such locality through the developing, owning and operating of one or more facilities on a cooperative basis.

The Act authorizes the Authority to borrow money to pay the costs of real estate and facilities for manufacturing, warehousing, distribution, office or other commercial purposes in order to promote economic development in the geographical area served by the Authority, to accept funds from counties, cities and towns and use the same for Authority purposes, to make loans and to enter into contracts of any kind to accomplish the purposes of the Authority.

In order to further the purposes of the Act, the Authority proposes to undertake the financing of land acquisition and related improvements and facilities, including necessary expenses incidental thereto (collectively, the "Project"), and to obtain the funds therefor by the issuance of the Authority Revenue Bond.

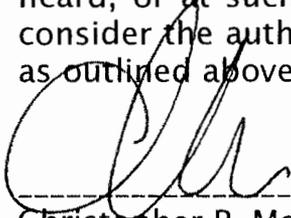
The City of Roanoke, Virginia (the "City"), the County of Roanoke, Virginia, and the City of Salem, Virginia (together with the City, collectively the "Participants" and each individually, including the City, a "Participant") agree with the need for the Project and that the Project will facilitate the development of real estate and facilities as described above and promote commerce and the prosperity of the citizens in the geographical area served by the Authority.

The maximum principal amount of the bond outstanding at any time is estimated to be \$5,000,000 and the proposed use of the proceeds of the bond is to provide funds for the Authority to acquire land and related improvements and facilities for economic development purposes. The general obligation bond

will be secured by the full faith and credit of the City of Roanoke and may be issued in the form of a registered bond of the City or as an undertaking of the City in support of an obligation of the Authority. A public hearing is required in order for the City to consider authorization of the issuance of the City's general obligation bond.

**Recommended Action:**

Authorize the scheduling of a public hearing at City Council's meeting on Monday, October 3, 2016, at 2:00 p.m., or at such time as the matter may be heard, or at such other date and time as determined by the City Manager, to consider the authorization of the issuance of the City's general obligation bond as outlined above.



-----  
Christopher P. Morrill  
City Manager

Distribution: Council Appointed Officers  
Barbara A. Dameron, Director of Finance  
Brian Townsend, Assistant City Manager for Community Development  
Wayne Bowers, Economic Development Director  
Robert Ledger, Economic Development Manager



**CITY OF ROANOKE  
OFFICE OF THE CITY CLERK**

215 Church Avenue, S. W., Suite 456

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STEPHANIE M. MOON REYNOLDS, MMC  
City Clerk

CECELIA F. MCCOY  
Deputy City Clerk

CECELIA T. WEBB, CMC  
Assistant Deputy City Clerk

September 6, 2016

The Honorable Mayor and Members  
of the Roanoke City Council  
Roanoke, Virginia

Dear Mayor Lea and Members of Council:

This is to advise that James T. Weber has tendered his resignation as a member of the Human Services Advisory Board, effective immediately.

Sincerely,

Stephanie M. Moon Reynolds, MMC  
City Clerk



# CITY COUNCIL REPORT

**To: Honorable Mayor and Members of City Council**

**Date: September 6, 2016**

**Subject: Library System Statistics for FY-16**

Attached is a report from the Department of Libraries which summarizes various measurements of activities in the system for Fiscal Year 2016 which ended June 30<sup>th</sup>.

On page One, the report illustrates in summary form that the number of programs offered during the fiscal year increased, while overall attendance and participation in such programs increased as well. Door counts at the Library branches and Main Library increased in spite of the closure of the Raleigh Court Branch for renovation during most of the fiscal year. Even with the transition/closure of the Raleigh Court Branch during the year, total material circulation increased slightly, primarily due to a 5% increase in Ebook/Electronic material circulation. Ebook circulation has approximately doubled since its inception in FY-2012.

On page Two of the attached, the same information is broken down by branch location.

Page Three illustrates a summary of the participation levels of this Summer's "Feed and Read" program. Participation during the Summer of 2016 increased by approximately 50% over last year.

Should you have any questions about this report, please do not hesitate to contact me.

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

**BRIAN TOWNSEND**  
Assistant City Manager

Attachment

Distribution: Council Appointed Officers  
Sheila Umberger, Director, Department of Libraries

# Roanoke Public Libraries - Statistics

| Program Numbers        |              |              |              |              |
|------------------------|--------------|--------------|--------------|--------------|
| Total Programs Offered | 2012 - 2013  | 2013 - 2014  | 2014 - 2015  | 2015-2016    |
| Gainsboro              | 549          | 503          | 517          | 445          |
| Jackson Park           | 477          | 531          | 474          | 225          |
| Main / RCPS            | 1,811        | 1,850 *      | 2,463 *      | 3,406        |
| Melrose/Subreg.        | 551          | 521          | 536          | 318          |
| Raleigh Court          | 478          | 548          | 74 *         | 132 *        |
| Williamson Rd          | 464          | 450          | 455          | 261 *        |
| <b>Totals</b>          | <b>4,330</b> | <b>4,403</b> | <b>4,519</b> | <b>4,763</b> |

| Program Attendance       |               |               |               |               |
|--------------------------|---------------|---------------|---------------|---------------|
| Total Program Attendance | 2012 - 2013   | 2013 - 2014   | 2014 - 2015   | 2015-2016     |
| Gainsboro                | 5,386         | 5,468         | 10,657        | 8,700         |
| Jackson Park             | 4,301         | 4,588         | 6,348         | 3,750         |
| Main / RCPS              | 24,096        | 26,131 *      | 46,851 *      | 60,488        |
| Melrose/Subreg.          | 4,109         | 4,598         | 6,561         | 4,879         |
| Raleigh Court            | 4,357         | 4,785         | 2349 *        | 1,939 *       |
| Williamson Rd            | 5,021         | 5,764         | 8,964         | 1624 *        |
| <b>Totals</b>            | <b>47,270</b> | <b>51,334</b> | <b>81,730</b> | <b>84,390</b> |

| Roanoke Public Libraries Doorcount Stats |                |                |                |                |
|--|----------------|----------------|----------------|----------------|
| Doorcount Stats                          | 2012 - 2013    | 2013 - 2014    | 2014 - 2015    | 2015-2016      |
| Gainsboro                                | 71,443         | 85,316         | 87,043         | 81,091         |
| Jackson Park                             | 74,423         | 96,762         | 73,479         | 75,814         |
| Law                                      | 8,243          | 9,887          | 8,174          | 4,059          |
| Main                                     | 310,399        | 91,854 *       | 202,092 *      | 103,735        |
| Melrose/Subreg.                          | 69,461         | 69,423         | 63,380         | 70,624         |
| Raleigh Court                            | 67,264         | 70,625         | 18,722 *       | 34,193 *       |
| Williamson Rd                            | 84,963         | 86,096         | 77,405         | 73,106 *       |
| <b>Totals</b>                            | <b>686,196</b> | <b>509,963</b> | <b>530,295</b> | <b>554,042</b> |

| Roanoke Public Libraries Circulation Stats |                |                |                |                |
|--|----------------|----------------|----------------|----------------|
| Circulation Stats                          | 2012 - 2013    | 2013 - 2014    | 2014 - 2015    | 2015-2016      |
| Gainsboro                                  | 78,433         | 94,249         | 82,642         | 70,899         |
| Jackson Park                               | 66,105         | 72,811         | 52,132         | 43,028         |
| Law  | 3,349          | 4,573          | 2,678          | 2,536          |
| Main / Virtual Records                     | 513,571        | 497,760 *      | 621,970 *      | 641,403        |
| Melrose/Subr                               | 65,353         | 73,650         | 69,001         | 67,494         |
| Raleigh Court                              | 106,263        | 110,258        | 34,054 *       | 49,300 *       |
| Williamson Rd                              | 95,778         | 97,084         | 88,264         | 81,765 *       |
| <b>Totals</b>                              | <b>928,872</b> | <b>950,385</b> | <b>950,741</b> | <b>956,525</b> |

\* Closed for renovations for a period of time

# Roanoke Public Libraries - Statistics

| Program Numbers        |           |           |           |           |           |           |           |           |           |           |           |           |           |
|------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Total Programs Offered | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 |
| Total Programs         |           | 300       | 475       | 727       | 1,069     |           | 1,893     | 3,300     | 4,010     | 4,330     |           | 4,519     | 4,783     |

| Program Attendance       |           |           |           |           |           |           |           |           |           |           |           |           |           |
|--------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Total Program Attendance | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 |
| Total Program Attendance |           | 5,795     | 11,465    | 13,501    | 23,495    |           | 36,616    | 42,624    | 46,978    | 47,270    |           | 81,730    | 84,390    |

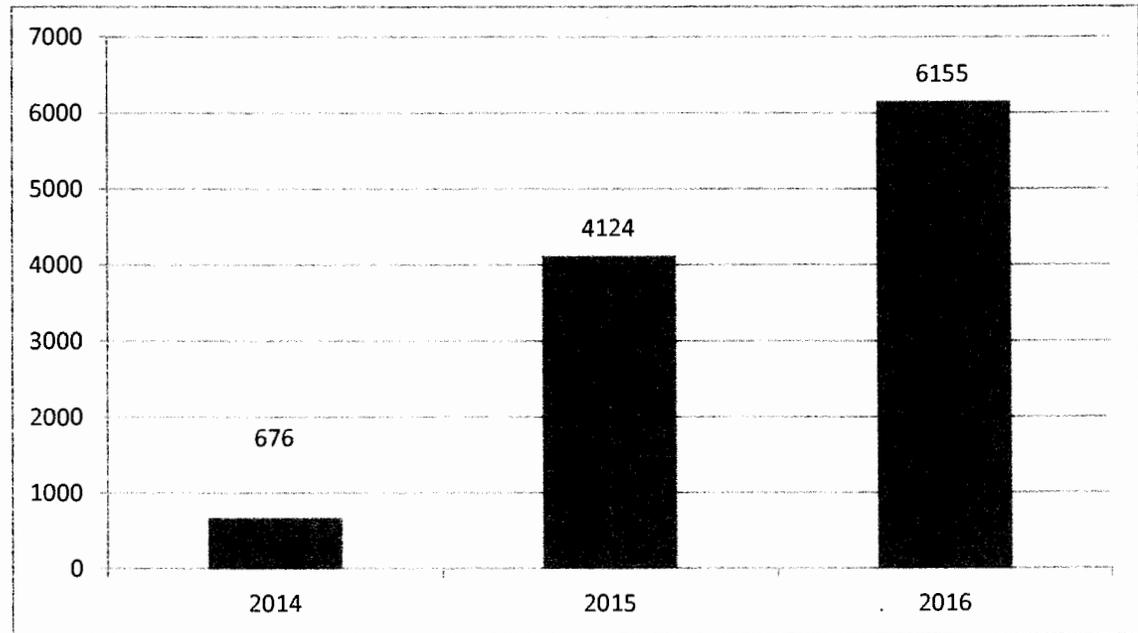
| Door Count Totals |           |           |           |           |           |           |           |           |           |           |           |           |           |
|-------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Door Count        | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 |
| Total Doorcount   |           | 434,279   | 496,406   | 548,436   | 626,729   |           | 668,575   | 659,672   | 660,559   | 696,196   |           | 530,296   | 554,042   |

| Circulation       |           |           |           |           |           |           |           |           |           |           |           |           |           |
|-------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Circulation       | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 |
| Circulation       | 299,913   | 293,664   | 306,215   | 320,428   | 413,515   | 470,034   | 516,649   | 552,534   | 645,110   | 853,478   | 847,603   | 828,135   | 827,868   |
| Ebook Circulation | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 64,198    | 75,394    | 102,782   | 122,606   | 128,657   |
| Total Circulation | 299,913   | 293,664   | 306,215   | 320,446   | 414,209   | 470,034   | 517,428   | 564,574   | 709,308   | 928,872   | 950,385   | 950,741   | 956,525   |

Roanoke Public Libraries & YMCA of the Roanoke Valley Presents

# *Feed and Read*

| <b>Lunches Served</b>                  |               |
|--|---------------|
| 2014                                   | 676           |
| 2015                                   | 4124          |
| 2016                                   | 6155          |
| <b>Total Lunches Served in 3 years</b> | <b>10,955</b> |





## Report to City Council for the City Fiscal Year July 1, 2015 to June 30, 2016

### Highlights

During the year of July 1, 2015 through June 30, 2016, the City of Roanoke Redevelopment and Housing Authority (RRHA) completed construction of 15 new scattered site Public Housing units. Funding for construction included Replacement Housing Factor Funds received from HUD to replace previously demolished Public Housing units and a loan secured by RRHA's Capital Fund Grant, approved through HUD's Capital Fund Financing Program. RRHA also continued implementation of the Choice Neighborhoods Transformation Plan in the Loudon-Melrose/Shenandoah West neighborhood.

Choice Neighborhoods goals were furthered by a Jobs-Plus Demonstration Grant RRHA received from HUD in April 2015. This \$3,000,000 grant provides resources for supportive services and incentives for residents of Lansdowne Park to become employed or improve their employment by obtaining job skills. RRHA has partnered with many nonprofit organizations to ensure that residents have access to assistance and support for addressing barriers to employment.

In addition, RRHA served as co-applicant for a Choice Neighborhoods Implementation Grant application, for which the City of Roanoke served as lead applicant. This grant would provide significant resources to implement the Choice Neighborhoods Transformation Plan. RRHA has executed options on several properties for housing development to support Choice Neighborhoods goals.

Early in 2016, RRHA entered an intergovernmental agreement with the Roanoke City Police Department to provide above-baseline police services at multiple Public Housing developments. Under this agreement, RRHA is paying for additional hours of police services which are provided on days and times that police data indicate highest call volume. The goal is to improve safety at RRHA housing sites.

### Officers

From July 1, 2015 through August 31, 2015, Timothy Witten served as Chair and Gilbert Butler served as Vice-Chair of the RRHA Board of Commissioners. From September 1, 2015 through June 30, 2016, Gilbert Butler served as Chair and Dan Karnes served as Vice-Chair of the RRHA Board of Commissioners. In accordance with the RRHA Bylaws, Glenda Edwards Goh, Executive Director, served as Secretary-Treasurer from July 1, 2015 through June 30, 2016.

## Meetings

During the 12 months from July 1, 2015 to June 30, 2016, the RRHA Board of Commissioners held 12 meetings on the following dates:

Monday, July 27, 2015  
Monday, August 24, 2015  
Monday, September 28, 2015  
Monday, October 26, 2015  
Monday, November 16, 2015  
Monday, December 21, 2015

Monday, January 25, 2016  
Monday, February 22, 2016  
Monday, March 28, 2016  
Monday, April 25, 2016  
Monday, May 23, 2016  
Monday, June 27, 2016

The Annual Meeting of the RRHA Board of Commissioners was held on August 24, 2015, and officers were elected for terms beginning September 1, 2015 and ending August 31, 2016.

Public notice was given for all meetings in accordance with applicable statutory and regulatory requirements.

## Public Hearings

During the 12 months from July 1, 2015 to June 30, 2016, the City of Roanoke Redevelopment and Housing Authority (RRHA) Board of Commissioners held 5 Public Hearings:

- August 24, 2015, to receive comments on the Fiscal Year 2016 Operating Budget
- January 25, 2016, to receive public comments on a Significant Amendment to the 2015-2019 Agency Plan
- February 22, 2016, to receive comments on the revised Fiscal Year 2016 Operating Budget
- May 23, 2016, to receive comments on the proposed 2016 Annual Plan update to the 2015-2019 Agency Plan
- May 23, 2016, to receive comments on the proposed 2016 Capital Fund Program Five-Year Action Plan

Public notice was given for all hearings in accordance with applicable statutory and regulatory requirements.

## Actions:

The RRHA Board of Commissioners took action on 45 resolutions between July 1, 2015 and June 30, 2016:

July 27, 2015

- Approving a revised Chapter 15, Part VII, of the Administrative Plan for the Section 8 Housing Choice Voucher Program
- Approving a revised Chapter 4 of the Administrative Plan for the Section 8 Housing Choice Voucher Program
- Awarding a contract for curbside toter and back door service for Lansdowne Park to be funded from Public Housing Operating Funds

- Awarding a contract for curbside toter and back door service for Villages At Lincoln to be funded from Public Housing Operating Funds
- Authorizing execution of a contract modification to the Cooperative Agreement with Virginia Polytechnic Institute and state University and SDI
- Approving a revised Personnel Policy regarding Employee Separation
- Authorizing execution of a contract with National joint Powers Alliance and Staples Contract and Commercial, Inc. operating as Staples Advantage

August 24, 2015

- Awarding contracts for service delivery under Jobs-Plus Program Grant No. VA011FJ000314
- Authorizing modification of a contract for re-roofing a warehouse for Villages at Lincoln, AMP 202, using Public Housing Operating Reserve Funds

September 28, 2015

- Approving the Consolidated Operating Budget for Fiscal Year ending September 2016
- Awarding a contract for Architectural and Engineering Services for multiple projects under the FY 2014 Capital Fund Program No. VA 36P01150114
- Approving a revised Admissions and Continued Occupancy Policy for the Public Housing Program

October 26, 2015

- Authorizing the execution of documents necessary to consummate the sale of property located at 2012 Melrose Avenue NW, bearing City of Roanoke Tax Map Number 2322506, to Vonda Wright
- Awarding a contract for phase 2 bathroom renovations for Indian Rock Village under Capital Fund Program (CFP) Grant Number VA36P01150115
- Approving revised Chapters 5 and 10 of the Administrative Plan for the Section 8 Housing Choice Voucher Program

November 16, 2015

- Approving a revised Personnel Policy regarding Exit Interviews
- Approving a revised Procurement Policy

December 21, 2015

- Ratifying and confirming submission of Section 8 Management Assessment Program Certification to the United States Department of Housing and Urban Development
- Approving a revised Administrative Plan for the Section 8 Housing Choice Voucher Program
- Adopting a 2016 Schedule for Regular Meetings of the Board of Commissioners

January 25, 2016

- Approving the sale of 16 vehicles identified as excess property
- Authorizing the Executive Director to execute an Intergovernmental Agreement with the City of Roanoke Police Department to provide above-baseline police services to six Public Housing developments using Public Housing Operating Reserve Funds

February 22, 2016

- Approving a revised Personnel Policy regarding Personal Time Off
- Approving a Significant Amendment to the 2015-2019 Agency Plan for submission to HUD
- Authorizing the submission of an application to the U.S. Department of Housing and Urban Development for disposition of property at 3401 Whiteside Street NE, bearing City of Roanoke Official Tax Map Number 3150106
- Authorizing negotiation and execution of option agreements for acquisition of certain properties in conjunction with implementation of the Choice Neighborhoods Transformation Plan
- Authorizing a loan for the purpose of accessibility conversion renovations and development of Public Housing
- Approving a revised Consolidated Operating Budget for Fiscal Year Ending September 30, 2016
- Authorizing purchase of vehicles for Lansdowne Park, Villages at Lincoln, Hunt Manor, Morningside Manor, Indian Rock Village, and Jamestown Place

March 28, 2016

- Approving a revised Personnel Policy regarding Americans with Disabilities Act
- Authorizing the Executive Director to execute necessary documents to continue participation in a Cooperative Agreement for employee medical and dental insurance coverage
- Awarding a contract for electrical upgrades for Melrose Towers under Capital Fund Program (CFP) grant numbers VA36P01150114 AND VA36P01150115

April 25, 2016

- Authorizing negotiation and execution of option agreements for acquisition of certain properties in conjunction with the Choice Neighborhoods Implementation Grant Application
- Approving a revised Chapter 16 of the Administrative Plan for the Section 8 Housing Choice Voucher Program

May 23, 2016

- Accepting the Audited Financial Statements for the Year Ended September 30, 2015 and Associated Reports Provided by Jump, Perry and Company, LLP
- Approving the 2016 Capital Fund Program Five-Year Action Plan and Budget
- Supporting H.R. 3700 Housing Opportunity Through Modernization Act of 2016
- Authorizing negotiation and execution of option agreements for acquisition of certain properties in conjunction with the Choice Neighborhoods Implementation Grant Application
- Authorizing the renewal of commercial insurance policies currently held by the Virginia Municipal League Insurance Programs

June 27, 2016

- Approving the 2016 Annual Plan Update to the 2015-2019 Agency Plan for submission to HUD
- Approving a revised Administrative Plan for the Section 8 Housing Choice Voucher Program
- Approving the revision of the Admissions and Continued Occupancy Policy for the Public Housing Program

- Authorizing execution of a modification to a contract for surveillance camera system maintenance and repair
- Authorizing Restatement of Its Premium Only Plan Document and Execution of Its Adoption Agreement
- Approving revised Public Housing Lease Terms and Conditions

Attendance

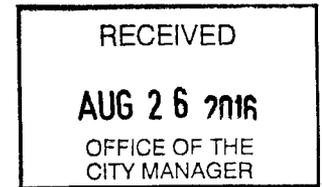
| Commissioner           | 2015 |      |      |       |       |       | 2016 |      |      |      |      |      |
|------------------------|------|------|------|-------|-------|-------|------|------|------|------|------|------|
|                        | 7/27 | 8/24 | 9/28 | 10/26 | 11/16 | 12/21 | 1/25 | 2/22 | 3/28 | 4/25 | 5/23 | 6/27 |
| Andrew J. Anguiano     | ✓    | ✓    | -    | ✓     | ✓     | ✓     | ✓    | ✓    | ✓    | ✓    | ✓    | -    |
| Gilbert E. Butler, Jr. | ✓    | ✓    | ✓    | ✓     | ✓     | ✓     | ✓    | ✓    | ✓    | ✓    | ✓    | ✓    |
| Gail R. Burruss        | - *  | - *  | - *  | - *   | - *   | - *   | ✓    | ✓    | ✓    | ✓    | -    | ✓    |
| Edward Garner          | ✓    | ✓    | ✓    | -     | ✓     | ✓     | ✓    | ✓    | ✓    | ✓    | ✓    | ✓    |
| Daniel E. Karnes       | ✓    | ✓    | ✓    | ✓     | ✓     | ✓     | ✓    | ✓    | ✓    | ✓    | ✓    | ✓    |
| Duane R. Smith         | ✓    | ✓    | -    | ✓     | ✓     | ✓     | ✓    | ✓    | ✓    | -    | ✓    | ✓    |
| Timothy A. Witten      | -    | ✓    | ✓    | ✓     | ✓     | -     | ✓    | ✓    | ✓    | ✓    | ✓    | ✓    |

✓ indicates presence

- indicates absence

- \* RRHA's Board Chair, Gilbert Butler, communicated with City Council regarding exigent circumstances surrounding the absences of Commissioner Gail Burruss in 2015. Correspondence was received from the Office of the City Clerk, dated November 3, 2015, stating that, without objection by the Council, the attendance requirement was waived for Ms. Burruss to continue to serve as a Commissioner of the Roanoke Redevelopment and Housing Authority.

# COMMONWEALTH OF VIRGINIA



b.a.

DONALD S. CALDWELL  
COMMONWEALTH'S ATTORNEY

AREA CODE 540 TEL. NO. 853-2626  
FAX 853-1201

**CITY OF ROANOKE**  
OFFICE OF THE COMMONWEALTH'S ATTORNEY  
315 CHURCH AVENUE  
ROANOKE, VIRGINIA 24016

September 6, 2016

Honorable Sherman P. Lea, Sr., Mayor  
Honorable Anita J. Price, Vice-Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable Michelle L. Dykstra, Council Member  
Honorable Raphael E. Ferris, Council Member  
Honorable John A. Garland, Council Member  
Honorable David B. Trinkle, Council Member

Dear Mayor Lea and Members of City Council:

Subject: Acceptance of the Victim Witness Program Grant

Background:

The Victim/Witness Assistance Program has been awarded a twelve month, \$277,109 grant (#17-W8554VW15) from the Department of Criminal Justice Services (DCJS). This grant will allow the Victim/Witness Assistance Program to continue to provide comprehensive information and direct services to crime victims and witnesses in accordance with the Virginia Crime Victim and Witness Rights Act.

The Victim/Witness Program continues to operate with a full-time coordinator for the Circuit Court, as well as one full-time assistant for the Juvenile and Domestic Relations Court and one full-time assistant for the General District Court. This grant award includes funding for two additional full-time staff members to provide services to victims and witnesses in the Juvenile and Domestic Relations District Court and the Circuit Court.

The Victim/Witness Program is coordinated by the Office of the Commonwealth's Attorney.

Considerations:

The cost to the City for the grant would be \$40,386 as a local cash match for a total grant budget of \$317,495. This local cash match is included in the General Fund FY 2016-2017 adopted budget in the Transfer to Grant Fund account (01-250-9310-9535).

Recommendations:

Accept the Victim/Witness Grant #17-W8554VW15 of \$277,109 with the City of Roanoke providing \$40,386 as a local cash match from the funding provided in the Transfer to Grant Fund account.

Authorize the City Manager to sign and execute all appropriate documents, approved as to form by the City Attorney, to obtain Grant #17-W8554VW15.

Adopt the accompanying budget ordinance to establish revenue estimates of \$277,109 in state grant funds and \$40,386 in local match in the Grant Fund, transfer local match totaling \$40,386 from the General Fund and appropriate funding totaling \$317,495 as outlined on Attachment A in accounts to be established in the Grant Fund by the Director of Finance.

Respectfully submitted,



Donald S. Caldwell  
Commonwealth's Attorney

DSC:jsl

c: Christopher P. Morrill, City Manager  
Daniel Callaghan, City Attorney  
Barbara Dameron, Director of Finance  
Stephanie Moon Reynolds, City Clerk  
Drew Harmon, Municipal Auditor  
Victim Witness Coordinator

**ATTACHMENT A  
PROGRAM BUDGET**

|      |                           |                 |
|------|---------------------------|-----------------|
| 1002 | Regular Employee Salaries | \$206,512       |
| 1105 | City Retirement           | \$ 23,901       |
| 1115 | ICMA Retirement           | \$ 4,980        |
| 1116 | ICMA Match                | \$ 0            |
| 1117 | RHSA (1%)                 | \$ 1,512        |
| 1120 | FICA                      | \$ 16,179       |
| 1125 | Medical Insurance         | \$ 31,740       |
| 1126 | Dental Insurance          | \$ 1,794        |
| 1130 | Life Insurance            | \$ 2,726        |
| 1131 | Disability Insurance      | \$ 578          |
| 2020 | Telephone                 | \$ 1,143        |
| 2030 | Administrative Supplies   | \$ 3,176        |
| 2042 | Dues/Membership           | \$ 100          |
| 2044 | Training and Development  | \$ 7,757        |
| 2144 | Travel                    | \$ 0            |
| 2160 | Postage                   | \$ 1,380        |
| 2035 | Equipment                 | \$ 8,017        |
| 3075 | Other Rental              | <u>\$ 6,000</u> |
|      | TOTAL                     | \$317,495       |



b.a.

## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** Acceptance of Victim Witness Program Grant

I concur with the recommendation from Donald S. Caldwell, Commonwealth's Attorney for the City of Roanoke, with respect to the subject referenced above. I recommend that City Council accept funding from the Department of Criminal Justice Services in the amount of \$277,109 with the City of Roanoke providing local match funding in the amount of \$40,386 - totaling \$317,495.

-----  
Christopher P. Morrill  
City Manager

Distribution: Council Appointed Officers

CMS

b.a.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing acceptance of a Victim/Witness Assistance Program grant from the Commonwealth of Virginia Department of Criminal Justice Services, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized on behalf of the City to accept from the Commonwealth of Virginia Department of Criminal Justice Services a Victim/Witness Assistance Program grant in the amount of \$277,109 for Fiscal Year 2016-2017, such grant being more particularly described in the Commonwealth Attorney's letter to Council dated September 6, 2016.
2. The local cash match for Fiscal Year 2016-2017 shall be in the amount of \$40,386.
3. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.
4. The City Manager is further directed to furnish such additional information as may be required by the Department of Criminal Justice Services in connection with the acceptance of the foregoing grant or with such project.

ATTEST:

City Clerk.



b.a.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Commonwealth of Virginia for the Victim Witness Program Grant, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations

|                                   |                  |            |
|-----------------------------------|------------------|------------|
| Regular Employee Salaries         | 35-150-4562-1002 | \$ 206,512 |
| City Retirement                   | 35-150-4562-1105 | 23,901     |
| ICMA Retirement                   | 35-150-4562-1115 | 4,980      |
| 401 Health Savings                | 35-150-4562-1117 | 1,512      |
| FICA                              | 35-150-4562-1120 | 16,179     |
| Medical Insurance                 | 35-150-4562-1125 | 31,740     |
| Dental Insurance                  | 35-150-4562-1126 | 1,794      |
| Life Insurance                    | 35-150-4562-1130 | 2,726      |
| Disability Insurance              | 35-150-4562-1131 | 578        |
| Telephone                         | 35-150-4562-2020 | 1,143      |
| Administrative Supplies           | 35-150-4562-2030 | 3,176      |
| Expendable Equipment              | 35-150-4562-2035 | 8,017      |
| Dues and Memberships              | 35-150-4562-2042 | 100        |
| Training and Development          | 35-150-4562-2044 | 7,757      |
| Postage                           | 35-150-4562-2160 | 1,380      |
| Office Rental                     | 35-150-4562-3075 | 6,000      |
| Revenues                          |                  |            |
| Victim Witness FY17 - State       | 35-150-4562-4562 | 277,109    |
| Victim Witness FY17 - Local Match | 35-150-4562-4563 | 40,386     |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** FY 2017 Bulletproof Vest Partnership Grant Award  
 (CM16-00122)

## **Background:**

The United States Department of Justice is the administering agency for the Bulletproof Vest Partnership (BVP). The BVP reimburses 50% of the cost of new bullet resistant vests purchased by law enforcement agencies.

The City of Roanoke has been awarded \$16,950 in FY 2017 funding. The Police Department was awarded \$14,125 to purchase 50 concealable primary use bullet resistant vests. The Sheriff's Office was awarded \$2,825 to purchase 10 concealable primary use bullet resistant vests. The required in-kind match of 50% of bullet resistant vest cost will be satisfied through each department's budget.

## **Recommended Action:**

Accept the FY 2017 Bulletproof Vest Partnership Grant Award described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to appropriate funding and establish a revenue estimate for the Police Department in the amount of \$14,125 and the Sheriff's Office in the amount of \$2,825, into accounts to be established by the Director of Finance in the Grant Fund.

-----  
 CHRISTOPHER P. MORRILL  
 City Manager

**Distribution:** Council Appointed Officers  
 The Honorable Tim Allen, Roanoke City Sheriff  
 R. Brian Townsend, Assistant City Manager  
 Barbara Dameron, Director of Finance  
 Timothy S. Jones, Chief of Police  
 Amelia C. Merchant, Director of Management and Budget

JRS

7.0.1.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of the FY17 Bulletproof Vest Partnership Grant Award made to the City by the United States Department of Justice, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke does hereby accept the FY17 Bulletproof Vest Partnership Grant Award by the United States Department of Justice, in the amounts of (i) \$14,125 to the Police Department to purchase 50 concealable primary use bullet resistant vests, and (ii) \$2,825 to the Roanoke City Sheriff's Department to purchase 10 concealable primary use bullet resistant vests. The required in-kind match of 50% of bullet resistant vest cost will be satisfied through each department's budget, upon all the terms, provisions and conditions relating to the receipt of such funds. Such grant being more fully described in the City Council Agenda Report dated September 6, 2016.

2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.

3. The City Manager is further directed to furnish such additional information as may be required in connection with the City's acceptance of this grant.

ATTEST:

City Clerk.

*T.a.l.*

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Federal government, Department of Justice, for the Bulletproof Vest Partnership Grant, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|                                 |                  |          |
|---------------------------------|------------------|----------|
| Appropriations                  |                  |          |
| Wearing Apparel - Sheriff       | 35-140-5922-2064 | \$ 2,825 |
| Wearing Apparel - Police        | 35-640-3805-2064 | 14,125   |
| Revenues                        |                  |          |
| Bulletproof Vest FY17 – Sheriff | 35-140-5922-5922 | 2,825    |
| Bulletproof Vest FY17 – Police  | 35-640-3805-3805 | 14,125   |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** FY 2016 Edward Byrne Memorial Justice Assistance Grant Program (CM16-00116)

## Background:

The United States Department of Justice distributes funding directly to local law enforcement agencies through the Edward Byrne Memorial Justice Assistance Grant Program. Justice Assistance Grant programs fund many types of initiatives and are intended to improve officer safety.

On August 9, 2016, the United States Department of Justice awarded the City of Roanoke \$60,486 through its FY 2016 Edward Byrne Memorial Justice Assistance Grant Program. The application for the grant specified that the Police Department would receive \$36,291 to support its bicycle patrol program and the Sheriff's Office would receive \$24,195 to purchase additional facility cameras to be utilized in the Roanoke City Jail.

## Recommended Action:

Accept the FY 2016 Edward Byrne Memorial Justice Assistance Grant Program described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to appropriate funding and establish revenue estimates consisting of accounts for the Police Department in the amount of \$36,291 and for the Sheriff's Office in the amount of \$24,195, into accounts to be established by the Director of Finance in the Grant Fund.

CHRISTOPHER P. MORRILL  
City Manager

**Distribution:** Council Appointed Officers  
The Honorable Tim Allen, Roanoke City Sheriff  
Barbara Dameron, Director of Finance  
R. Brian Townsend, Assistant City Manager  
Timothy Jones, Chief of Police  
Amelia C. Merchant, Director of Management and Budget

*OKS*

*T.a.d.*

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of a grant from the FY 2016 Edward Byrne Memorial Justice Assistance Grant Program made to the City of Roanoke by the United States Department of Justice; and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke does hereby accept the Grant from the United States Department of Justice pursuant to the FY 2016 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$36,291 to the Roanoke City Police Department to support its bicycle patrol program; and \$24,195 to the Roanoke City Sheriff's Department to purchase additional facility cameras to be utilized in the Roanoke City Jail. No local match is required from the City. Such grant being more particularly described in the City Council Agenda Report dated September 6, 2016.
2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.
3. The City Manager is further directed to furnish such additional information as may be required by the United States Department of Justice in connection with acceptance of the foregoing Grant.

ATTEST:

City Clerk.



T.A.2.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Federal government, Department of Justice, for the Byrne Memorial Justice Assistance Grant (JAG) Program, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|   |                  |          |
|---|------------------|----------|
| Appropriations                            |                  |          |
| Sheriff - Other Equipment                 | 35-140-5925-9015 | \$24,195 |
| Police - Overtime                         | 35-640-3628-1003 | 27,000   |
| Police - FICA                             | 35-640-3628-1120 | 2,066    |
| Police - Expendable Equipment (<\$5,000)  | 35-640-3628-2035 | 1,225    |
| Police - Wearing Apparel                  | 35-640-3628-2064 | 6,000    |
| Revenues                                  |                  |          |
| Byrne/JAG Sheriff Technology Improve FY17 | 35-140-5925-5925 | 24,195   |
| Byrne/JAG Police Bike Patrol FY17         | 35-640-3628-3628 | 36,291   |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** 2017 Department of Motor Vehicles (DMV) Traffic Safety  
(Selective Enforcement - Alcohol) Grant (CM16-00123)

### **Background:**

The Virginia DMV is the administering agency for pass-through funds provided by the United States Department of Transportation for highway safety projects in Virginia. The Virginia DMV offers these funds to successful applicants for activities which improve highway safety in Virginia. The police department regularly applies for grant funding under this program.

The police department has been awarded \$21,840 in funding to be used for traffic enforcement targeting alcohol impaired drivers. This funding will allow the Roanoke Police Department to fund overtime traffic enforcement and send officers to traffic safety training. There is a required 50% in-kind match of \$10,920 associated with this award that will be satisfied through the police department's expenditure on motor fuel and vehicle operation. The grant specifically does not allow FICA related to overtime therefore this related necessary expense will be included as a voluntary cash match of \$1,671.

### **Recommended Action:**

Accept the 2017 DMV Traffic Safety (Selective Enforcement - Alcohol) Grant described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to establish a revenue estimate in the amount of \$23,511 consisting of \$21,840 in grant revenue and \$1,671 in a

cash match to be transferred from the grant match account and appropriate funding in the same amount into accounts to be established by the Director of Finance in the Grant Fund.



CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers

R. Brian Townsend, Assistant City Manager

Barbara Dameron, Director of Finance

Timothy S. Jones, Chief of Police

Amelia C. Merchant, Director of Management and Budget

OWS

7.a.3.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Alcohol) Grant to the City from the Virginia Department of Motor Vehicles, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby accepts the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Alcohol) Grant in the amount of \$21,840, to be used for traffic enforcement targeting alcohol impaired drivers. This grant, which requires a \$10,920 in-kind match and a voluntary cash match of \$1,671 by the City, is more particularly described in the City Council Agenda Report dated September 6, 2016.

2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.

3. The City Manager is further directed to furnish such additional information as may be required by the Virginia Department of Motor Vehicles, in connection with the application and acceptance of the foregoing grant.

ATTEST:

City Clerk

7.a.3.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for an alcohol enforcement traffic safety grant, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|                                      |                  |           |
|--------------------------------------|------------------|-----------|
| Appropriations                       |                  |           |
| Overtime Wages                       | 35-640-3492-1003 | \$ 21,840 |
| FICA                                 | 35-640-3492-1120 | 1,671     |
| Revenues                             |                  |           |
| DMV Alcohol Enforcement FY17 - Grant | 35-640-3492-3492 | 21,840    |
| DMV Alcohol Enforcement FY17 - Local | 35-640-3492-3493 | 1,671     |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** 2017 Department of Motor Vehicles (DMV) Traffic Safety  
Selective Enforcement - Speed) Grant (CM16-00126)

### **Background:**

The Virginia DMV is the administering agency for pass-through funds provided by the United States Department of Transportation for highway safety projects in Virginia. The Virginia DMV offers these funds to successful applicants for activities which improve highway safety in Virginia. The police department regularly applies for grant funding under this program.

The police department has been awarded \$13,440 in funding to be used for traffic enforcement targeting drivers who are speeding. This funding will allow the Roanoke Police Department to fund overtime traffic enforcement. There is a required 50% in-kind match of \$6,720 associated with this award that will be satisfied through the police department's expenditure on motor fuel and vehicle operation. The grant specifically does not allow FICA related to overtime therefore this related necessary expense will be included as a voluntary cash match of \$1,029.

### **Recommended Action:**

Accept the 2017 DMV Traffic Safety (Selective Enforcement - Speed) Grant described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to establish a revenue estimate in the amount of \$14,469 consisting of \$13,440 in grant revenue and a \$1,029

cash match to be transferred from the grant match account and appropriate funding in the same amount into an account to be established by the Director of Finance in the Grant Fund.



-----  
CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers  
R. Brian Townsend, Assistant City Manager  
Barbara Dameron, Director of Finance  
Timothy S. Jones, Chief of Police  
Amelia C. Merchant, Director of Management and Budget

CS

7.0.4.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Speed) Grant to the City from the Virginia Department of Motor Vehicles, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby accepts the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Speed) Grant in the amount of \$13,440, to be used for traffic enforcement targeting drivers who are speeding. This grant, which requires a \$6,720 in-kind match and a voluntary cash match of \$1,029 by the City, such being more particularly described in the City Council Agenda Report dated September 6, 2016.
2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.
3. The City Manager is further directed to furnish such additional information as may be required by the Virginia Department of Motor Vehicles, in connection with the application and acceptance of the foregoing grant.

ATTEST:

City Clerk

7.a.4.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for a speed enforcement traffic safety grant, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|                        |                  |           |
|------------------------|------------------|-----------|
| Appropriations         |                  |           |
| Overtime Wages         | 35-640-3496-1003 | \$ 13,440 |
| FICA                   | 35-640-3496-1120 | 1,029     |
| Revenues               |                  |           |
| DMV Speed FY17 - Grant | 35-640-3496-3496 | 13,440    |
| DMV Speed FY17 - Local | 35-640-3496-3497 | 1,029     |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** 2017 Department of Motor Vehicles (DMV) Traffic Safety  
(Selective Enforcement - Pedestrian Bicycle Safety) Grant  
(CM16-00125)

### **Background:**

The Virginia DMV is the administering agency for pass-through funds provided by the United States Department of Transportation for highway safety projects in Virginia. The Virginia DMV offers these funds to successful applicants for activities which improve highway safety in Virginia. The police department regularly applies for grant funding under this program.

The police department has been awarded \$3,200 in funding to be used for traffic enforcement targeting pedestrian bicycle safety. This funding will allow the Roanoke Police Department to fund overtime traffic enforcement. There is a required 50% in-kind match of \$1,600 associated with this award that will be satisfied through the police department's expenditure on motor fuel and vehicle operation. The grant specifically does not allow FICA related to overtime therefore this related necessary expense will be included as a voluntary cash match of \$245.

### **Recommended Action:**

Accept the 2017 DMV Traffic Safety (Selective Enforcement - Pedestrian Bicycle Safety) Grant described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to establish a revenue estimate in the amount of \$3,445 consisting of \$3,200 in grant revenue and \$245 in a cash

match to be transferred from the grant match account and appropriate funding in the same amount into accounts to be established by the Director of Finance in the Grant Fund.



CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers  
R. Brian Townsend, Assistant City Manager  
Barbara Dameron, Director of Finance  
Timothy S. Jones, Chief of Police  
Amelia C. Merchant, Director of Management and Budget

JWS

7.a.5.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

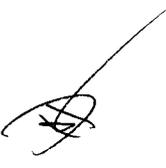
A RESOLUTION authorizing the acceptance of the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Pedestrian Bicycle Safety) Grant to the City from the Virginia Department of Motor Vehicles, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby accepts the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Pedestrian Bicycle Safety) Grant in the amount of \$3,200, to be used for traffic enforcement targeting pedestrian bicycle safety. This grant, which requires a \$1,600 in-kind match and a voluntary cash match of \$245 by the City, is more particularly described in the City Council Agenda Report dated September 6, 2016.
2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.
3. The City Manager is further directed to furnish such additional information as may be required by the Virginia Department of Motor Vehicles, in connection with the application and acceptance of the foregoing grant.

ATTEST:

City Clerk



7.a.5.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for a pedestrian and bicycle traffic safety grant, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|                                  |                  |          |
|----------------------------------|------------------|----------|
| Appropriations                   |                  |          |
| Overtime Wages                   | 35-640-3512-1003 | \$ 3,200 |
| FICA                             | 35-640-3512-1120 | 245      |
| Revenues                         |                  |          |
| DMV Pedestrian/Bike FY17 - Grant | 35-640-3512-3512 | 3,200    |
| DMV Pedestrian/Bike FY17 - Local | 35-640-3512-3513 | 245      |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** 2017 Department of Motor Vehicles (DMV) Traffic Safety  
(Selective Enforcement – Occupant Protection) Grant  
(CM16-00124)

### **Background:**

The Virginia DMV is the administering agency for pass-through funds provided by the United States Department of Transportation for highway safety projects in Virginia. The Virginia DMV offers these funds to successful applicants for activities which improve highway safety in Virginia. The police department regularly applies for grant funding under this program.

The police department has been awarded \$11,200 in funding to be used for traffic enforcement targeting occupant protection. This funding will allow the Roanoke Police Department to fund overtime traffic enforcement. There is a required 50% in-kind match of \$5,600 associated with this award that will be satisfied through the police department's expenditure on motor fuel and vehicle operation. The grant does not allow FICA related to overtime therefore this related necessary expense will be included as a voluntary cash match of \$857.

### **Recommended Action:**

Accept the 2017 DMV Traffic Safety (Selective Enforcement – Occupant Protection) Grant described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to establish a revenue estimate in the amount of \$12,057 consisting of \$11,200 in grant revenue and an \$857

cash match to be transferred from the grant match account and appropriate funding in the same amount into accounts to be established by the Director of Finance in the Grant Fund.



CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers  
R. Brian Townsend, Assistant City Manager  
Barbara Dameron, Director of Finance  
Timothy S. Jones, Chief of Police  
Amelia C. Merchant, Director of Management and Budget

JVB

T.A.B.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Occupant Protection) Grant to the City from the Virginia Department of Motor Vehicles, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby accepts the 2017 Department of Motor Vehicles Traffic Safety (Selective Enforcement - Occupant Protection) Grant in the amount of \$11,200, to be used for traffic enforcement targeting occupant protection. This grant, which requires a \$5,600 in-kind match and a voluntary cash match of \$857 by the City, is more particularly described in the City Council Agenda Report dated September 6, 2016.
2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.
3. The City Manager is further directed to furnish such additional information as may be required by the Virginia Department of Motor Vehicles, in connection with the application and acceptance of the foregoing grant.

ATTEST:

City Clerk

*T.O.B.*

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for an occupant protection traffic safety grant, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|                                      |                  |           |
|--------------------------------------|------------------|-----------|
| Appropriations                       |                  |           |
| Overtime Wages                       | 35-640-3494-1003 | \$ 11,200 |
| FICA                                 | 35-640-3494-1120 | 857       |
| Revenues                             |                  |           |
| DMV Occupant Protection FY17 - Grant | 35-640-3494-3494 | 11,200    |
| DMV Occupant Protection FY17 - Local | 35-640-3494-3495 | 857       |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



*T.O.T.*

# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** Virginia Department of Motor Vehicles (DMV) 2016 Driving Under the Influence (DUI) Task Force Grant (CM16-00127)

## **Background:**

The City of Roanoke, County of Roanoke, and City of Salem have been awarded a 2016 Virginia DMV grant to start a multi-jurisdictional DUI Task Force. The purpose of this task force is to deploy six (6) additional officers throughout the Roanoke Valley for the sole purpose of deterring, detecting and apprehending intoxicated and impaired drivers.

The County of Roanoke is the fiscal and reporting agent for this Virginia DMV grant and has awarded a sub grant to the City of Roanoke. The 2016 grant will be primarily used for purchasing equipment. The 2017 grant will pay for two (2) police vehicles as well as salary and fringe benefits for two (2) Roanoke police officers in addition to the City's currently authorized compliment.

Virginia DMV intends to award several additional years of grants to support ongoing salary and fringe benefit costs. Virginia DMV will pay for all employee expenses with the exception of overtime.

The City of Roanoke was awarded \$18,125 in 2016 funding for various equipment expenses (uniforms, duty gear, weapons, body armor, vehicle supplies, body worn cameras, radios, etc.) The City of Roanoke will need to purchase these items and request reimbursement from DMV through the grant's fiscal agent.

## **Considerations:**

All equipment must be purchased no later than September 30, 2016. A 2017 grant for personnel and vehicles will be awarded by Virginia DMV to Roanoke County and the City will receive another sub grant. To comply with the 2017 grant, the City will hire two (2) additional officers to maintain the current compliment and comply with the terms of the grant. The City will need to accept two (2) police vehicles. The net staffing impact of participation with the DUI Taskforce will be an increase of two (2) grant funded positions.

## **Recommended Action:**

Accept the 2016 Virginia DMV DUI Taskforce grant described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to establish a revenue estimate in the amounts of \$18,125 for equipment and appropriate funding in the same amounts into accounts to be established by the Director of Finance in the Grant Fund.

A handwritten signature in black ink, appearing to read 'C. Morrill', is written over a horizontal dashed line.

Christopher P. Morrill  
City Manager

Distribution: Council Appointed Officers  
R. Brian Townsend, Assistant City Manager for Community Development  
Barbara A. Dameron, Director of Finance  
Timothy S. Jones, Chief of Police  
Amelia C. Merchant, Director of Management and Budget

Attachment #1 - Original Grant Award with Attachments  
Attachment #2 - Amended Grant Award.

**SUB-AGREEMENT  
BETWEEN  
THE COUNTY OF ROANOKE  
AND  
THE CITY OF ROANOKE**

This Sub-agreement ("Agreement") is entered into by and between the County of Roanoke ("Recipient"), a municipality of the Commonwealth of Virginia (EIN 54-6001572, DUNS 06-235-3610), and the City of Roanoke ("Sub-recipient") municipality of the Commonwealth of Virginia (EIN 54-6001569, DUNS 11-151-7327), together "the Parties."

**WHEREAS**, the United States National Highway Traffic Safety Administration ("Prime Sponsor") awarded funding on September 30, 2015 to the Commonwealth of Virginia. The Commonwealth has issued to Recipient an award for the project, "*Roanoke Valley DUI Task Force*," Grant Number 154AL-2016-56426-6631; CFDA Number 20.607("Prime Award"); and

**WHEREAS**, Sub-recipient has proposed to collaborate with Recipient on the Prime Award;

**NOW THEREFORE**, in consideration of the mutual promises and benefits hereunder and other good and valuable consideration, the Parties mutually agree to the following:

**1. STATEMENT OF WORK**

Sub-recipient agrees to perform the work described in the Statement of Work, incorporated herein as Attachment 1. The Parties also acknowledge that this Agreement is not for or related to research and development.

**2. MONITORING**

Recipient will monitor the performance of Sub-recipient against the goals and performance standards listed in Attachment 1 on an ongoing and as needed basis. Monitoring will consist of actions that may include but are not limited to: monthly reports, annual reports, and periodic onsite monitoring. Substandard performance as determined by Recipient will constitute noncompliance with this Agreement. If action to correct such substandard performance is not taken by Sub-recipient within 30 days after being notified by Recipient, contract suspension or termination procedures may be initiated. Sub-recipient agrees to cooperate and perform any action reasonably required by the Recipient to monitor the Sub-recipient and determine compliance with performance standards.

**3. TERM AND TERMINATION**

- A. The period of performance ("Term") shall begin on June 15, 2016 and shall not extend beyond September 30, 2016 ("End Date") unless mutually agreed in writing by the Parties.
- B. Any extension, continuation or further funding of this Agreement beyond the End Date shall be subject to:
  - i. Appropriate time extension approvals by Recipient or the Prime Sponsor, as applicable; and
  - ii. Continuation by the Prime Sponsor of the Prime Award and authorization by the Prime Sponsor of specific funds for Sub-recipient's portion of the work.

- C. This Agreement may be terminated:
  - i. Any time the Prime Award is terminated by the Prime Sponsor and Sub-recipient receives notice by Recipient to that effect;
  - ii. If Sub-recipient fails to perform any obligation under this Agreement, Recipient gives Sub-recipient thirty (30) days written notice of pending termination, and Sub-recipient fails to cure or correct said deficiency within the thirty day period, or such period as the parties may mutually agree in writing; or
  - iii. Without cause by either Party, by giving at least thirty (30) days advance written notice to the other party prior to the End Date of this Agreement.
- D. In the event of termination, Recipient shall reimburse Sub-recipient for allowable costs incurred up to the date of termination, and for any non-cancelable commitments and obligations made prior to the date of notice of such termination. Reimbursement shall be made in accordance with Sections 4, 5, and 6 of this Agreement.

#### **4. BUDGET**

- A. The Parties acknowledge that the Sub-recipient's maximum budget for performance under this agreement is \$161,629.11, as detailed in Attachment 2 of this agreement. The Sub-recipient agrees that it will not exceed this budgeted amount.
- B. Total expenditures for Sub-recipient's performance shall not exceed the budgeted amount stated in Attachment 2, except as provided in Section C of this paragraph.
- C. Additional funds not allocated in Attachment 2 may be awarded to Sub-recipient if mutually agreed to in writing by both Parties. Any such additional funds shall be subject to award and availability from the Prime Sponsor and/or the Recipient. To apply for additional funds under this paragraph, Sub-recipient shall at any time during the Term of this Agreement, submit one copy of the proposed budget changes to the Recipient Grant Administrator identified in Section 15 this Agreement.

#### **5. ALLOWABLE COSTS**

The allowability of costs under this Agreement shall be determined in accordance with the provisions of the Prime Award, hereby incorporated as Attachment 3.

#### **6. PAYMENT**

- A. Sub-recipient may submit invoices to Recipient not more often than once per month and Recipient shall reimburse Sub-recipient only for actual allowable costs incurred on the project.
- B. Total reimbursement shall not exceed the amount allocated in Sub-recipient's Budget identified in Attachment 2, except as provided in Section 4.C of this Agreement.
- C. Reimbursement will be remitted to Sub-recipient upon Recipient requesting and receiving the reimbursable costs from the Prime Sponsor.
- D. Invoices shall be submitted using DMV form TSS15 and reference the name of this project, "*Roanoke Valley DUI Task Force*," along with the Recipient's Subaward Number 154AL-2016-56426-6631. Invoices shall include the approved budget as stated in Attachment 2, the expenditures for the period being invoiced, the total expenditures to date and the remaining balance of the budget. Sub-recipient's fiscal agent shall certify invoices for accuracy and propriety. A final invoice is due within 15 calendar days following the End Date or termination date of this Agreement. Each invoice shall be sent to the following address:

Sergeant Tim Wyatt

Roanoke County Police Department  
5925 Cove Road  
Roanoke, VA 24019

Or email invoices to the following address:

twyatt@roanokecountyva.gov

**7. PROCUREMENT**

- A. Sub-recipient shall comply with current policy concerning the purchase of equipment and shall maintain inventory records of all non-expendable personal property as defined by such policy as may be procured with funds provided herein.
- B. Unless specified otherwise within this agreement, the Sub-recipient shall procure all materials, property, or services in accordance with the requirements of 24 CFR 84.40-48.

**8. SUBAWARD CLOSE OUT**

Along with any other reports or deliverables required hereunder, Sub-recipient shall submit its final invoice to Recipient within 15 calendar days following the End Date or termination of this Agreement.

**9. PRIME AWARD TERMS AND CONDITIONS**

It is understood that this Agreement is issued under an award from the Prime Sponsor and all applicable requirements, regulations and provisions of the Prime Award are hereby incorporated into this Agreement as Attachment 3.

**10. SPECIAL CONDITIONS**

There are no special conditions in this contract at this time. However, Recipient reserves the right to add special conditions if deemed necessary. Any such conditions shall be added as a written amendment.

**11. MODIFICATIONS**

All requests for modifications to this Agreement, including but not limited to, budget modifications, extensions, and changes to the Statement of Work, shall be submitted by Sub-recipient to the Recipient Grant Administrator. No modification to this Agreement shall be valid without the signatures of the duly authorized representatives of both Parties and approval from the Prime Sponsor.

**12. AUDIT AND COMPLIANCE**

The relevant provisions of the Single Audit Act of 1984, OMB Circular A-128 (Audits of State and Local Governments), or OMB Circular A-133 (Audits of Institutions of Higher Education and Other Non-Profit Institutions), and the CFR Uniform Grant Guidance shall apply to this Agreement.

**13. RECORDS AND RECORD RETENTION**

- A. Fiscal Records: Sub-recipient shall maintain such books, records, documents and other evidence, accounting procedures and practices sufficient to reflect properly all direct and indirect costs of whatever nature it claims to have incurred for the performance of this

Agreement. All such fiscal records shall be made readily available for review by Recipient or Prime Sponsor at any time during the period identified in Paragraph 13.C below.

- B. Technical Records: Sub-recipient shall keep clear and accurate records of the procedures conducted and data collected throughout the Term so that progress of the project may be readily evaluated at any time by Recipient’s Principal Investigator.
- C. Audit of Books: Financial reports, supporting documents and other records related to this Agreement shall be retained by Sub-recipient for a period of three (3) years from the date of final payment except that records that relate to audits, appeals, litigation or the settlement of claims arising out of performance of this Agreement shall be retained until such audits, appeals, litigation or claims have been disposed of. All such reports, documents and other records shall be made readily available for review by Recipient or Prime Sponsor at any time during this period.

**14. REPORTS**

- A. Sub-recipient shall provide reports as required by the Recipient and the Prime Award, including but not limited to, a final report due fifteen (15) days after the End Date of this Agreement.
- B. All Reports shall be submitted to Recipient at the address identified in Section 15 of this Agreement.

**15. KEY PERSONNEL**

- A. The Recipient Grant Administrator is Sergeant Tim Wyatt who shall be responsible for the overall direction and coordination of the work to be performed under this Agreement and under the Prime Award. All correspondence or notices of a technical or programmatic matter related to this Agreement shall be delivered to the Recipient Grant Administrator at the address below.
- B. Sub-recipient’s Project Coordinator is Lieutenant Jeffrey Newman who shall be responsible for the conduct of the work it performs under this Agreement. Any correspondence of notices of a technical or programmatic matter related to this Agreement shall be sent to Sub-recipient’s Project Coordinator at the address below. Should Sub-recipient’s Project Coordinator become unavailable, Sub-recipient shall propose a substitute subject to the written approval by Recipient and the Prime Sponsor.

| RECIPIENT   | SUB-RECIPIENT  |
|---|--|
| Sergeant Tim Wyatt<br>Roanoke County Police Department<br>5925 Cove Road<br>Roanoke, VA 24019<br><br>T: (540) 777-8649<br>F:<br>Email: <a href="mailto:twyatt@roanokecountyva.gov">twyatt@roanokecountyva.gov</a> | Lieutenant Jeffrey Newman<br>Roanoke Police Department<br>348 Campbell Avenue SW<br>Roanoke, VA 24016<br><br>T: (540) 853-2237<br>F: (540) 853-5399<br>Email: <a href="mailto:jeffrey.newman@roanokeva.gov">jeffrey.newman@roanokeva.gov</a> |

**16. NOTICES AND CORRESPONDENCE**

All administrative, contractual, and business notices required by this Agreement shall be made in writing and delivered to the Recipient Administrative Contact and Sub-recipient Administrative Contact identified below, as applicable:

| RECIPIENT   | SUB-RECIPIENT   |
|---|---|
| Mia Nguyen<br>Roanoke County Police Department<br>5925 Cove Road<br>Roanoke, VA 24019<br><br>T: (540) 777-8614<br>F: (540) 777-8766<br>Email: mnguyen@roanokecountyva.gov | Chief Timothy S. Jones<br>Roanoke Police Department<br>348 Campbell Avenue SW<br>Roanoke, VA 24016<br><br>T: (540) 853-2211<br>F:<br>Email: |

**17. EQUIPMENT ACCOUNTABILITY AND DISPOSITION**

All equipment purchased pursuant to this Agreement shall be treated in accordance with the provisions of the Prime Award, Attachment 3.

**18. LIABILITY**

To the extent permitted by the laws of the Commonwealth of Virginia, Sub-recipient and Recipient shall be responsible for the ordinary negligent acts or omissions of its agents and employees causing harm to persons not a party to this Agreement.

**19. INSURANCE**

The Sub-recipient shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud, and/or undue physical damage, and as a minimum shall purchase a blanket fidelity bond covering all employees in an amount equal to cash advances from the Recipient. The Sub-recipient shall comply with the bonding and insurance requirements of 24 CFR 84.31 and 84.48, Bonding and Insurance.

**20. CONFLICT OF INTEREST**

The Sub-recipient agrees to abide by the provisions of 24 CFR 84.42 and 570.611, which include (but are not limited to) the following:

- A. The Sub-recipient shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.
- B. No employee, officer or agent of the Sub-recipient shall participate in the selection, or in the award, or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

**21. INTELLECTUAL PROPERTY**

- A. Reference Article 17 of the Prime Award General Terms & Conditions (Attachment 3) which supersedes sub-award governance of intellectual property.
- B. As a general principle, any invention, improvement, discovery, or developments arising from this agreement whether patentable, copyrightable or not, which are made by employees of Recipient shall belong to Recipient, and those made by employees of Sub-recipient shall belong to Sub-recipient. In such cases where it is impossible to identify or separate the contributions of either party, inventorship shall be determined by legal means and in cases

where inventors are from both Sub-recipient and Recipient, title to the intellectual property shall be held jointly. Sub-recipient and Recipient agree to negotiate in good faith a license agreement to allow for effective commercialization of jointly held intellectual property.

**22. PUBLICATION & PUBLICITY**

- A. Any reports and other publications relating to the work under or as a result of this Agreement shall bear proper acknowledgment of the support provided under the Prime Award from the Recipient and Prime Sponsor.
- B. Any and all news releases, advertising, promotion, sales literature, or other publicity released by either Party concerning this Agreement shall be subject to prior written approval of the other Party, and subject to the prior written approval of the Prime Sponsor, as appropriate. Any such publicity shall credit the contributions of all Parties.
- C. No Party shall use the name, insignia, or trademark of the other Party, or any adaptation thereof, nor the names of any of its employees in any advertising, promotion or sales literature without the written consent of the other Party.

**23. SUBCONTRACTING**

Sub-recipient shall not enter into any sub-agreements, in whole or in part, without the prior written approval of Recipient and Prime Sponsor. Purchase Orders and other routine expenditures are not subject to this provision.

**24. ASSIGNMENT**

A Party shall not assign or otherwise transfer its rights or delegate its obligations under this Agreement without the other Party's prior written consent. Any attempted assignment, transfer, or delegation without such consent shall be void. All of the terms and provisions of this Agreement are binding upon and inure to the benefit of the parties hereto and their successors and assigns.

**25. RELATIONSHIP**

The relationship of the Parties to each other is solely that of independent Recipients. Neither Party shall be considered an employee, agent, partner or fiduciary of the other, nor shall anything contained in this Agreement be construed to create any partnership or joint venture between the Parties. Neither Party shall enter into any agreement nor incur any obligations on the other's behalf, nor commit the other Party in any manner without its prior written consent.

**26. GOVERNING LAW**

This agreement shall be enforced and interpreted under the laws of the Commonwealth of Virginia. All disputes arising under this Agreement shall be brought before a proper court in the Commonwealth of Virginia. Sub-recipient agrees that it shall at all times comply with all applicable federal and state laws and regulations.

**27. SOVEREIGN IMMUNITY**

Nothing in this Agreement shall be deemed a waiver of the sovereign immunity of the Commonwealth of Virginia.

**28. TAXES**

Sub-recipient shall pay all current and applicable local, city, county, state and federal taxes, licenses and assessments related to its performance under this Agreement including, but not

limited to, those payments required by the Federal Insurance Contributions Act, the State Employment Tax Acts, and any other laws under which Sub-recipient may be liable.

**29. WAIVER**

- A. The failure of a party to enforce any provision in this Agreement shall not be deemed a waiver of such right.
- B. No waiver of any right under this Agreement shall be effective unless agreed in writing and signed by both parties.

**30. SEVERABILITY**

Should any portion of this Agreement be declared invalid or unenforceable for any reason, such portion is deemed severable from the Agreement and the remainder of this Agreement shall remain fully valid and enforceable.

**31. ENTIRETY**

This Agreement constitutes the entire understanding of the Parties and supersedes all prior oral or written agreements regarding the subject matter hereof.

**32. FORCE MAJEURE**

Neither Party shall be responsible for a delay or failure in performance resulting from any cause beyond its control, including, without limitation, war, terrorism, strikes, civil disturbances, and acts of God.

**33. AUTHORIZED SIGNATURES**

The signatories below certify that they are duly authorized to sign on behalf of their Party.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the dates set forth below.

**For: COUNTY OF ROANOKE**

**For: CITY OF ROANOKE**

By: \_\_\_\_\_  
Thomas Gates  
County Administrator

By: \_\_\_\_\_  
Chris Morrill  
City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Peter S. Lubeck  
Senior Assistant County Attorney

**ATTACHMENT 1  
STATEMENT OF WORK**

**STATEMENT OF WORK AND SPECIAL CONDITIONS**

**Sub Recipient:** Roanoke County Police Department  
**Project Number:** 154AL-2016-56426-6631

1. Goals and Specific Program Elements. The goals and specific program elements of the sub recipient's proposal are incorporated as the first item in this Statement of Work and Special Conditions.

**ALCOHOL**

**STATEWIDE GOAL:** To decrease alcohol impaired driving fatalities 4 percent from the 2013 calendar base year of 254 to 245 by December 31, 2016.

**AGENCY GOAL:**

To DECREASE ALCOHOL FATALITIES IN THE ROANOKE VALLEY FROM NINE IN 2014 TO EIGHT IN 2016 THROUGH EFFORTS FROM THIS GRANT AND THE ALCOHOL GRANTS FROM THE PARTICIPATING AGENCIES.

**TASK ID: 1**

**TASK DESCRIPTION:** DUI Task Force Staff

**PERFORMANCE GOALS:**

- Create, recruit and staff a Multi-jurisdictional DUI Task Force to include:
  - 1 full time Officer (Supervisor) to supervise DUI Squad by scheduling, reviewing reports, planning operations and assuring goal are met.
  - 5 full time Police Officers for DUI Squad assigned solely to patrol for DUI violations and other alcohol related traffic violations (from Roanoke County, Roanoke City, Salem City and Town of Vinton).

**ESTIMATED COMPLETION DATE:** 9/30/2016

**TASK ID: 2**

**TASK DESCRIPTION:** DUI Task Force Equipment

**PERFORMANCE GOALS:**

- Fully equip and support staff of the DUI Task Force:
  - To fully equip 6 police vehicles for use by DUI Task Force members
  - To fully equip 1 Supervisor and 5 Police Officers as members of the DUI Task Force, including laptop computers, cell phones & service, supplies, uniforms and maintenance allowance

**ESTIMATED COMPLETION DATE:** 9/30/2016

Project Director TLW  
Initial

4-15-16  
Date

**TASK ID: 3**

**TASK DESCRIPTION:** Selective Enforcement Activities

**PERFORMANCE GOALS:**

- To deploy the DUI Task Force staff across the Roanoke Valley jurisdiction based upon alcohol-related crash data, enforcement data, as well as during special events known for increasing the chance of impaired drivers.
  - To conduct individual patrols during high crash risk times and in high risk locations
  - To conduct checkpoints to increase visibility of enforcement and apprehend alcohol impaired drivers
- BASED ON ALCOHOL RELATED CRASH DATA (using crash data from VAHSO or other approved local crash information):
  - 75 percent of alcohol selective enforcement activities are to be conducted between the hours of 1800-0300 with special emphasis on the following days of the week: SUNDAY THRU SATURDAY. The remaining 25 percent of selective enforcement hours may be scheduled during other DMV approved identified high-crash time periods.
- Enforcement is to be conducted using data-identified problem locations.
- Zero tolerance (no warnings) for violators during grant-funded work time.

**ESTIMATED COMPLETION DATE:** 9/30/2016

**TASK ID: 4**

**TASK DESCRIPTION:** Submit a completed required progress report each quarter to DMV Grant Monitor by specific assigned dates.

**PERFORMANCE INDICATORS:** To submit quarterly progress report documenting activity

**ESTIMATED COMPLETION DATE:** Assigned date for each quarter

**TASK ID: 5**

**TASK DESCRIPTION:** DMV grant related trainings.

**PERFORMANCE INDICATORS:** To attend all mandatory DMV grant related trainings.

**ESTIMATED COMPLETION DATE:** 9/30/2016

2. State any special programmatic requirements here; e.g., Click It or Ticket Mobilizations must be conducted during a specified time period during the grant year.
  - a. To conduct a minimum of 0 checkpoints and/or 0 individual patrols for (during) the Click It or Ticket Mobilization period in May 2016.
  - b. To conduct a minimum of 6 checkpoints and/or 20 individual patrols for the mandatory Checkpoint Strike Force Campaign.

**ATTACHMENT 2  
BUDGET**

**CITY OF ROANOKE - ROANOKE VALLEY DUI TASK FORCE BUDGET**

\*updated 7/15/16

| <u>Officer Salary and Benefits Related</u> | <u>Cost Per Officer</u> | <u>Quantity</u> |                      |
|--|-------------------------|-----------------|----------------------|
| Salary                                     | \$48,730.32             | 2               |                      |
| Career Enhancement Program                 | \$2,508.74              | 2               |                      |
| Community Policing Specialist              | \$974.48                | 2               |                      |
| FICA                                       | \$3,994.34              | 2               |                      |
| Retirement                                 | \$8,166.20              | 2               |                      |
| Employer Health                            | \$5,820.00              | 2               |                      |
| Employer Dental                            | \$354.48                | 2               |                      |
| Employer LTD                               | \$136.56                | 2               |                      |
| 401 H Employer Contribution                | \$487.30                | 2               |                      |
| Employer Life Insurance                    | \$579.89                | 2               | <b>Total</b>         |
| <b>Personnel Subtotal</b>                  | <b>\$71,752.31</b>      |                 | <b>\$ 143,504.61</b> |

| <u>Officer Specific Equipment</u>         | <u>Cost Per Officer</u> | <u>Quantity</u> |                    |
|---|-------------------------|-----------------|--------------------|
| Safariland Lvl 2 295 Holster              | \$122.34                | 2               |                    |
| Pepper Spray                              | \$11.86                 | 2               |                    |
| G&G B681-2 Aerosol Case (Plain w/nickel)  | \$24.00                 | 2               |                    |
| 24" RCB Expandable Baton (Nickel)         | \$126.00                | 2               |                    |
| Secure Lock Rotational Holster Large      | \$41.95                 | 2               |                    |
| Smith and Wesson Model 100 Chain Handcuff | \$22.00                 | 2               |                    |
| G&G B70 Closed Handcuff Case              | \$20.00                 | 2               |                    |
| G&G Plain Leather Duty Belt               | \$42.00                 | 2               |                    |
| Radio Pouch                               | \$45.19                 | 2               |                    |
| G&G B627 Double Magazine case             | \$24.50                 | 2               |                    |
| G&G K555 K-Force Tow Pocket Glove Pouch   | \$16.00                 | 2               |                    |
| Pelican 7060 Rechargeable Tactical        | \$120.45                | 2               |                    |
| Pelican 7060 Scabbard                     | \$10.20                 | 2               |                    |
| Pelican 7052 Traffic Wands (Orange)       | \$7.00                  | 2               |                    |
| Pelican 8056F Car Charger for Flashlight  | \$8.48                  | 2               | <b>Total</b>       |
| <b>Officer Equipment Subtotal</b>         | <b>\$641.97</b>         |                 | <b>\$ 1,283.94</b> |

| <u>Officer Uniform</u>          | <u>Cost Per Officer</u> | <u>Quantity</u> |                    |
|---------------------------------|-------------------------|-----------------|--------------------|
| Short Sleeve Shirts             | \$87.63                 | 6               |                    |
| Long Sleeve Shirts              | \$103.20                | 6               |                    |
| Pants                           | \$130.92                | 6               |                    |
| Winter Coat                     | \$214.00                | 2               |                    |
| 5.11 Hi Viz Raincoat            | \$91.00                 | 2               |                    |
| Traffic Vest CSS LHV-207POL     | \$12.50                 | 2               |                    |
| Hat                             | \$46.26                 | 2               |                    |
| Badge                           | \$53.72                 | 2               |                    |
| Hat Shield                      | \$37.74                 | 2               |                    |
| KXP111A Bullet Resistant Vest   | \$565.00                | 2               | <b>Total</b>       |
| <b>Officer Uniform Subtotal</b> | <b>\$1,341.97</b>       |                 | <b>\$ 2,683.94</b> |

| <u>Officer Body Camera</u>  | <u>Cost Per Officer</u> | <u>Quantity</u> |                    |
|-----------------------------|-------------------------|-----------------|--------------------|
| Wolfcom Vision Body Camera  | \$299.99                | 2               |                    |
| Battery Pack 15-HR          | \$150.00                | 2               |                    |
| Docking Station             | \$175.00                | 2               |                    |
| External Camera             | \$149.99                | 2               | <b>Total</b>       |
| <b>Body Camera Subtotal</b> | <b>\$774.98</b>         |                 | <b>\$ 1,549.96</b> |

| <u>Issued Equipment for Vehicle</u> | <u>Cost Per Officer</u> | <u>Quantity</u> |                    |
|-------------------------------------|-------------------------|-----------------|--------------------|
| Federal Signal Stinger System PID   | \$684.99                | 2               |                    |
| Turbo Flares                        | \$308.44                | 2               |                    |
| Flares                              | \$84.99                 | 2               |                    |
| Sharps Container                    | \$30.97                 | 2               |                    |
| First Aid Kit                       | \$21.94                 | 2               |                    |
| Emergency Response Kit              | \$13.45                 | 2               |                    |
| Window Breaker                      | \$4.89                  | 2               |                    |
| 8 Gallon Trunk Storage box          | \$42.65                 | 2               |                    |
| Gloves                              | \$14.62                 | 2               | (box each)         |
| New 2.5LB ABC Fire Extinguisher     | \$33.95                 | 2               | <b>Total</b>       |
| <b>Vehicle Equipment Subtotal</b>   | <b>\$1,240.89</b>       |                 | <b>\$ 2,481.78</b> |

|                                    |            |   |             |
|------------------------------------|------------|---|-------------|
| Portable Radio                     | \$3,351.00 | 2 | \$ 6,702.00 |
| Radio Maintenance per year         | \$387.44   | 2 | \$ 774.88   |
| Glock 22 Gen 4                     | \$409.00   | 2 | \$ 818.00   |
| Alco-sensor Model F5T              | \$375.00   | 2 | \$ 750.00   |
| Air Card for Internet connectivity | \$540.00   | 2 | \$ 1,080.00 |

|              |  |  |                     |
|--------------|--|--|---------------------|
| <b>Total</b> |  |  | <b>\$161,629.11</b> |
|--------------|--|--|---------------------|

**ATTACHMENT 3  
PRIME AWARD TERMS AND CONDITIONS**

## HIGHWAY SAFETY GRANT AGREEMENT GENERAL TERMS AND CONDITIONS

1. **Purpose and Background.** The Department is awarding this grant to support the implementation of highway safety projects by state, local and non-profit partnerships. Funds are made available for projects that: (1) support statewide goals; (2) identify problems experienced by High Emphasis Communities, which are jurisdictions with the highest crash severity problem; (3) creatively incorporate alcohol awareness and occupant protection safety; (4) are innovative with potential statewide application or ability to transfer to other jurisdictions; and (5) have statewide significance and address the federal program areas under Public Law 109-59, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and Public Law 112-141, Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21).
2. **Paid Media.** Grants consisting of \$100,000 or more in paid media funds will be required to perform pre- and post-surveys during the Grant Period. The level of assessment is based on the cost of a paid advertising campaign as follows:
  - a. **Level 1, for a paid advertising campaign of up to \$100,000:**

At a minimum, an assessment must measure and document audience exposure to paid advertised messages and the number of airings or print ads devoted to each announcement. The size of the audience needs to be estimated using a source appropriate for the medium used, such as Arbitron or Nielsen ratings for radio and TV. More specifically, all paid advertising for which the state used 154, 402 and 405 funds must include documentation stating how many paid airings or print ads occurred and the size of the audience reached. Include the number of free airings or print ads that occurred and the size of the audience reached.
  - b. **Level 2, for a paid advertising campaign greater than \$100,000:**

In addition to providing the above Level 1 documentation, a more extensive assessment is required to measure target audience reaction. One or more of the activities in the following list may be used to assess how the target audience's knowledge, attitude, or actions were affected by the message(s):

    - > Mail surveys;
    - > Telephone surveys;
    - > Focus groups;
    - > Mall intercept interviews;
    - > Direct mailings;
    - > Call-in centers;
    - > Newspaper polls;
    - > Household interviews;
    - > Before and after approach, which compares system status before and after the introduction of the message; and
    - > Control region approach, which relates one study site exposed to the message to a similar site that is not exposed to the message.
3. **Equipment.** Costs for equipment are allowable under specified conditions. Costs for new and replacement equipment with a useful life of more than one year and an acquisition cost of \$5,000 or more must be pre-approved before a Sub Recipient purchases the equipment. Such approval shall be obtained by the Department from the National Highway Traffic Safety Administration (NHTSA) regional manager in writing, and Sub Recipient will be notified by the Department when this approval has been secured. Federal government requirements mandate that the Department maintain an accurate accounting and inventory of all equipment purchased using federal funds, and Sub Recipient shall comply with applicable reporting requirements that may be specified in the Highway Safety Grant Program Manual and amendments thereto.

Project Director's Initials TLW

Sub Recipient must request advance, written approval from the Department to sell, transfer or dispose of any and all non-expendable equipment purchased in whole or in part with the use of federal highway safety funds. Disposition of funds from the sale of equipment to another entity must be agreed upon by the Department and the Sub Recipient and approved by NHTSA and the Department. In the event of a conflict between this section, 2 CFR Part 200 and 2 CFR Part 1201 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - referred to as the "Supercircular"), the provisions of the applicable CFR control, except where inconsistent with statute.

4. Reports and Deliverables. Quarterly Progress and Monitor Reports shall be provided to the Department by the dates indicated:

**January 31, April 30, July 31, and November 5.**

Each Progress and Monitor Report shall address the Sub Recipient's progress in fulfilling items listed in the Statement of Work and Special Conditions, including funded elements of the Sub Recipient's proposal. These reports should include the findings from the evaluation component of the proposal and should indicate the criteria and methods by which the progress of the initiative has been evaluated. The format for Progress and Monitor Reports will be provided to the Sub Recipient, but, at a minimum, will require an assessment of the program's plan with actual accomplishments during the past quarter, partnership involvement and satisfaction, expected follow-up, changes/problems with the plan and how they will be addressed, a financial summary of expenditures for the reporting period and planned accomplishments during the next quarter. The final Progress and Monitor Report shall include a comprehensive, detailed report of all grant activities conducted during the full grant performance period, including a final summary of expenditures.

**Monitoring.** The Department shall, throughout the Grant Period under this Grant Agreement and any extension of the program which is the subject of the Grant Agreement, monitor and evaluate the events, activities and tasks performed in connection with the program to include financial feasibility and progress of the grant and the Sub Recipient's continuing fiscal responsibility and compliance with applicable requirements and the terms and conditions of this Grant Agreement. Such monitoring and evaluation shall not in any manner relieve or waive any obligations of Sub Recipient under this Grant Agreement or pursuant to applicable state and federal law, regulations or rules. Any representation to the contrary by the Sub Recipient to any third party is strictly prohibited and may be grounds for the termination of this Grant Agreement by the Department.

5. **Audit.** Sub Recipients expending \$750,000 or more in federal awards (single or multiple awards) in a year are required to obtain an annual audit in accordance with the Single Audit Act (Public Law 98-502) and subsequent amendments (refer to 2 CFR Part 200 and 2 CFR Part 1201, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), and the American Institute of Certified Public Accountants' (AICPA) Statement on Auditing Standards (SAS) 99, *Consideration of Fraud in a Financial Statement Audit*. The audit report must be submitted to DMV by **March 15**. Sub Recipients are encouraged to submit their audit report to the Federal Audit Clearinghouse (FAC) at <http://harvester.census.gov/sac/>. Failure to meet the single audit requirements could result in your entity having to repay grant monies and/or losing access to future federal funding.

The state auditor may conduct an audit or investigation of any entity receiving funds from the Department, either directly under the Grant Agreement or indirectly through a subcontract under the Grant Agreement. Acceptance of funds directly or indirectly under the Grant Agreement constitutes acceptance of the authority of the state auditor to conduct an audit or investigation in connection with those funds. In the event an audit reveals unallowable expenditures, the Sub Recipient will be responsible for repayment to the Department of such unallowable expenditures.

6. **Closeout.** Sub Recipients are required to submit final requests for reimbursements and final Progress Reports according to the schedule identified in this Grant Agreement. Requests for reimbursements submitted after **November 5** will be denied.

Project Director's Initials TLW

### Article 1. COMPLIANCE WITH LAWS

The Sub Recipient shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of the Grant Agreement, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the Sub Recipient shall furnish the Department with satisfactory proof of its compliance therewith.

### Article 2. STANDARD ASSURANCES

The Sub Recipient hereby assures and certifies that it will comply with all applicable laws, regulations, policies, guidelines, and requirements, including 23 U.S.C. (United States Code) Chapter 4, Highway Safety Act of 1966, as amended; 23 U.S.C. 405, National Priority Safety Programs; 2 CFR Part 200 and 2 CFR Part 1201 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards); the federal Highway Safety Grant Funding Guidance (Revised 2013); the federal Uniform Guidelines for State Highway Safety Programs; the Procedures for the Transportation Safety Grants Program and subsequent amendments; and the Guidelines for the Submission of Highway Safety Grant Applications, as they relate to the application, acceptance, and use of federal or state funds for this project. Also, the Sub Recipient assures and certifies that:

- A. It possesses legal authority to apply for the grant and that a resolution, motion, or similar action has been duly adopted or passed as an official act of the Sub Recipient's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the authorized approving official of the Sub Recipient to act in connection with the application and to provide such additional information as may be required.
- B. It does and will comply and its subcontractors will comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, and, in accordance with that Act, no person shall discriminate on the basis of race, color, sex, national origin, age, religion, or disability.
- C. It does and will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- D. It will comply with the federal Fair Labor Standards Act's minimum wage and overtime requirements for employees performing project work.
- E. It will comply with all requirements imposed by the Department concerning special requirements of law, program requirements, and other administrative requirements.
- F. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- G. It will comply with the Virginia State and Local Government Conflict of Interests Act, Va. Code §§ 2.2-3100 et seq., which defines and prohibits inappropriate conflicts and requires disclosure of economic interests and is applicable to all state and local government officers and employees.
- H. It will give the Department the access to and the right to examine all records, books, papers, or documents related to the Grant Agreement.
- I. It will ensure that all public records prepared or owned by, or in the possession of, the applicant relative to this project shall be open to inspection and copying by any citizens of the Commonwealth during regular office hours in accordance with the provisions of the Virginia Freedom of Information Act, Va. Code §§ 2.2-3700 et seq., unless otherwise specifically provided by law.

Project Director's Initials TLW

- J. If applicable, it will comply with the provisions of the Virginia Freedom of Information Act, Va. Code §§ 2.2-3700 et seq., which require all meetings of public bodies to be open and every public body to give notice of its meetings and to record minutes at all open meetings.

### Article 3. GRANT AWARD COMPENSATION

- A. The method of payment for the Grant Agreement will be based on actual costs incurred up to and not to exceed the limits specified in the Grant Agreement. The amount stated in the Project Budget will be deemed to be the amount of the award to the Sub Recipient.
- B. Reimbursement for travel costs shall be subject to the requirements and limitations set forth in the State Travel Regulations established by the Virginia Department of Accounts.
- C. All payments will be made in accordance with the terms of the Grant Agreement.

The maximum amount eligible for reimbursement shall not be increased above the total amount stated in the Project, unless the Grant Agreement is amended as described in Article 5, Amendments and Modifications to Grant Agreement.

- D. To be eligible for reimbursement under the Grant Agreement, a cost must be incurred in accordance with the Grant Agreement, within the time frame specified in the Grant Period specified in the Grant Agreement, attributable to work covered by the Grant Agreement, and which has been completed in a manner satisfactory and acceptable to the Department.
- E. Federal or Department funds cannot supplant (replace) funds from any other sources. The term "supplanting" refers to the use of federal or Department funds to support personnel or an activity already supported by local or state funds.
- F. Payment of costs incurred under the Grant Agreement is further governed by 2 CFR Part 200 and 2 CFR Part 1201.
- G. A Sub Recipient may request an Indirect Cost Rate for grants that are not enforcement related. The Sub Recipient must submit a copy of their federally negotiated indirect cost rate. A Sub Recipient that does not have a federally negotiated indirect cost rate, may submit a letter requesting a de minimis indirect cost rate of 10% of modified total direct costs (2 CFR § 200.414(f)). Payment for indirect costs will not be made until the aforementioned documents have been received by the Department.

Indirect cost references and information can be found in 2 CFR Part 200.

- H. The Sub Recipient will provide a monetary and/or in-kind match to the funded proposal. The required matching percentage of the project cost will be determined by the Department. Grant funds may not be used before the Sub Recipient can demonstrate that funds for the corresponding portion of the matching requirement have been received by Sub Recipient. A matching report must be submitted with each reimbursement voucher.
- I. The Sub Recipient agrees to submit Requests for Reimbursement on a **quarterly basis or no more than one request per month**, as outlined in the Highway Safety Grant Program Manual. The original Request for Reimbursement, with the appropriate supporting documentation, must be submitted to the DMV Grants Management Office. The Sub Recipient agrees to submit the final Request for Reimbursement under the Grant Agreement within thirty-five (35) days of the end of the Grant Period or **November 5**.

All grant funds must be encumbered by the end of the grant period (September 30), complete with supporting invoices. At the end of the Grant Period, any unexpended or unobligated funds shall no longer be available to the Sub Recipient. In no case shall the Sub Recipient be reimbursed for expenses incurred prior to the beginning or after the end of the Grant Period.

Project Director's Initials TLW

- J. The Department will exercise good faith to make payments within thirty (30) days of receipt of properly prepared and documented Requests for Reimbursement. Payments, however, are contingent upon the availability of appropriated funds.
- K. Grant Agreements supported with federal or state funds are limited to the length of the Grant Period specified in the Grant Agreement. If the Department determines that the project has demonstrated merit or has potential long-range benefits, the Sub Recipient may apply for funding assistance beyond the initial Grant Period. Preference for funding will be given to those projects for which the Sub Recipient has assumed some cost sharing, those which propose to assume the largest percentage of subsequent project costs, and those which have demonstrated performance that is acceptable to the Department.
- L. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, including this Grant Agreement, the Sub Recipient shall clearly state (1) the percentage of the total cost of the program or project which will be financed with federal money, and (2) the dollar amount of federal funds provided for the project or program.

#### **Article 4. LIMITATION OF LIABILITY**

Payment of costs incurred hereunder is contingent upon the availability of appropriated funds. If, at any time during the Grant Period, the Department determines that there is insufficient funding to continue the project, the Department shall so notify the Sub Recipient, giving notice of intent to terminate the Grant Agreement, as specified in Article 11, Termination.

#### **Article 5. AMENDMENTS AND MODIFICATIONS TO GRANT AGREEMENT**

The Grant Agreement may be amended prior to its expiration by mutual written consent of both parties, utilizing the Grant Agreement Amendment form designated by the Department. Any amendment must be executed by the parties within the Grant Period specified in the Grant Agreement. Any proposed modifications or amendments to this Grant Agreement as defined in Article 6, Additional Work and Changes in Work, including the waiver of any provisions herein, must be submitted to the Department in writing and approved as herein prescribed prior to Sub Recipient's implementation of the proposed modification or amendment.

Any alterations, additions, or deletions to the Grant Agreement that are required by changes in federal or state laws, regulations or directives are automatically incorporated on the date designated by the law, regulation or directive.

The Department may unilaterally modify this Grant Agreement to deobligate funds not obligated by the Sub Recipient as of the close of the Grant Period specified in this Grant Agreement. In addition, the Department may deobligate funds in the event of termination of the Grant Agreement pursuant to Article 11, Termination.

#### **Article 6. ADDITIONAL WORK AND CHANGES IN WORK**

If the Sub Recipient is of the opinion that any assigned work is beyond the scope of the Grant Agreement and constitutes additional work, the Sub Recipient shall promptly notify the Department in writing. If the Department finds that such work does constitute additional work, the Department shall so advise the Sub Recipient and a written amendment to the Grant Agreement will be executed according to Article 5, Amendments and Modifications to Grant Agreement, to provide compensation for doing this work on the same basis as the original work. If performance of the additional work will cause the maximum amount payable to be exceeded, the work will not be performed before a written grant amendment is executed.

If the Sub Recipient has submitted work in accordance with the terms of the Grant Agreement but the Department requests changes to the completed work or parts thereof which involve changes to the original scope of services or character of work under the Grant Agreement, the Sub Recipient shall make

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such revisions as requested and directed by the Department. This will be considered additional work and will be paid for as specified in this Article.

If the Sub Recipient submits work that does not comply with the terms of the Grant Agreement, the Department shall instruct the Sub Recipient to make such revisions as are necessary to bring the work into compliance with the Grant Agreement. No additional compensation shall be paid for this work.

The Sub Recipient shall make revisions to the work authorized in the Grant Agreement, which are necessary to correct errors or omissions appearing therein, when required to do so by the Department. No additional compensation shall be paid for this work.

The Department shall not be responsible for actions by the Sub Recipient or any costs incurred by the Sub Recipient relating to additional work not directly associated with or prior to the execution of an amendment.

#### **Article 7. REPORTING AND NOTIFICATIONS**

Sub Recipients shall submit performance reports using forms provided and approved by the Department as outlined in the Statement of Work and Special Conditions, Section 4, Reports and Deliverables.

The Sub Recipient shall promptly advise the Department in writing of events that will have a significant impact upon the Grant Agreement, including:

- A. Problems, delays, or adverse conditions, including a change of project director or other changes in Sub Recipient personnel, that will materially affect the Sub Recipient's ability to attain objectives and performance measures, prevent the meeting of time schedules and objectives, or preclude the attainment of project objectives or performance measures by the established time periods. This disclosure shall be accompanied by a statement of the action taken or contemplated and any Department or federal assistance needed to resolve the situation.
- B. Favorable developments or events that enable Sub Recipient to meet time schedules and objectives earlier than anticipated or to accomplish greater performance measure output than originally projected.

#### **Article 8. RECORDS**

The Sub Recipient agrees to maintain all reports, documents, papers, accounting records, books, and other evidence pertaining to costs incurred and work performed hereunder, and Sub Recipient shall make such records available at its office for the time period specified in the Grant Agreement. The Sub Recipient further agrees to retain such records for three (3) years from the date of final payment under the Grant Agreement, until completion of all audits, or until any pending litigation has been completely and fully resolved, whichever occurs last.

Any representative of the U.S. Secretary of Transportation, the Comptroller General of the United States, the General Accounting Office, the Virginia Office of the Secretary of Transportation, the Virginia Department of Motor Vehicles, the Virginia State Comptroller or the Virginia Auditor of Public Accounts shall have access to and the right to examine any and all books, documents, papers and other records (including computer records) of the Sub Recipient that are related to this Grant Agreement, in order to conduct audits and examinations and to make excerpts, transcripts, and photocopies. This right also includes timely and reasonable access to the Sub Recipient's personnel and program participants for the purpose of conducting interviews and discussions related to such documents. The Department's right to such access shall last as long as the records are retained as required under this Grant Agreement.

#### **Article 9. INDEMNIFICATION**

The Sub Recipient, if other than a government entity, agrees to indemnify, defend and hold harmless the Commonwealth of Virginia, its officers, agents, and employees from any claims, damages and actions of any kind or nature, whether at law or in equity, arising from or caused by the acts or omission of the Sub

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Recipient, its officers, agents or employees. The Sub Recipient, if other than a government entity, further agrees to indemnify and hold harmless the Commonwealth of Virginia, its officers, agents, and employees from any costs including, but not limited to, attorney fees and court costs, incurred by the Department in connection with any such claims or actions.

If the Sub Recipient is a government entity, both parties to the Grant Agreement agree that no party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds, as well as the acts and deeds of its contractors, employees, representatives, and agents.

#### **Article 10. DISPUTES AND REMEDIES**

The Sub Recipient shall be responsible for the settlement of all contractual and administrative issues arising out of procurement made by the Sub Recipient in support of Grant Agreement work.

Disputes concerning performance or payment shall be submitted to the Department for settlement, with the Director of the Virginia Highway Safety Office or his or her designee acting as final referee.

#### **Article 11. TERMINATION**

The Department may terminate the Grant Agreement, in whole or in part, for cause if the Sub Recipient fails to fulfill its obligations under the Grant Agreement; fails to comply with any applicable Department policy or procedure or any applicable federal, state or local law, regulation or policy; or fails to correct a violation of any such law, regulation, policy or procedure. This does not limit any other termination rights that the Department may have under state or federal laws, regulations or policies.

The Grant Agreement shall remain in effect until the Sub Recipient has satisfactorily completed all services and obligations described herein and these have been accepted by the Department, unless:

- The Department terminates the Grant Agreement for cause and informs the Sub Recipient that the project is terminated immediately; or
- The Department determines that the performance of the project is not in the best interest of the Department and informs the Sub Recipient that the project is terminated immediately; or
- The Grant Agreement is terminated in writing with the mutual consent of both parties; or
- There is a written thirty (30) day notice to terminate by either party.

The Department shall compensate the Sub Recipient for only those eligible expenses incurred during the Grant Period specified in the Grant Agreement which are directly attributable to the completed portion of the work covered by the Grant Agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The Sub Recipient shall not incur nor be reimbursed for any new obligations after the effective date of termination.

#### **Article 12. SUBCONTRACTS**

No portion of the work specified in the Grant Agreement shall be subcontracted without the prior written consent of the Department. In the event that the Sub Recipient desires to subcontract part of the work specified in the Grant Agreement, the Sub Recipient shall furnish the Department the names, qualifications and experience of their proposed subcontractors. For purposes of the Grant Agreement, subcontractor(s) shall include, but are not limited to, recipients of mini grants and parties to cooperative agreements and memoranda of understanding.

The Sub Recipient, however, shall remain fully responsible for the work to be done by its subcontractor(s) and shall assure compliance with all the requirements of the Grant Agreement. In any agreement entered into with a subcontractor, the Sub Recipient shall include or incorporate by reference all language contained in the Statement of Work and Special Conditions and in the General Terms and Conditions portions of this Highway Safety Grant Agreement, and the subcontractor shall agree to be bound by all requirements contained therein.

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**Article 13. NONCOLLUSION**

The Sub Recipient certifies that its grant application was made without collusion or fraud, and it has not conferred on any public employee having official responsibility for the Highway Safety Grant process any loan, gift, favor, service or anything of more than nominal value, present or promised, in connection with its application. If Sub Recipient breaches or violates this certification, the Department shall have the right to annul this Grant Agreement without liability.

**Article 14. SUB RECIPIENT'S RESOURCES**

The Sub Recipient certifies that it presently has adequate qualified personnel in its employment to perform the work required under the Grant Agreement, or that Sub Recipient will be able to obtain such personnel from sources other than the Department.

All employees of the Sub Recipient shall have such knowledge and experience as will enable them to perform the duties assigned to them. Any employee of the Sub Recipient who, in the opinion of the Department, is incompetent or whose conduct becomes detrimental to the project shall immediately be removed from association with the project.

Unless otherwise specified, the Sub Recipient shall furnish all equipment, materials, supplies, and other resources required to perform the work.

**Article 15. SUB RECIPIENT SEAT BELT USE**

The Sub Recipient agrees to adopt and enforce an on-the-job seat belt use policy requiring all employees to wear a seat belt when operating any vehicle owned, leased or rented by the Sub Recipient, including police vehicles.

**Article 16. PROCUREMENT AND PROPERTY MANAGEMENT**

The Sub Recipient shall establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to the Grant Agreement in accordance with Virginia law and Department policies and procedures, provided that such laws, policies and procedures are not in conflict with federal standards, as appropriate, in 2 CFR Part 200 and 2 CFR Part 1201 (Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards).

In the event of conflict, such federal standards shall apply unless Virginia law or Department policies or procedures impose more strict requirements than the federal standards.

**Article 17. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY**

All copyright and patent rights to all papers, reports, forms, materials, creations, or inventions created or developed in the performance of this Grant Agreement shall become the sole property of the Commonwealth in accordance with Va. Code §2.2-2822 and Executive Memorandum 4-95. On request, the Sub Recipient shall promptly provide an acknowledgment or assignment in a tangible form satisfactory to the Commonwealth to evidence the Commonwealth's sole ownership of specifically identified intellectual property created or developed during the performance of the Grant Agreement.

**Article 18. RESEARCH ON HUMAN SUBJECTS**

The Sub Recipient shall comply with the National Research Act, Public Law 93-348, regarding the protection of human subjects involved in research, development, and related activities supported by the Grant Agreement.

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**Article 19. ASSIGNMENT**

The Grant Agreement shall not be assignable by the Sub Recipient in whole or in part without the written consent of the Department.

**Article 20. NONDISCRIMINATION**

- A. The Sub Recipient **WILL COMPLY WITH ALL** Federal Statutes and implementing regulations relating to nondiscrimination. These include, but are not limited to:
1. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21);
  2. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex;
  3. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, *et seq.*), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27);
  4. The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age;
  5. The Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all sub recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities;
  6. The Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
  7. The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  8. Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records;
  9. Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C.3601, *et seq.*), relating to nondiscrimination in the sale, rental or financing of housing;
  10. Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and
  11. The requirements of any other nondiscrimination statute(s) which may apply to the application.
- B. The Sub Recipient certifies that it has disclosed to the Department any administrative and/or court findings of noncompliance with nondiscrimination or equal opportunity laws, regulations or policies during the two preceding years. If the Sub Recipient has been cited for noncompliance with these laws, regulations or policies, the Sub Recipient will not be eligible to receive funding.
- C. In all solicitations either by competitive bidding or negotiation made by the Sub Recipient for work to be performed under a subcontract, including procurement of materials and equipment and leasing of equipment, each potential subcontractor or supplier shall be notified by the Sub Recipient of the Sub Recipient's obligations under this Grant Agreement and the laws, regulations and policies relating to nondiscrimination on the basis of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state or federal law.

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- D. The Sub Recipient shall provide all information and reports required by the laws, regulations and policies relating to nondiscrimination, and directives issued pursuant thereto, and shall permit access to its books, records, accounts, facilities and other sources of information, as may be determined by the Department or the US DOT to be pertinent, to ascertain compliance with such laws, regulations and policies relating to nondiscrimination. Where any information required of the Sub Recipient is in the exclusive possession of another who fails or refuses to furnish this information, the Sub Recipient shall so certify to the Department or the US DOT, whichever is appropriate, and shall set forth what efforts the Sub Recipient has made to obtain the requested information.

**Article 21. DRUG-FREE WORKPLACE**

The Sub Recipient certifies that it will provide a drug-free workplace in accordance with the requirements of 29 CFR, Part 98, Subpart F.

**Article 22. BUY AMERICA ACT**

The Sub Recipient will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

**Article 23. DISADVANTAGED BUSINESS ENTERPRISE**

It is the policy of the Department and the USDOT that Disadvantaged Business Enterprises, as defined in 49 CFR Part 26, shall have the opportunity to participate in the performance of agreements financed in whole or in part with federal funds. Consequently, the Disadvantaged Business Enterprise requirements of 49 CFR Part 26, apply to the Grant Agreement as follows:

- The Sub Recipient agrees to ensure that Disadvantaged Business Enterprises, as defined in 49 CFR Part 26, have the opportunity to participate in the performance of agreements and subcontracts financed in whole or in part with federal funds. In this regard, the Sub Recipient shall make good faith efforts, in accordance with 49 CFR Part 26, to ensure that Disadvantaged Business Enterprises have the opportunity to compete for and perform agreements and subcontracts.
- The Sub Recipient and any subcontractor shall not discriminate on the basis of race, color, sex, national origin, or disability in the award and performance of agreements funded in whole or in part with federal funds.

These requirements shall be included in any subcontract or sub agreement. Failure to comply with the requirements set forth above shall constitute a breach of the Grant Agreement and, after the notification by the Department, may result in termination of the Grant Agreement by the Department or other such remedy as the Department deems appropriate.

**Article 24. DEBARMENT/SUSPENSION**

- A. The Sub Recipient certifies, to the best of its knowledge and belief, that it and its principals:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any state or federal department or agency or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, Debarment and Suspension;

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2. Have not within a three (3) year period preceding the Grant Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local public transaction or contract under a public transaction; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  3. Are not presently indicted or otherwise criminally or civilly charged by a federal, state, or local governmental entity with commission of any of the offenses enumerated in paragraph A. 2. of this Article; and
  4. Have not, within a three (3) year period preceding the Grant Agreement, had one or more federal, state, or local public transactions terminated for cause or default.
- B. Where the Sub Recipient is unable to certify to any of the statements in this Article, such Sub Recipient shall attach an explanation to the Grant Agreement.
- C. The Sub Recipient is prohibited from making any subcontract or sub award or permitting any subcontract or sub award to any party that does not certify to the Sub Recipient that such party meets the requirements set forth in Section A., Items 1 – 4 of this Article. When requested by the Department, Sub Recipient shall furnish a copy of such certification.
- D. The Sub Recipient shall require any party to a subcontract or purchase order awarded under the Grant Agreement to certify its eligibility to receive federal grant funds, and, when requested by the Department, to furnish a copy of the certification.

#### **Article 25. LOBBYING CERTIFICATION**

The Sub Recipient certifies to the best of his or her knowledge and belief that:

- A. No federally appropriated funds have been paid or will be paid, by or on behalf of the Sub Recipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the party to the Grant Agreement shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. No funds appropriated under this Grant Agreement have been or will be expended for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress or the Virginia General Assembly, except in presentation to the Congress or General Assembly itself. In addition, grant funds shall not be used to pay the salary or expenses, in whole or in part, of any Sub Recipient or agent acting for such Sub Recipient related to any activity designed to influence legislation or appropriations pending before the Congress or the Virginia General Assembly.
- D. The Sub Recipient shall require that the language of this certification be included in the award documents for all sub awards and subcontracts and that all subcontractors shall certify and disclose accordingly.

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- E. This certification is a material representation of fact upon which reliance was placed when this Grant Agreement was entered into. Submission of this certification is a prerequisite for entering into this Grant Agreement imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Article 26. RESTRICTION ON STATE LOBBYING**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**Article 27. INTERPRETATION AND ENFORCEABILITY**

In the event any terms or provisions of this Grant Agreement are breached by either party or in the event that a dispute may arise between the parties regarding the meaning, requirements, or interpretation of any terms and provisions contained in this Grant Agreement, then such breach or dispute shall be resolved pursuant to the terms of this Grant Agreement and the remedies available under the Code of Virginia. If the Sub Recipient is not a government entity, in the event the Department must initiate proceedings to enforce the terms and conditions of this Grant Agreement or seek redress for damages caused by Sub Recipient's breach of this Grant Agreement, the Department shall be entitled to recover all costs including, without limitation, court costs and attorneys fees, incurred in such proceedings.

**Article 28. ADDITIONAL PROVISIONS**

- A. **Signature Authorized.** The Sub Recipient's authorized approving official, signing the certification page of the Grant Agreement, has the legal authority to apply for Federal Assistance and has the institutional, managerial, and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
- B. **Headings.** The captions and headings used in this Grant Agreement are intended for convenience only and shall not be used for purposes of construction or interpretation.
- C. **Notice.** All notices, requests and demands shall be directed as follows:

To the Department: Virginia Department of Motor Vehicles  
ATTENTION: Director, Virginia Highway Safety Office  
Post Office Box 27412  
Richmond, Virginia 23269-0001

To Sub Recipient: ROANOKE COUNTY POLICE DEPT.  
5925 COVE ROAD  
ROANOKE, VA 24019

Any notice, unless otherwise specified herein, will be deemed to have been given on the date such notice is personally delivered or is deposited in the United States certified mail, return receipt requested, properly addressed and with postage prepaid.

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**SUB-AGREEMENT  
BETWEEN  
THE COUNTY OF ROANOKE  
AND  
THE CITY OF ROANOKE**

This Sub-agreement ("Agreement") is entered into by and between the County of Roanoke ("Recipient"), a municipality of the Commonwealth of Virginia (EIN 54-6001572, DUNS 06-235-3610), and the City of Roanoke ("Sub-recipient") municipality of the Commonwealth of Virginia (EIN 54-6001569, DUNS 11-151-7327), together "the Parties."

**WHEREAS**, the United States National Highway Traffic Safety Administration ("Prime Sponsor") awarded funding on September 30, 2015 to the Commonwealth of Virginia. The Commonwealth has issued to Recipient an award for the project, "*Roanoke Valley DUI Task Force*," Grant Number 154AL-2016-56426-6631; CFDA Number 20.607("Prime Award"); and

**WHEREAS**, Sub-recipient has proposed to collaborate with Recipient on the Prime Award;

**NOW THEREFORE**, in consideration of the mutual promises and benefits hereunder and other good and valuable consideration, the Parties mutually agree to the following:

**1. STATEMENT OF WORK**

Sub-recipient agrees to perform the work described in the Statement of Work, incorporated herein as Attachment 1. The Parties also acknowledge that this Agreement is not for or related to research and development.

**2. MONITORING**

Recipient will monitor the performance of Sub-recipient against the goals and performance standards listed in Attachment 1 on an ongoing and as needed basis. Monitoring will consist of actions that may include but are not limited to: monthly reports, annual reports, and periodic onsite monitoring. Substandard performance as determined by Recipient will constitute noncompliance with this Agreement. If action to correct such substandard performance is not taken by Sub-recipient within 30 days after being notified by Recipient, contract suspension or termination procedures may be initiated. Sub-recipient agrees to cooperate and perform any action reasonably required by the Recipient to monitor the Sub-recipient and determine compliance with performance standards.

**3. TERM AND TERMINATION**

- A. The period of performance ("Term") shall begin on June 15, 2016 and shall not extend beyond September 30, 2016 ("End Date") unless mutually agreed in writing by the Parties.
- B. Any extension, continuation or further funding of this Agreement beyond the End Date shall be subject to:
  - i. Appropriate time extension approvals by Recipient or the Prime Sponsor, as applicable; and
  - ii. Continuation by the Prime Sponsor of the Prime Award and authorization by the Prime Sponsor of specific funds for Sub-recipient's portion of the work.

- C. This Agreement may be terminated:
  - i. Any time the Prime Award is terminated by the Prime Sponsor and Sub-recipient receives notice by Recipient to that effect;
  - ii. If Sub-recipient fails to perform any obligation under this Agreement, Recipient gives Sub-recipient thirty (30) days written notice of pending termination, and Sub-recipient fails to cure or correct said deficiency within the thirty day period, or such period as the parties may mutually agree in writing; or
  - iii. Without cause by either Party, by giving at least thirty (30) days advance written notice to the other party prior to the End Date of this Agreement.
- D. In the event of termination, Recipient shall reimburse Sub-recipient for allowable costs incurred up to the date of termination, and for any non-cancelable commitments and obligations made prior to the date of notice of such termination. Reimbursement shall be made in accordance with Sections 4, 5, and 6 of this Agreement.

#### **4. BUDGET**

- A. The Parties acknowledge that the Sub-recipient's maximum budget for performance under this agreement is \$161,629.11, as detailed in Attachment 2 of this agreement. The Sub-recipient agrees that it will not exceed this budgeted amount.
- B. Total expenditures for Sub-recipient's performance shall not exceed the budgeted amount stated in Attachment 2, except as provided in Section C of this paragraph.
- C. Additional funds not allocated in Attachment 2 may be awarded to Sub-recipient if mutually agreed to in writing by both Parties. Any such additional funds shall be subject to award and availability from the Prime Sponsor and/or the Recipient. To apply for additional funds under this paragraph, Sub-recipient shall at any time during the Term of this Agreement, submit one copy of the proposed budget changes to the Recipient Grant Administrator identified in Section 15 this Agreement.

#### **5. ALLOWABLE COSTS**

The allowability of costs under this Agreement shall be determined in accordance with the provisions of the Prime Award, hereby incorporated as Attachment 3.

#### **6. PAYMENT**

- A. Sub-recipient may submit invoices to Recipient not more often than once per month and Recipient shall reimburse Sub-recipient only for actual allowable costs incurred on the project.
- B. Total reimbursement shall not exceed the amount allocated in Sub-recipient's Budget identified in Attachment 2, except as provided in Section 4.C of this Agreement.
- C. Reimbursement will be remitted to Sub-recipient upon Recipient requesting and receiving the reimbursable costs from the Prime Sponsor.
- D. Invoices shall be submitted using DMV form TSS15 and reference the name of this project, "*Roanoke Valley DUI Task Force*," along with the Recipient's Subaward Number 154AL-2016-56426-6631. Invoices shall include the approved budget as stated in Attachment 2, the expenditures for the period being invoiced, the total expenditures to date and the remaining balance of the budget. Sub-recipient's fiscal agent shall certify invoices for accuracy and propriety. A final invoice is due within 30 calendar days following the End Date or termination date of this Agreement. Each invoice shall be sent to the following address:

Sergeant Tim Wyatt  
Roanoke County Police Department  
5925 Cove Road  
Roanoke, VA 24019

Or email invoices to the following address:

twyatt@roanokecountyva.gov

**7. PROCUREMENT**

- A. Sub-recipient shall comply with the Virginia Public Procurement Act concerning the purchase of equipment and shall maintain inventory records of all non-expendable personal property as defined by such policy as may be procured with funds provided herein.
- B. Unless specified otherwise within this Agreement, the Sub-recipient shall procure all materials, property, or services in accordance with the requirements of the Virginia Procurement Act.

**8. SUBAWARD CLOSE OUT**

Along with any other reports or deliverables required hereunder, Sub-recipient shall submit its final invoice to Recipient within 30 calendar days following the End Date or termination of this Agreement.

**9. PRIME AWARD TERMS AND CONDITIONS**

It is understood that this Agreement is issued under an award from the Prime Sponsor and all applicable requirements, regulations and provisions of the Prime Award are hereby incorporated into this Agreement as Attachment 3.

**10. SPECIAL CONDITIONS**

There are no special conditions in this Agreement at this time. However, Recipient reserves the right to add special conditions if deemed necessary. Any such conditions shall be added as a written amendment.

**11. MODIFICATIONS**

All requests for modifications to this Agreement, including but not limited to, budget modifications, extensions, and changes to the Statement of Work, shall be submitted by Sub-recipient to the Recipient Grant Administrator. No modification to this Agreement shall be valid without the signatures of the duly authorized representatives of both Parties and approval from the Prime Sponsor.

**12. AUDIT AND COMPLIANCE**

The relevant provisions of the Single Audit Act of 1984, OMB Circular A-128 (Audits of State and Local Governments), or OMB Circular A-133 (Audits of Institutions of Higher Education and Other Non-Profit Institutions), and the CFR Uniform Grant Guidance shall apply to this Agreement.

**13. RECORDS AND RECORD RETENTION**

- A. Fiscal Records: Sub-recipient shall maintain such books, records, documents and other evidence, accounting procedures and practices sufficient to reflect properly all direct and

indirect costs of whatever nature it claims to have incurred for the performance of this Agreement. All such fiscal records shall be made readily available for review by Recipient or Prime Sponsor at any time during the period identified in Paragraph 13.C below.

- B. Technical Records: Sub-recipient shall keep clear and accurate records of the procedures conducted and data collected throughout the Term so that progress of the project may be readily evaluated at any time by Recipient’s Principal Investigator.
- C. Audit of Books: Financial reports, supporting documents and other records related to this Agreement shall be retained by Sub-recipient for a period of three (3) years from the date of final payment except that records that relate to audits, appeals, litigation or the settlement of claims arising out of performance of this Agreement shall be retained until such audits, appeals, litigation or claims have been disposed of. All such reports, documents and other records shall be made readily available for review by Recipient or Prime Sponsor at any time during this period.

**14. REPORTS**

- A. Sub-recipient shall provide reports as required by the Recipient and the Prime Award, including but not limited to, a final report due thirty (30) days after the End Date of this Agreement.
- B. All Reports shall be submitted to Recipient at the address identified in Section 15 of this Agreement.

**15. KEY PERSONNEL**

- A. The Recipient Grant Administrator is Sergeant Tim Wyatt who shall be responsible for the overall direction and coordination of the work to be performed under this Agreement and under the Prime Award. All correspondence or notices of a technical or programmatic matter related to this Agreement shall be delivered to the Recipient Grant Administrator at the address below.
- B. Sub-recipient’s Project Coordinator is Lieutenant Jeffrey Newman who shall be responsible for the conduct of the work it performs under this Agreement. Any correspondence of notices of a technical or programmatic matter related to this Agreement shall be sent to Sub-recipient’s Project Coordinator at the address below. Should Sub-recipient’s Project Coordinator become unavailable, Sub-recipient shall propose a substitute subject to the written approval by Recipient and the Prime Sponsor.

| RECIPIENT   | SUB-RECIPIENT  |
|---|--|
| Sergeant Tim Wyatt<br>Roanoke County Police Department<br>5925 Cove Road<br>Roanoke, VA 24019<br><br>T: (540) 777-8649<br>F:<br>Email: twyatt@roanokecountyva.gov | Lieutenant Jeffrey Newman<br>Roanoke Police Department<br>348 Campbell Avenue SW<br>Roanoke, VA 24016<br><br>T: (540) 853-2237<br>F: (540) 853-5399<br>Email: jeffrey.newman@roanokeva.gov |

**16. NOTICES AND CORRESPONDENCE**

All administrative, contractual, and business notices required by this Agreement shall be made in writing and delivered to the Recipient Administrative Contact and Sub-recipient Administrative Contact identified below, as applicable:

| RECIPIENT   | SUB-RECIPIENT   |
|---|---|
| Mia Nguyen<br>Roanoke County Police Department<br>5925 Cove Road<br>Roanoke, VA 24019<br><br>T: (540) 777-8614<br>F: (540) 777-8766<br>Email: mnguyen@roanokecountyva.gov | Chief Timothy S. Jones<br>Roanoke Police Department<br>348 Campbell Avenue SW<br>Roanoke, VA 24016<br><br>T: (540) 853-2211<br>F:<br>Email: |

**17. EQUIPMENT ACCOUNTABILITY AND DISPOSITION**

All equipment purchased pursuant to this Agreement shall be treated in accordance with the provisions of the Prime Award, Attachment 3.

**18. LIABILITY**

To the extent permitted by applicable law, the Recipient and Sub-recipient will be responsible for the actions, inactions or violations of its officers, employees, and agents in connection with the Roanoke Valley DUI Task Force project, but nothing contained herein shall be construed as a waiver of the sovereign immunity for either the Recipient or the Sub-recipient.

**19. INSURANCE**

The Sub-recipient shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud, and/or undue physical damage, and as a minimum shall purchase a blanket fidelity bond covering all employees in an amount equal to cash advances from the Recipient. The Sub-recipient shall comply with the bonding and insurance requirements of 24 CFR 84.31 and 84.48, Bonding and Insurance.

**20. CONFLICT OF INTEREST**

The Sub-recipient agrees to abide by the provisions of 24 CFR 84.42 and 570.611, which include (but are not limited to) the following:

- A. The Sub-recipient shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.
- B. No employee, officer or agent of the Sub-recipient shall participate in the selection, or in the award, or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

**21. INTELLECTUAL PROPERTY**

- A. Reference Article 17 of the Prime Award General Terms & Conditions (Attachment 3) which supersedes sub-award governance of intellectual property.
- B. As a general principle, any invention, improvement, discovery, or developments arising from this agreement whether patentable, copyrightable or not, which are made by employees of

Recipient shall belong to Recipient, and those made by employees of Sub-recipient shall belong to Sub-recipient. In such cases where it is impossible to identify or separate the contributions of either party, inventorship shall be determined by legal means and in cases where inventors are from both Sub-recipient and Recipient, title to the intellectual property shall be held jointly. Sub-recipient and Recipient agree to negotiate in good faith a license agreement to allow for effective commercialization of jointly held intellectual property.

## **22. PUBLICATION & PUBLICITY**

- A. Any reports and other publications relating to the work under or as a result of this Agreement shall bear proper acknowledgment of the support provided under the Prime Award from the Recipient and Prime Sponsor.
- B. Any and all news releases, advertising, promotion, sales literature, or other publicity released by either Party concerning this Agreement shall be subject to prior written approval of the other Party, and subject to the prior written approval of the Prime Sponsor, as appropriate. Any such publicity shall credit the contributions of all Parties.
- C. No Party shall use the name, insignia, or trademark of the other Party, or any adaptation thereof, nor the names of any of its employees in any advertising, promotion or sales literature without the written consent of the other Party.

## **23. SUBCONTRACTING**

Sub-recipient shall not enter into any sub-agreements, in whole or in part, to carry out the project tasks set forth in this Agreement without the prior written approval of Recipient and Prime Sponsor. Purchase Orders and other routine expenditures are not subject to this provision.

## **24. ASSIGNMENT**

A Party shall not assign or otherwise transfer its rights or delegate its obligations under this Agreement without the other Party's prior written consent. Any attempted assignment, transfer, or delegation without such consent shall be void. All of the terms and provisions of this Agreement are binding upon and inure to the benefit of the parties hereto and their successors and assigns.

## **25. RELATIONSHIP**

The relationship of the Parties to each other is solely that of independent Recipients. Neither Party shall be considered an employee, agent, partner or fiduciary of the other, nor shall anything contained in this Agreement be construed to create any partnership or joint venture between the Parties. Neither Party shall enter into any agreement nor incur any obligations on the other's behalf, nor commit the other Party in any manner without its prior written consent.

## **26. GOVERNING LAW**

This agreement shall be enforced and interpreted under the laws of the Commonwealth of Virginia. All disputes arising under this Agreement shall be brought before a proper court in the Commonwealth of Virginia. Sub-recipient agrees that it shall at all times comply with all applicable federal and state laws and regulations.

**27. SOVEREIGN IMMUNITY**

Nothing in this Agreement shall be deemed a waiver of the sovereign immunity of the Commonwealth of Virginia.

**28. TAXES**

Sub-recipient shall pay all current and applicable local, city, county, state and federal taxes, licenses and assessments related to its performance under this Agreement including, but not limited to, those payments required by the Federal Insurance Contributions Act, the State Employment Tax Acts, and any other laws under which Sub-recipient may be liable.

**29. WAIVER**

- A. The failure of a party to enforce any provision in this Agreement shall not be deemed a waiver of such right.
- B. No waiver of any right under this Agreement shall be effective unless agreed in writing and signed by both parties.

**30. SEVERABILITY**

Should any portion of this Agreement be declared invalid or unenforceable for any reason, such portion is deemed severable from the Agreement and the remainder of this Agreement shall remain fully valid and enforceable.

**31. ENTIRETY**

This Agreement constitutes the entire understanding of the Parties and supersedes all prior oral or written agreements regarding the subject matter hereof.

**32. FORCE MAJEURE**

Neither Party shall be responsible for a delay or failure in performance resulting from any cause beyond its control, including, without limitation, war, terrorism, strikes, civil disturbances, and acts of God.

**33. AUTHORIZED SIGNATURES**

The signatories below certify that they are duly authorized to sign on behalf of their Party.

**(The Remainder of this page is intentionally left blank)**

IN WITNESS WHEREOF, the Parties have executed this Agreement on the dates set forth below.

**For: COUNTY OF ROANOKE**

**For: CITY OF ROANOKE**

By: \_\_\_\_\_  
Thomas Gates  
County Administrator

By: \_\_\_\_\_  
Chris Morrill  
City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

Approved as to form:

By: \_\_\_\_\_  
Peter S. Lubeck  
Senior Assistant County Attorney

By: \_\_\_\_\_  
Timothy R. Spencer  
Senior Assistant City Attorney

**ATTACHMENT 1  
STATEMENT OF WORK**

**ATTACHMENT 2  
BUDGET**

**ATTACHMENT 3**  
**PRIME AWARD TERMS AND CONDITIONS**

045

7.0.7.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION ratifying and authorizing the acceptance of a 2016 Department of Motor Vehicles subgrant to participate in a multi-jurisdictional Driving Under the Influence Task Force to the City from the Commonwealth of Virginia's Department of Motor Vehicles, and authorizing execution of any required documentation on behalf of the City.

WHEREAS, the City of Roanoke, County of Roanoke, and City of Salem have been awarded a 2016 Virginia Department of Motor Vehicles (DMV) grant to start a multi-jurisdictional Driving Under the Influence (DUI) Task Force, and

WHEREAS, the purpose of this task force is to deploy six (6) additional officers throughout the Roanoke Valley for the sole purpose of deterring, detecting, and apprehending intoxicated and/or impaired drivers.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby ratifies and authorizes the acceptance of a 2016 DMV Grant to start a multi-jurisdictional DUI Task Force to deploy six (6) additional officers throughout the Roanoke Valley, such being more particularly described in the City Council Agenda Report dated September 6, 2016.
2. The City Manager's execution of the subgrant agreement, on behalf of the City, is hereby ratified, having already been approved as to form by the City Attorney.
3. The City Manager is also authorized to execute, and file, on behalf of the City, all other necessary documents required to accept the subgrant. All such documents shall be approved as to form by the City Attorney.

4. The City Manager is further directed to furnish such additional information as may be required by the Commonwealth of Virginia, Department of Motor Vehicles, in connection with the City's acceptance of this subgrant.

ATTEST:

City Clerk



7.a.7.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the U.S. National Highway Traffic Safety Administration through the Commonwealth of Virginia Department of Motor Vehicles for a Driving Under the Influence Task Force grant, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|                         |                  |          |
|-------------------------|------------------|----------|
| Appropriations          |                  |          |
| Expendable Equipment    | 35-640-3514-2035 | \$12,959 |
| Wearing Apparel         | 35-640-3514-2064 | 2,684    |
| Vehicular Equipment     | 35-640-3514-9010 | 2,482    |
| Revenues                |                  |          |
| DMV DUI Task Force FY17 | 35-640-3514-3514 | 18,125   |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



7.a.8.

## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** Interest Adoption from the Office of the Attorney General Asset Forfeiture Grant (CM16-00117)

### **Background:**

The Office of the Attorney General Medicaid Fraud Control Unit was the lead investigative agency in the case of United States v. Abbott Laboratories, and as a result of the plea agreement, the Office of the Attorney General of Virginia was awarded an equitable share of federal asset forfeiture funds.

The Office of the Attorney General of Virginia disbursed \$250,000 of federal asset forfeiture funds to the Roanoke Police Department via a competitive grant proposal for equipment. On December 13, 2013, the Roanoke City Council through adoption of a Resolution accepted the asset forfeiture grant from the Office of the Attorney General.

The City of Roanoke was awarded \$250,000 in asset forfeiture grant funding; specifically \$180,000 to purchase a replacement in-car video system for its police vehicle fleet and \$70,000 to purchase equipment and software for its I-STAR crime analysis unit. The funds were deposited in a separate interest bearing account outside of the existing asset forfeiture accounts to comply with federal asset forfeiture and grant guidelines.

### **Considerations:**

The Roanoke Police Department intends to spend all remaining funds, including any accrued interest by December 18, 2016. It is necessary to adjust accounts and close out the grant.

The grant agreement requires that interest that is earned on the existing funds must be committed toward additional purchases within the asset forfeiture program. Interest of \$1,192 has accumulated and is currently available for appropriation. Additional interest will be earned over the remaining life of the grant. The amount of the additional interest that will accrue and be available for use for purposes permitted by the grant is estimated to be \$70.

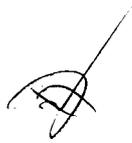
**Recommended Action:**

Adopt the accompanying budget ordinance to increase the revenue estimate in the Grant Fund by \$1,262 and appropriate funding in the same amount into in an expenditure account established by the Director of Finance.



-----  
Christopher P. Morrill  
City Manager

Distribution: The Honorable Evelyn Powers, Roanoke City Treasurer  
Council Appointed Officers  
R. Brian Townsend, Assistant City Manager for Community Development  
Barbara A. Dameron, Director of Finance  
Timothy S. Jones, Chief of Police  
Amelia C. Merchant, Director of Management and Budget



1.a.8.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the United States Department of Justice Federal Asset Sharing Program, thru the Commonwealth of Virginia Office of the Attorney General for enhancing law enforcement operations, amending and reordaining certain sections of the 2016-2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|  |                  |          |
|--|------------------|----------|
| Appropriations                         |                  |          |
| Other Equipment                        | 35-640-3297-9015 | \$ 1,292 |
| Revenues                               |                  |          |
| Federal Asset Forfeiture AG - interest | 35-640-3297-3298 | 1,262    |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** Authorizing Acceptance and Appropriation of Funds toward the 50/50 Curb, Gutter, and Sidewalk Program (CM-00119)

## **Background:**

In November 2013, Cambridge Condominium Unit Owners Association, Inc., 2002 Stephenson Avenue, SW, Roanoke, Virginia, made a written request for the installation of new curb and gutter in the public right of way along the westerly side of Stephenson Avenue, S.W., adjacent to property of First Citizens Bank and Trust Company bearing Official Tax Map No. 1050106. Cambridge supported its request for the installation of new curb and gutters based on the limited parking available on adjacent streets for the visitors, business invitees, and employees of businesses at several commercial operations at the condominium units of the Cambridge Condominiums.

Pursuant to the City's policy regarding requests from citizens seeking the installation of new sidewalks, curb, and gutter, the request of Cambridge was added to the list of requests. Under the City's policy, the construction and installation of new infrastructure such as sidewalks, curbs, and gutter is done at the sole cost of the City, based on available funding, and at such time as the City's scheduling permits. In order to expedite construction of the requested infrastructure project, Cambridge has offered to contribute to the City the sum equal to fifty percent (50%) of all costs and expenses to be incurred for the project.

## **Considerations:**

The City estimated the cost of the infrastructure project on Stephenson Avenue, SW to be approximately \$50,000. Cambridge is willing to provide the City with the sum of up to \$25,000 to support the project.

An Agreement to Contribute to the Costs of Construction and Installation of Curb and Gutters between the City of Roanoke and Cambridge Condominium Unit Owners Association, Inc., copy attached, will be executed upon authorization by City Council.

The City's match of \$25,000 is available as follows: \$10,000 in account 08-530-9635, 50/50 Curb, Gutter & Sidewalk and \$15,000 from account 08-530-9575-9220, Capital Improvement Reserve - Contingency.

**Recommended Action:**

Authorize the City Manager to execute the Agreement to Contribute to the Costs of Construction and Installation of Curb and Gutters similar to the document attached to this report dated September 6, 2016. Such Contract shall be in a form approved by the City Attorney.

Accept the \$25,000 contribution from Cambridge Condominium Unit Owners Association, Inc. as a portion of the cost for the infrastructure project to be constructed on Stephenson Avenue, S.W.

Adopt the accompanying Budget Ordinance to:

1. Transfer \$15,000 from account 08-530-9575-9220, Capital Improvement Reserve - Contingency to 08-530-9635, 50/50 Curb, Gutter & Sidewalk.
2. Establish a revenue estimate to accept the \$25,000 from Cambridge Condominium Unit Owners Association, Inc. and appropriate funding in the same amount into expenditure account 08-530-9635, 50/50 Curb, Gutter & Sidewalk.



-----  
CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers  
Sherman M. Stovall, Assistant City Manager for Operations  
Barbara A. Dameron, Director of Finance  
Robert K. Bengtson, P.E., Director of Public Works  
Philip C. Schirmer, P.E., L.S., City Engineer  
David L. Collins, Assistant City Attorney

AGREEMENT TO CONTRIBUTE TO THE  
COSTS OF CONSTRUCTION AND  
INSTALLATION OF CURB AND GUTTERS

This Agreement to Contribute to the Costs of Construction and Installation of Curb and Gutter (the “Agreement”) is made this 4th day of August, 2016, by and between the CITY OF ROANOKE, VIRGINIA, a municipal corporation organized and existing under the laws of the Commonwealth of Virginia (the “City”), and CAMBRIDGE CONDOMINIUM UNIT OWNERS ASSOCIATION, INC., a corporation organized and existing under the laws of the Commonwealth of Virginia (“Cambridge”).

RECITALS

- A. Cambridge made a written request to the City Engineer in November 2013 for the installation of new curb and gutter in the public right of way along the westerly side of Stephenson Avenue, S.W., in Roanoke, Virginia, adjacent to property identified and depicted as Official Tax Map No. 1050106, owned by First Citizens Bank & Trust Company (the “Infrastructure Project”).
- B. Cambridge supported its requests for the installation of new curb and gutters based on the limited parking available on adjacent streets for the visitors, business invitees, and employees of businesses at several commercial operations at the condominium units at the Cambridge Condominiums.
- C. Pursuant to the City’s policy regarding requests from citizens seeking the installation of new sidewalks, curb, and gutter, the request of Cambridge was added to the list of requests. Under the City’s policy, the construction and installation of new infrastructure

such as sidewalks, curbs, and gutter is done at the sole cost of the City, based on available funding, and at such time as the City's scheduling permits.

- D. Cambridge has offered to contribute to the City the sum equal to fifty percent (50%) of all costs and expenses to be incurred for the Infrastructure Project in order to expedite construction of the Infrastructure Project, and address safety concerns with regard to parking within the area due to slippery conditions that exist in the area when raining.
- E. The City has completed the engineering and design of the Infrastructure Project which design plan is attached hereto and made a part hereof as Exhibit A (the "Design Plan").
- F. The City estimates the cost of the Infrastructure Project to be approximately Fifty Thousand Dollars (\$50,000.00). Cambridge is willing to provide the City with the sum of Twenty Five Thousand Dollars (\$25,000.00) immediately.
- G. The City's Engineer recommends that the City accept this contribution for the Infrastructure Project because it will assist the City in resolving the safety concerns presented by Cambridge on a more expedited basis, and allow the City to use its limited resources to respond to other requests for new sidewalks, curb, and gutters.

THEREFORE, based upon the mutual covenants and promises set forth herein, and for other good and valuable consideration, the sufficiency of which the City and Cambridge acknowledge, and based upon the Recitals set forth hereinabove which are incorporated herein by reference, and which Recitals are a material part of this Agreement, the City and Cambridge agree as follows:

1. Payment of Costs and Expenses.

Cambridge agrees to contribute to the City the amount equal to fifty percent (50%) of all costs and expenses of the Infrastructure Project. Upon execution of this Agreement, Cambridge shall contribute the sum of Twenty Five Thousand Dollars (\$25,000.00) in immediately available funds to the City for the anticipated costs and expenses associated with the Infrastructure Project.

2. Acknowledgments.

Cambridge acknowledges that the City has developed the Design Plan and is prepared to procure the Infrastructure Project in compliance with all applicable procurement practices, procedures, and requirements, based upon Cambridge's commitments made pursuant to this Agreement. Cambridge further acknowledges (1) it has read, reviewed, understands and approves the Design Plan (2) that it will have no ownership interest in the facilities that are constructed as part of the Infrastructure Project, which facilities shall remain a part of the public right of way (3) that commencement of the Infrastructure Project will be determined by the City solely in its discretion (4) if required by the City, Cambridge hereby agrees to obtain a right of entry agreement from First Citizens Bank & Trust Company (the "Bank") to permit the City, its employees, agents, contractors and assigns, with a right of entry to its property designated as Official Tax Map No. 1050106, which right of entry agreement will be in a form acceptable to the City, including the provision that the Bank agrees to cooperate with City, in the event it is necessary for the City enter the Bank's property to perform any grading and leveling of the Bank's property in connection with the Infrastructure Project and (5) City may terminate this Agreement at any time in the event Cambridge does not comply with the requirements of Cambridge stated herein,

3. Notices.

All notices, invoices, or other written communications made or required pursuant to this Agreement, shall be sent by first class mail postage prepaid, to the following addresses:

If to the City:           Office of the City Engineer  
City of Roanoke, Virginia  
Noel C. Taylor Municipal Building, Room 350  
215 Church Avenue, S.W.  
Roanoke, VA 24011

With a copy to:       Office of the City Manager  
City of Roanoke, Virginia  
Noel C. Taylor Municipal Building, Room 364  
215 Church Avenue, S.W.  
Roanoke, VA 24011

If to Cambridge:      Cambridge Condominium Unit Owners Association, Inc.  
c/o Scott Reid  
2101 Winston Avenue, S.W.  
Roanoke, VA 24014

4. Approval by City Council.

The City and Cambridge acknowledge and agree that acceptance of the contributions to be made by Cambridge are subject to the approval of this Agreement by the Council of the City of Roanoke, and the appropriation of such funding.

5. Binding effect.

This Agreement shall be binding upon the parties hereto and their respective successors and assigns.

6. Applicable Law, jurisdiction.

This Agreement shall be construed and interpreted in accordance with the laws of the Commonwealth of Virginia. Any action to enforce the terms of this Agreement shall be brought only in the Roanoke City District Court or the Roanoke City Circuit Court.

7. Entire Agreement.

This Agreement constitutes the entire agreement of the City and Cambridge with respect to the subject matter of the Agreement. This Agreement may be modified only by an endorsement in writing that is executed by the City and Cambridge.

SIGNATURES APPEAR ON FOLLOWING PAGES

IN WITNESS WHEREOF, the City and Cambridge have executed this Agreement by their respective duly authorized officers as of the date set forth above.

Leighanne Boone Reid  
Scott M. Reid  
Witness

CAMBRIDGE CONDOMINIUM UNIT OWNERS ASSOCIATION, INC.

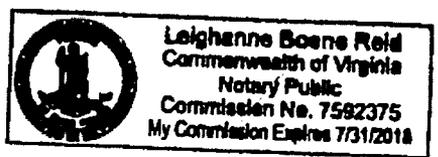
By: Scott M. Reid  
Name: Scott M. Reid  
Title: Manager

COMMONWEALTH OF VIRGINIA  
City/County of ROANOKE, to-wit:

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of August, 2018, by Scott Reid, the duly authorized manager of Cambridge Condominium Unit Owners Association, Inc., a Virginia corporation, by and on behalf of Cambridge Condominium Unit Owners Association, Inc.

My Commission Expires:  
7/31/2018

Leighanne Boone Reid  
Notary Public



SEAL

ATTEST:

CITY OF ROANOKE, VIRGINIA

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Christopher P. Morrill, City Manager

COMMONWEALTH OF VIRGINIA  
City/County of \_\_\_\_\_, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, City Manager for and on behalf of City of Roanoke, Virginia.

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public

SEAL

Approved as to Form:

Approved as to Execution:

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

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

Funds provided pursuant to  
this Agreement shall be deposited  
in Account: \_\_\_\_\_

Funding for this Project has been appropriated  
pursuant to: \_\_\_\_\_

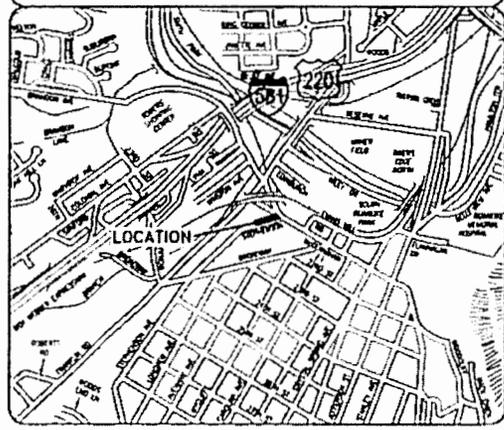
\_\_\_\_\_  
Director of Finance

This Agreement was authorized pursuant to Roanoke City Council Ordinance No. \_\_\_\_\_

Exhibit A

DESIGN PLAN FOR THE INFRASTRUCTURE PROJECT

**PROJECT LOCATION MAP**



OFFICE OF THE CITY ENGINEER  
 215 CHURCH AVENUE, SW  
 ROOM 350  
 ROANOKE, VIRGINIA 24011-1587  
 PHONE: (540) 853-2731  
 FAX: (540) 853-1364  
 ENGINEER@ROANOKEVA.GOV

**PROJECT NAME**

STEPHENSON AVENUE, S.W.  
 CURB, GUTTER, AND PEDESTRIAN  
 IMPROVEMENTS PROJECT  
 CITY OF ROANOKE  
 CITY ENGINEERING PLAN NUMBER: XXXX

**ABBREVIATIONS**

|  |                                   |
|--|-----------------------------------|
| CL = CENTERLINE                              | PVC = POLYVINYL CHLORIDE          |
| ELEV = ELEVATION                             | HDPE = HIGH DENSITY POLYETHYLENE  |
| BLD = BUILDING                               | BLDG = BUILDING                   |
| FC = FINISHED CURB                           | CORNER = CORNER                   |
| EC = EXISTING CROSSLAND                      | PROP = PROPOSED                   |
| RCP = REINFORCED CONCRETE PIPE               | CO = CLEARCUT                     |
| CI = CAST IRON                               | WOD = STORM CLEANOUT              |
| CMF = CORRUGATED METAL PIPE                  | SSC = SANITARY SEWER CLEANOUT     |
| IN = INCH                                    | WPE = WATER SERVICE ELEVATION     |
| IN SET = INVERT IN                           | HP = HIGH POINT                   |
| IN OUT = INVERT OUT                          | TP = TYPICAL                      |
| FFL = FINISHED FLOOR ELEVATION               | WH = WAREHOUSE                    |
| PUE = PUBLIC UTILITY EASEMENT                | SD = STORM DRAIN                  |
| CONC = CONCRETE                              | MD = MEDIUM                       |
| MAN = MANHOLE                                | EST = EXISTING                    |
| CR = CATCH BASIN                             | LOC = LOCATING                    |
| DI = DIRT MILET                              | PROP = PROPOSED                   |
| DM = DRAINAGE                                | LF = LINEAR FEET                  |
| DI = DIAMETER                                | APPROX = APPROXIMATELY            |
| BY = WITH                                    | SDM = STORM DRAIN MANHOLE         |
| RE = REINFORCED                              | LSM = LIMIT OF SEWER              |
| ROW = RIGHT OF WAY                           | MCH = MECHANICAL                  |
| WVA = WESTERN VIRGINIA WATER AUTHORITY       | NS = NORTH                        |
| VDOT = VIRGINIA DEPARTMENT OF TRANSPORTATION | E = EASTING                       |
| AND RECONSTRUCTION                           | TIC = TOP OF CURB ELEVATION       |
| TO = TOP OF WALL ELEVATION                   | BOC = BOTTOM OF CURB ELEVATION    |
| BM = BOTTOM OF WALL ELEVATION                | TH = FIRE HYDRANT                 |
| HT = HEIGHT                                  | PSI = POUNDS PER SQUARE INCH      |
| RD = ROAD GRADE                              | PPM = POUNDS PER SQUARE FOOT      |
| TH = THICK                                   | COLL = COLLARS PER SQUARE         |
| L = LENGTH                                   | FT = FEET                         |
| NO = NUMBER                                  | IN = INCH, INCHES                 |
| R = RADII                                    | OC = ON CENTER                    |
| AC = ACERES                                  | LSM = SANITARY SEWER              |
| WF = SQUARE FOOT (FEET)                      | N = NORTH                         |
| PERF = PERFORATED                            | E = EASTING                       |
| HORZ = HORIZONTAL                            | REIN = REINFORCED WIRE FABRIC     |
| VERT = VERTICAL                              | RWS = RAINWATER HARVESTING SYSTEM |
| MOD = MODULAR DRY DENSITY                    | EXP J = EXPANSION JOINT           |
| SM = STORM WATER MANAGEMENT                  | CC J = CHECK CONTROL JOINT        |
| OE = APPROVED EQUAL                          | CONN = CONNECTION                 |
| NOT IN CONTRACT                              | ENT = ENTRANCE                    |
| N.E.S. = HIGH EARLY STRENGTH                 | SB = SLOPE PER SQUARE INCH        |

**LEGEND**

|  |                       |  |                         |
|--|-----------------------|--|-------------------------|
|  | TREE                  |  | UNDERGROUND TELEPHONE   |
|  | GAS LINE              |  | PROPERTY LINE           |
|  | UNDERGROUND POWER     |  | SANITARY MANHOLE        |
|  | UNDERGROUND CABLE     |  | UTILITY POLE            |
|  | WATER LINE            |  | UTILITY POLE            |
|  | STORM PIPE            |  | CLAY WIRE               |
|  | SANITARY SEWER        |  | FENCE                   |
|  | LEVEL THREE CONN      |  | CODE OF PAVEMENT        |
|  | UNDERGROUND TELEPHONE |  | EXISTING SURVEY MARK    |
|  | NEW CENTER LINE       |  | GAS VALVE               |
|  | CONTOUR LINE          |  | SMALL WATER METER/VALVE |
|  | FLOODPLAIN BOUNDARY   |  | WATERLINE MANHOLE       |
|  | SANITARY MANHOLE      |  | TELEPHONE MANHOLE       |
|  | STORM MANHOLE         |  | NEW ASPHALT PAVING      |
|  | CLEANOUT              |  | CAST IRON DETECTABLE    |
|  | ELECTRIC MANHOLE      |  | SHADED PLOTS, RED       |
|  | FIRE HYDRANT          |  |                         |

**INDEX OF SHEETS**

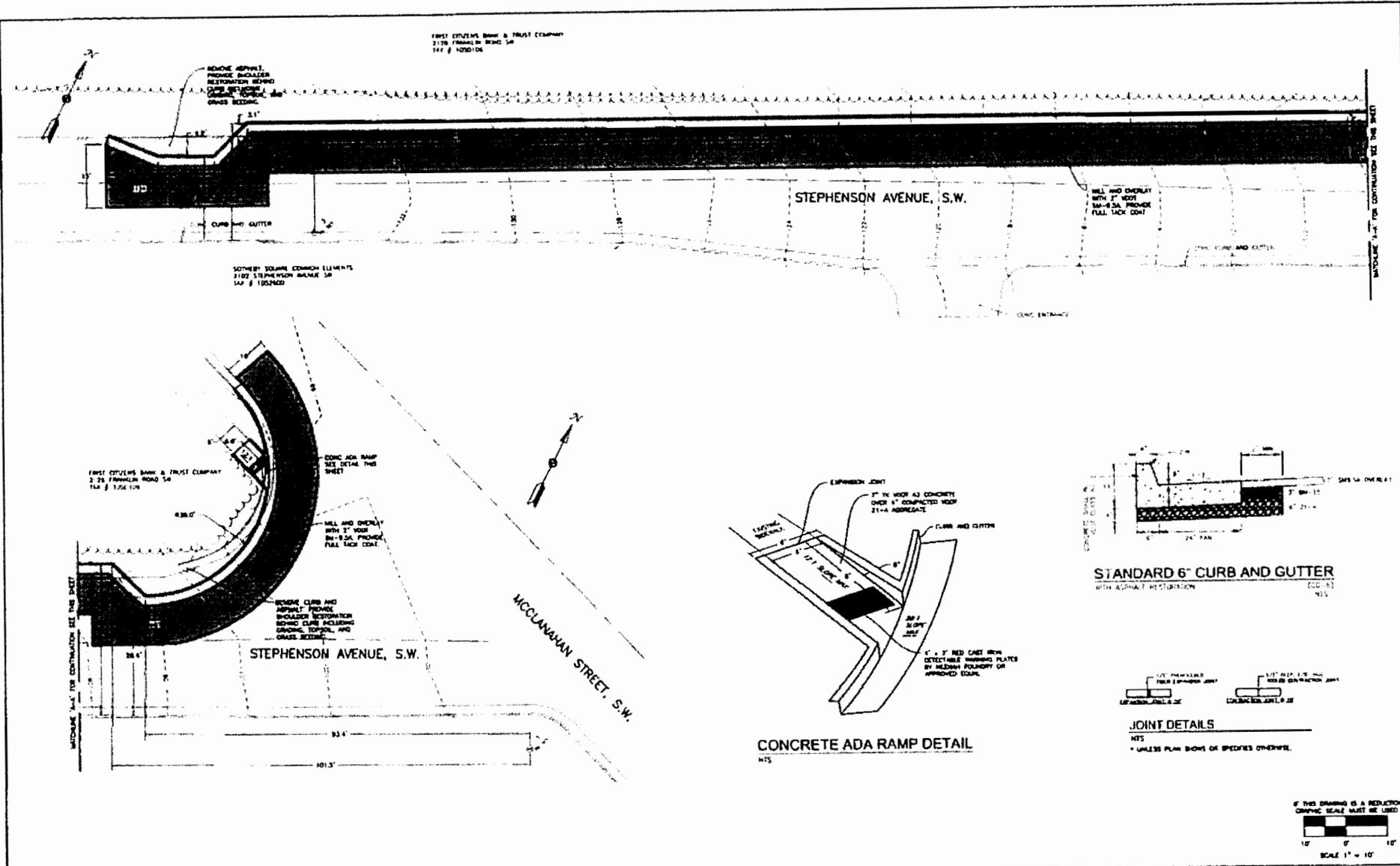
- COVERSHEET
- PLAN AND DETAILS

|   |  |
|---|--|
| <b>TYPE 4</b>   | <b>DRASS SETTING MATERIAL</b>  |
| 15 OCTOBER TO 1 FEBRUARY<br>4-31 FEECUB @ 3 LB / 1000 SF<br>SOILTY WINTER PVE @ 1/2 LB / 1000 SF  | 15 MARCH TO 1 MAY<br>CROWN VETCH @ 1/2 LB / 1000 SF<br>PERENNIAL PITCHER @ 1/2 LB / 1000 SF<br>RED TOP @ 1/8 LB / 1000 SF    |
| 1 FEBRUARY TO 1 JUNE<br>4-31 FEECUB @ 3 LB / 1000 SF<br>ANNUAL RYE @ 1/2 LB / 1000 SF   | 15 JUNE TO 1 OCTOBER<br>CROWN VETCH @ 1/2 LB / 1000 SF<br>PERENNIAL PITCHER @ 1/2 LB / 1000 SF<br>RED TOP @ 1/8 LB / 1000 SF |
| 1 JUNE TO 1 SEPTEMBER<br>4-31 FEECUB @ 3 LB / 1000 SF<br>ANNUAL RYE @ 1/2 LB / 1000 SF  |  |
| 1 SEPTEMBER TO 15 OCTOBER<br>4-31 FEECUB @ 3 LB / 1000 SF<br>ANNUAL RYE @ 1/2 LB / 1000 SF  |  |
| LIME: 140 LB / 1000 SF POLYMERIZED AGRICULTURAL LIMESTONE   |  |
| FERTILIZER: 8-20-10 @ 25 LB / 1000 SF<br>16-0-0 @ 7 LB / 1000 SF  |  |
| WATER: IF REQUIRED, SHALL BE USED OVER ALL SEEDING AREAS AND SHALL BE APPLIED IN ACCORDANCE WITH SECTION 1.73 OF THE VIRGINIA CRIMINAL AND TRAFFIC CONTROL HANDBOOK, LATEST EDITION.  |  |
| SOIL CONDITIONS: INCORPORATION OF LIME AND FERTILIZER, SELECTION OF CERTIFIED SEED, BLENDING, MAINTENANCE OF NEW SEEDBEDS, AND INCORPORATION SHALL BE IN ACCORDANCE WITH SPECIFICATIONS CONTAINED WITHIN THE VIRGINIA SOIL EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION. ADDITIONAL BLENDING TO BE PERFORMED AS REQUIRED BY THE INSPECTOR. |  |
| SEED APPLICATION: APPLY SEEDS UNIFORMLY WITH A CYCLONE SEEDER, DRILL, CULTIVATOR SEEDER, OR HYPODRIPER ON A FIRM, FINELY SEEDING. MAXIMUM SEEDING DEPTH SHALL BE 1/4 INCH.  |  |

**APPROVED FOR CONSTRUCTION**

|                                     |      |
|-------------------------------------|------|
| ROANOKE CITY ENGINEER               | DATE |
| DIRECTOR OF PUBLIC WORKS            | DATE |
| ASSISTANT CITY MANAGER - OPERATIONS | DATE |

SHEET NUMBER: 1 OF 2



**OFFICE OF THE CITY ENGINEER**  
 215 CHURCH AVENUE, S.W.  
 ROOM 110  
 PHONE: (434) 853-2711  
 FAX: (434) 853-2668  
 WWW.ROANOKEVA.GOV

| REV | DATE | DESCRIPTION |
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DATE: 07/24/2014  
 SCALE: 1" = 10'  
 (14 x 8 1/2" SHEET)

STEPHENSON AVENUE, S.W.  
 CURB, GUTTER, AND PEDESTRIAN IMPROVEMENTS PROJECT  
 CITY OF ROANOKE, VIRGINIA

PLAN AND DETAILS

SHEET: 2 OF 2  
 DRAWING: XXXX

OR  
IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the City Manager to execute an Agreement to Contribute to the Costs of Construction and Installation of Curb and Gutters (“Agreement”) between the City of Roanoke (“City”) and Cambridge Condominium Unit Owners Association, Inc. (“Cambridge”), providing for the sharing of costs between Cambridge and the City for the City’s construction and installation of curb and gutters in the public right of way along a portion of Stephenson Avenue, S.W., Roanoke, Virginia (“Project”); accepting a \$25,000 contribution from Cambridge to be applied to the cost of the Project; and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Agreement.

WHEREAS, Cambridge owns real estate located in the City of Roanoke at 2002 Stephenson Ave., S.W., and desires to expedite the City’s installation of curb and gutter along a portion of Stephenson Ave., S.W., in order to alleviate the limited parking currently available along adjacent streets by contributing \$25,000 to the City to be applied to the City’s costs of installing such curb and gutters.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is authorized to execute the Agreement between the City and Cambridge providing for the sharing of costs between Cambridge and the City for the City’s construction and installation of curb and gutters in the public right of way along the westerly side of Stephenson Ave., S.W., Roanoke, Virginia, adjacent to real property identified and designated as Official Tax Map No. 1050106, owned by First Citizens Bank and Trust Company, all as

more fully set forth in the City Council Agenda Report dated September 6, 2016. Such Agreement shall be substantially similar to the agreement attached to such Agenda Report and shall be approved as to form by the City Attorney.

2. The City of Roanoke hereby accepts the contribution of \$25,000 from Cambridge to be applied to the costs of the Project pursuant to the terms of the Agreement

3. The City Manager is authorized to execute any necessary documents, provide any information, and to take any additional actions in order to obtain, accept, and use the funds contributed by Cambridge to the Project costs.

4. City Council wishes to express its sincere appreciation and gratitude to Cambridge for their generous contribution to the City for the Project.

ATTEST:

City Clerk

T.O.A.



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding and to transfer funding to the 50/50 Curb, Gutter, & Sidewalk project, amending and reordaining certain sections of the 2016-2017 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

|                                       |                  |            |
|---------------------------------------|------------------|------------|
| Appropriations                        |                  |            |
| Appropriated from General Revenue     | 08-530-9635-9003 | \$ 15,000  |
| Appropriated from General Revenue     | 08-530-9575-9220 | ( 15,000 ) |
| Appropriated from Third Party Revenue | 08-530-9635-9004 | 25,000     |
| Revenues                              |                  |            |
| Cambridge Condo Owners Association    | 08-530-9635-9635 | 25,000     |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



7.a.10,

## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** First Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority (CM16-00131)

### **Background:**

City Council on October 21, 2013 approved Ordinance No. 39781-102113 authorizing the City Manager to execute an Agreement Creating the Western Virginia Regional Industrial Facility Authority (Agreement). The Agreement was also approved by the other participating localities: Botetourt County, Franklin County, Roanoke County, City of Salem, and Town of Vinton. The Western Virginia Regional Industrial Facility Authority (Authority) was certified by the Secretary of the Commonwealth on February 4, 2014.

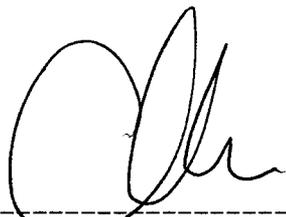
The Board of the Authority in consultation with the Board's legal advisor has requested that the member localities amend, clarify, restate, and replace the Agreement. The proposed First Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority (Restated Agreement) conforms language creating the Authority more closely to the Virginia Code sections that authorize the creation of industrial facility authorities and to changes that have been made to these Virginia Code sections since 2013. In addition, some technical amendments are proposed in order facilitate the marketing and sale of any bonds issued by the Authority in the future.

A copy of the Restated Agreement is attached to this report for City Council's review and information.

### **Recommended Action:**

Adopt an Ordinance authorizing the City Manager to execute the First Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority in a form substantially similar to that which is attached to this Report, and to execute such other documents and to take such further actions

as may be necessary to implement, administer, and enforce such Restated Agreement. All documents are subject to approval as to form by the City Attorney.



---

Christopher P. Morrill  
City Manager

Distribution: Council Appointed Officers

R. Brian Townsend, Assistant City Manager for Com. Development

Barbara A. Dameron, Director of Finance

Wayne F. Bowers, Director of Economic Development

Laura M. Carini, Assistant City Attorney

**FIRST AMENDED AND RESTATED AGREEMENT CREATING THE  
WESTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY**

**WHEREAS**, the Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400, et seq., Code of Virginia, 1950, as amended (**the "Act"**) was enacted by the General Assembly of the Commonwealth of Virginia to enhance the economic base for member localities of a regional authority by actions of such an authority to develop, own, and operate one or more facilities on a cooperative basis involving its authority member localities, and

**WHEREAS**, the exercise of the power granted by the Act is to be in all aspects for the benefit of the inhabitants of the geographic region included within the Member Localities, as defined below (**the "Region"**) for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity; and,

**WHEREAS**, the governing bodies of the Member Localities (as defined below) have determined that joint action through a regional industrial facility authority will facilitate the development of needed and desired industrial and commercial facilities in the Region; and

**WHEREAS**, pursuant to the Act, the governing bodies of the County of Botetourt, the County of Franklin, the County of Roanoke, the City of Roanoke, the City of Salem and the Town of Vinton (**each, a "Member Locality" and collectively, the "Member Localities"**) have created, by adoption of concurrent ordinances, the Western Virginia Regional Industrial Facility Authority (**the "Authority"**) for the purpose of enhancing the economic base for the Member Localities by developing, owning, and operating one or more facilities on a cooperative basis involving its Member Localities, which concurrent ordinances were filed with the Secretary of the Commonwealth causing the creation of the Authority ; and

**WHEREAS**, the Member Localities entered into an "Agreement Creating the Western Virginia Regional Industrial Facility Authority" dated as of December 11, 2013 (**the "Original Agreement"**) establishing and describing the respective rights and obligations of the Member Localities with respect to the Authority and the Member Localities now desire to enter into this Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority (**this "Agreement"**) to clarify, amend, restate and replace the Original Agreement with this Agreement.

**NOW THEREFORE**, in consideration of the mutual promises of the parties and other good and valuable consideration the Member Localities hereto amend, restate and replace the Original Agreement with this Agreement as follows:

**ARTICLE I.  
NAME AND OFFICE**

The name of the authority shall be the Western Virginia Regional Industrial Facility Authority and the address of its initial office is C/O Roanoke Regional Partnership, 111 Franklin Road, S.E., Roanoke, VA 24011.

**ARTICLE II.  
PARTIES TO THE WESTERN VIRGINIA REGIONAL  
INDUSTRIAL FACILITY AUTHORITY AGREEMENT**

The initial Member Localities of the Authority are:

Botetourt County, Virginia  
Franklin County, Virginia  
Roanoke County, Virginia

Roanoke City, Virginia  
Salem City, Virginia  
Town of Vinton, Virginia

The governing body of each of the Member Localities shall appoint members to the Authority pursuant to Section 15.2-6403 (A) of the Act. Each of the Member Localities shall appoint two (2) members to the Authority. The members of the Board shall be elected in accordance with Article IV hereof.

Each Member Locality may appoint two alternate board members, to be selected in the same manner as board members and shall perform all duties including voting in the member's absence. Each board member, and alternate, of the Authority before accepting their appointment and begin discharge of their office duties, shall take and subscribe to the oath prescribed in Section 49-1 of the Code of Virginia, 1950, as amended.

At any time subsequent to the creation of this Authority, the membership of the Authority may, with the approval of the Authority Board, be expanded to include any locality within the region that would have been eligible to be an initial member. The governing body of a locality seeking to become a member shall evidence its intent to become a member by adopting an ordinance proposing to join the Authority that conforms, to the requirements consistent with Section 15.2-6402, clauses i, ii, iii and iv of the Code of Virginia.

**ARTICLE III.  
FINDING; PURPOSE; AND GOVERNMENTAL  
FUNCTIONS OF THE AUTHORITY**

Member Localities agree that this Authority has been established for the following purpose and function.

1. The Member Localities agree that the economy of the Region has not kept pace with the rest of the Commonwealth. The respective individual Member Localities may lack the financial resources to assist in the development of economic development projects and the creation of the Authority provides a mechanism for the Member Localities to cooperate in the development of facilities which will assist the Region in overcoming this barrier to economic growth.

2. The exercise of the powers granted by the Act shall be in all aspects for the benefit of the inhabitants of the Region for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity. The Authority shall be nonprofit and

no part of its earnings remaining after payment of its expenses and fulfillment of commitments in furtherance of the Authority's purposes shall inure to the benefit of any individual, firm or corporation, and if the Authority is dissolved in accordance with the provisions of the Act the title to all funds and other property owned by the Authority shall vest in the Member Localities which have contributed to the Authority in proportion to their respective contributions as provided by the Act.

3. The Act provides the six Member Localities with many powers by which the Member Localities may interact as one body or as individual participating groups consisting of one or more Member Localities of the Authority which the members believe will give each local government an opportunity to establish successful partnerships for the development of economic projects which will serve the region.

#### **ARTICLE IV. BOARD OF THE AUTHORITY**

All powers, right and duties conferred by the Act, or other provisions of law, upon the Authority shall be exercise by a Board of Directors (the "Board"). The Board shall consist of two board members from each Member Locality. The governing body of each Member Locality shall appoint two board members to the Board. Except for the provision for staggered terms for the initial board members as provided hereinafter, each board member of the Board shall serve for a term of four years and may be reappointed for as many terms as the governing body desires. During the establishment of the Authority, the Member Localities agree to stagger terms. Each governing body shall appoint their initial board members to serve and designate one of its board members to serve for two years and the other board member to serve for four year terms. After the initial appointment of these board members, each succeeding director shall serve four year terms. If a vacancy occurs by reason of death, disqualification or resignation, the governing body of the Member Locality that appointed the Authority board member shall appoint a successor to fill the unexpired term.

The governing body may appoint up to two alternate board members. Alternates shall be selected in the same manner as board members, and may serve as an alternate for either board member from the Member Locality that appoints the alternate. Alternates shall be appointed for terms that coincide with one or more of the board members from the Member Locality that appoints the alternate. If a board member is not present at a meeting of the Authority, the alternate shall have all the voting and other rights of the board member not present and shall be counted for purpose of determining a quorum.

Each board member of the Authority before entering upon the discharge of the duties of his office shall take and subscribe to the oath prescribed in Section 49-1, Code of Virginia, 1950, as amended.

A quorum shall exist when a majority of the Member Localities are represented by at least one board member. The affirmative vote of a quorum of the Board shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all rights and perform all duties of the Board. The Board shall determine

the times and places of its regular meetings, which may be adjourned or continued without further public notices, from day to day or from time to time or from place to place, but not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

Board special meetings shall be held when requested by board members of the Board representing two or more Member Localities. A request for a special meeting shall be in writing, and the request shall specify the time and place of the meeting and the matters to be considered at the meeting. A reasonable effort shall be made to provide each board member with notice of any special meeting. No matter not specified in the notice shall be considered at such special meeting, unless all the board members are present. Special meetings may be adjourned or continued, without further public notice, from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

The Board shall elect from its membership a chair, vice chair, treasurer, and secretary for each calendar year. The Board may also appoint an executive director and staff who shall discharge such functions as may be directed by the Board. The executive director and staff may be paid from funds received by the Authority.

No board member shall receive compensation.

The Board promptly following the close of the fiscal year (July 1 thru June 30), shall submit an annual report of the Authority's activities of the preceding year to the governing bodies of the Member Localities. The Annual Report shall set forth a complete operating and financial statement covering the operation of the Authority during such reporting year.

The Board may establish dues or other annual financial fees as may be approved by all Member Localities.

## **ARTICLE V. POWERS OF THE AUTHORITY**

The Authority is vested with the powers of a body corporate, including the powers to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient.

The Authority shall be vested with all powers and authority to the fullest extent allowed under the Act as it currently exists or may be amended. These powers currently include the power to:

1. Adopt bylaws, rules and regulations to carry out the provisions of the Act.
2. Employ, either as regular employees or as independent contractors, consultants, engineers, architects, accountants, attorneys, financial experts, construction experts and

personnel, superintendents, managers and other professional personnel, personnel, and agents as may be necessary in the judgment of the authority, and fix their compensation.

3. Determine the location of, develop, establish, construct, erect, repair, remodel, add to, extend, improve, equip, operate, regulate, and maintain facilities to the extent necessary or convenient to accomplish the purposes of the Authority.

4. Acquire, own, hold, lease, use, sell, encumber, transfer, or dispose of, in its own name, any real or personal property or interest therein.

5. Invest and reinvest funds of the authority.

6. Enter into contracts of any kind, and execute all instruments necessary or convenient with respect to its carrying out the powers of the Act to accomplish the purpose of the Authority.

7. Expend such funds as may be available to the Authority for the purpose of developing facilities, including but not limited to (i) purchasing real estate; (ii) grading sites; (iii) improving, replacing and extending water, sewer, natural gas, electrical and other utility lines; (iv) constructing, rehabilitating, and expanding buildings; (v) constructing parking facilities; (vi) constructing access roads, streets, and rail lines; (vii) purchasing or leasing machinery and tools; and (viii) making any other improvements deemed necessary by the Authority to meet its objectives.

8. Fix and revise from time to time and charge and collect rates, rents, fees, or other charges for the use of the facilities or for services rendered on connection with the facilities.

9. Borrow money from any source for any valid purpose, including working capital for its operations, reserve funds, or interest, mortgage, pledge, or otherwise encumber the property or funds of the Authority, and contract with or engage the services of any person in connection with any financing, including financial institutions, issuers of letter of credit, or insurers.

10. Issue bonds under the Act.

11. Accept funds and property from the Commonwealth, person, counties, cities, and towns and use the same for any of the purposes for which the authority is created.

12. Apply for and accept grants or loans of money or other property from any federal agency for any of the purposes authorized in the Act and expend or use the same in accordance with the directions and requirements attached thereto or imposed thereon by any such federal agency.

13. Make loans or grants to, and enter into cooperative arrangements with, any person, partnership, association, corporation, business or governmental entity in furtherance of the purpose of the Act, for the purposes of promoting economic and workforce development,

provided that such loans or grants shall be made only from revenues of the Authority that have not been pledged or assigned for the payment of any of the Authority's bonds, and to enter into such contracts, instruments and agreements as may be expedient to provide for such loans, and any security therefor. The word "revenues" as used includes grants, loans, funds and property, as enumerated herein.

14. Enter into agreements with any other political subdivision of the Commonwealth for joint or cooperative actions in accordance with Section 15.2-1300, Code of Virginia, 1950, as amended.

15. Do all things necessary or convenient to carry out the purposes of the Act.

#### **ARTICLE VI. PARTICIPATION AGREEMENTS FOR INDUSTRIAL FACILITIES**

The Authority may enter into participation agreements with one or more Member Localities by which industrial facilities may be constructed and developed in the Region ("**Participation Agreements**"). Such Participation Agreements may include participation by public and private entities not Member Localities of the Authority.

Each Member Locality may consider its terms in the participation in each proposed project. The cost for such Participation Agreements and any remuneration from the creation of a Participation Agreement shall only be shared by the Member Localities that participate in the Participation Agreement in accordance with the participating agreements for that project. The Authority may from time to time finance an economic development project (**a "Project"**) pursuant to a Participation Agreement through the issuance of notes and bonds by the Authority ("**Bonds**"). Such Bonds shall be limited obligations of the Authority to be paid solely from revenues and receipts of that particular economic development Project and from revenues that may be received pursuant to any Participation Agreement or other agreement related to the Project being financed, and may be secured by collateral encumbered or pledged in support of the financing ("**Project Based Financing**"). Project Based Financing is approved and consented to by the Member Localities. Any individual Member Locality may, at its discretion and as allowed by law, choose to enter into or not enter into a specific Project Based Financing arrangement in support of any particular Project. Any Member Locality not entering into an agreement in support of a Project shall have no monetary obligation or other duty or responsibility in relation to that Project.

#### **ARTICLE VII. DONATIONS TO AUTHORITY; REMITTANCE OF TAX REVENUE**

1. Member Localities are hereby authorized to lend, or donate money or other property to the Authority for any of its purposes. The Member Locality making the grant or loan may restrict the use of such grants or loans to a specific facility owned by the Authority, within or without that Member Locality.

2. The governing body of the Member Locality in which a facility owned by the Authority is located may direct, by resolution or ordinance that all tax revenues collected with respect to the facility shall be remitted to the Authority. Such revenues may be used for the payment of debt service on bonds of the Authority and other obligations of the Authority incurred with respect to such facility. The action of such governing body shall not constitute a pledge of the credit or taxing power of such Member Locality.

## **ARTICLE VIII. REVENUE SHARING AGREEMENTS**

Notwithstanding the requirements of Chapter 34 of Title 15.2 of the Code of Virginia (Section 15.2-3400 *et seq.*), the Member Localities may agree to a revenue and economic growth sharing arrangement with respect to tax revenues and other income and revenues generated by any facility owned by the Authority. The obligations of the parties to any such agreement shall not be construed to be debt within the meaning of Articles VII, Section 10, of the Constitution of Virginia. Any such agreement shall be approved by a majority vote of the governing bodies of the Member Localities reaching such an agreement, but shall not require any other approval.

## **ARTICLE IX. BOND ISSUES**

The Authority may at any time and from time issue bonds for any valid purpose, including the establishment of reserves and the payment of interest. According to the Act, “bonds” includes notes of any kind, interim certificates, refunding bonds or any other evidence of obligation. Any such bonds issued pursuant to the Act shall comply with all terms and conditions identified in Sections 15.2-6409, 15.2-6410, 15.2-6411 and 15.2-6412 of the Code of Virginia.

## **ARTICLE X. ACCOUNTS AND RECORDS**

The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in such form as the Auditor of Public Accounts prescribes, provided that such accounts correspond as nearly as possible to the accounts and records for such matters maintained by corporate enterprises. The accounts and records of the Authority shall be subject to audit pursuant to Section 30-140, and the costs of such audit services shall be borne by the authority. The Authority’s fiscal year shall be the same as the Commonwealth’s.

## **ARTICLE XI. DISSOLUTION OF AUTHORITY**

Any Member Locality of the Authority may withdraw from the Authority (i) upon dissolution of the authority as set forth herein *or* (ii) with majority approval of all other Member Localities of the Authority, upon a resolution adopted by the governing body of such Member Locality and after satisfaction as such Member Locality’s legal obligation, including repayment

of its portion of any debt increased with refund to the Authority, or after making contractual provisions for the repayment of its portion of any debt incurred with refund to the Authority, as well as pledging to pay any general dues for operation of the Authority for the current and preceding fiscal year following the effective date of withdrawal.

No Member Locality seeking withdrawal shall retain, without the consent of a majority of the remaining Member Localities, any rights to contributions made by such Member Locality, to any property held by the Authority or to any revenue sharing as allowed by the Act.

Upon withdrawal, the withdrawing Member Locality shall also return to the Authority any dues or other contributions refunded to such Member Locality during its membership in the Authority.

Whenever the Board determines that the purpose for which the Authority was created has been substantially fulfilled or is impractical or impossible to accomplish and that all obligations incurred by the Authority have been paid or that cash or sufficient amount of approved securities has been deposited for their repayment, or provisions satisfactory for the timely payment of all its outstanding obligations have been arranged, the Board may adopt resolutions declaring and finding that the Authority shall be dissolved.

Appropriate attested copies of such resolutions shall be delivered to the Governor so that legislation dissolving the Authority may be introduced in the General Assembly. The dissolution of the Authority shall become effective according to the terms of such legislation. The title to all funds and other property owned by the Authority at the time of such dissolution shall vest in the Member Localities which have contributed to the Authority in proportion to their respective contributions.

## **ARTICLE XII. AUTHORITY OPERATIONS**

The Member Localities shall establish and approve By-laws by which the Authority shall be operated for the benefit of all Member Localities. The Authority may also establish Policies and Procedures and/or a User Agreement in order to manage its daily operations.

## **ARTICLE XIII. MISCELLANEOUS**

The parties to this Agreement shall have the right to amend from time to time any of this Agreement's terms and conditions consistent with the provisions of the Act and other applicable law, provided that all amendments shall be in writing and shall be signed by or on behalf of each party to this Agreement.

The title of and article headings in this Agreement are solely for convenience of reference and shall not constitute a part of this Agreement nor shall they affect its meaning, construction or effect.

This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument. This Agreement shall amend and supersede the Original Agreement.

If any clause, provision or section of this Agreement shall be held illegal or invalid by any court, the illegality or invalidity of such clause, provision or section shall not affect the remainder of this Agreement which shall be construed and enforced as if such illegal or invalid clause, provision or section had not been contained in this Agreement. If any agreement or obligation contained in this Agreement is held to be in violation of law, then such agreement or obligation shall be deemed to be the agreement or obligation of the parties hereto only to the extent permitted by law. In the event that the General Assembly amends the Act in a manner that conflicts herewith, the provision of this Agreement are hereby amended in conformity with such amendment.

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing on this \_\_\_ day of \_\_\_\_\_, 2016.

SIGNATURE PAGES OF MEMBER LOCALITIES TO FOLLOW.

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**COUNTY OF ROANOKE, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Roanoke County Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**COUNTY OF BOTETOURT, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Botetourt County Attorney**

**ATTEST:**

**CITY OF ROANOKE, VIRGINIA**

\_\_\_\_\_

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

\_\_\_\_\_  
**Printed Name and Title**

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Roanoke City Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**CITY OF SALEM, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_

**Salem City Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**COUNTY OF FRANKLIN, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Franklin County Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**TOWN OF VINTON, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Vinton Town Attorney**

YC

7.9.10.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE approving the First Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority; authorizing the City Manager and the City Clerk to execute and attest, respectively, such Restated Agreement; authorizing the City Manager to take such actions and execute such documents as necessary to implement, administer, and enforce such Restated Agreement; and dispensing with the second reading of this Ordinance by title.

WHEREAS, pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia of 1950, as amended (the "Act") the governing bodies of Botetourt County, Franklin County, Roanoke County, the City of Roanoke, the City of Salem and the Town of Vinton (the "Member Localities") each adopted an ordinance for the creation of the Western Virginia Regional Industrial Facility Authority (the "Authority") in order to enhance the economic base of each such locality through the developing, owning and operating of one or more facilities on a cooperative basis;

WHEREAS, pursuant to the Act such ordinances were filed with the Secretary of the Commonwealth and the Secretary of the Commonwealth has issued his certificate as to such filing;

WHEREAS, such ordinances also authorized the execution of an agreement establishing the respective rights and obligations of the Member Localities with respect to the Authority consistent with the provisions of the Act (the "Original Agreement") which Original Agreement

was duly executed on behalf of each Member Locality and was entitled "Agreement Creating the Western Virginia Regional Industrial Facility Authority;"

WHEREAS, each Member Locality desires to amend and restate the Original Agreement to clarify and amend the Original Agreement in accordance with the attached First Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority (the "Restated Agreement"); and

WHEREAS, the Act defines facilities as including real estate and improvements for manufacturing, warehousing, distribution, office or other industrial, residential, recreational or commercial purposes.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. City Council hereby approves the provisions of the Restated Agreement as set forth in the City Council Agenda Report dated September 6, 2016, provided that such Restated Agreement will be the same or substantially similar to the one attached to such report.

2. The City Manager and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, a Restated Agreement in a form substantially similar to the one attached to the above mentioned City Council Agenda Report, such Restated Agreement to be approved as to form by the City Attorney.

3. The City Manager is authorized to take such actions and execute such documents as necessary to implement, administer, and enforce such Restated Agreement.

4. It is reiterated that the name of the Authority is the Western Virginia Regional Industrial Facility Authority.

5. It is reiterated that the member localities of the Authority are Botetourt County, Franklin County, Roanoke County, the City of Roanoke, the City of Salem, and the Town of Vinton.

6. It is reiterated that the economic growth and development of the City of Roanoke and the comfort, convenience and welfare of its citizens require the development of facilities as defined in the Act and that joint action through a regional industrial facility authority by the Member Localities will facilitate the development of the needed facilities.

7. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this Ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



*T.a.H.*

# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council

**Meeting:** September 6, 2016

**Subject:** Acceptance of FY17 VDOT Revenue Sharing Program Award – Authorization for New Projects and Appropriation of Funds (CM16-00118)

## **Background:**

On October 8, 2015, City Council authorized the City Manager to submit an application to the Virginia Department of Transportation (VDOT) for funds from VDOT's FY17 Transportation Revenue Sharing Program in the total amount of \$10,000,000, which required a City match of \$10,000,000. Funds were requested for the following projects:

1. 10<sup>th</sup> Street Road Widening Improvement (New Construction)
2. Colonial Avenue Improvements (New Construction)
3. Citywide Stormwater Improvements (New Construction)
4. Citywide Curb, Gutter, and Sidewalk (New Construction)
5. Garden City Boulevard Tail from Riverland Road to 9<sup>th</sup> Street (New Construction)
6. Orange Avenue / King Street Intersection Improvements (New Construction)
7. Berkley Bridge Replacement (New Construction)
8. Citywide Bridge Maintenance
9. Citywide Sidewalk Maintenance
10. Annual Citywide Street Paving Program (Resurfacing)

## **Considerations:**

City staff has been notified that VDOT has awarded the City a total of \$5,234,305 from VDOT's FY17 Transportation Revenue Sharing Program. Per the City's Programmatic Project Administration Agreement with VDOT for Revenue Sharing Projects, dated September 9, 2013 and the Extension Addendum for Revenue Sharing Projects dated May 31, 2016 (which is valid until June 30, 2019), copies of which are attached, the City is required to match the amount of \$5,234,305.

It should be noted that in prior years, the City received an allocation of \$10 million, the maximum that can be awarded. With the decline in Revenue Sharing Program funds available for allocation, the City will receive a lower level of funding than in prior years.

VDOT has awarded Revenue Sharing funds for seven (7) of the ten (10) projects identified above and as set forth below.

1. 10<sup>th</sup> Street Road Widening Improvement - \$1,000,000. Acceptance and appropriation of this funding will be authorized in a separate Council Report. Therefore, acceptance of this project and appropriation of these funds will not be included in this report.
2. Colonial Avenue Improvements - \$922,810. Acceptance and appropriation of this funding was authorized in a report to Council on August 1, 2016, by Resolution No. 40591-080116 and Ordinance No. 40592-080116. Therefore, acceptance of this project and appropriation of these funds will not be included in this report.
3. Citywide Storm Drain Improvements - \$1,611,842. City match funding will be provided by using \$1,611,842 from the City's FY 2017 capital project funds for the Stormwater Improvements Program through a combination of Utility Fee revenue and planned issuance of bonds.
4. Citywide Curb, Gutter, and Sidewalk (New Construction) - \$615,207. City match funding will be provided by using \$615,207 from the City's FY 2017 capital project funds for Curb, Gutter, and Sidewalk (New Construction) through the planned issuance of bonds.
5. Garden City Boulevard Trail from Riverland Road to 9<sup>th</sup> Street - \$123,041. City match funding will be provided from the Economic and Community Development Reserve.
6. Orange Avenue / King Street intersection Improvements - \$500,000. City match funding will be provided by using \$500,000 from the City's FY 2017 capital project funds for Streetscape Projects (New Construction) through the planned issuance of bonds.
7. Berkley Bridge Replacement - \$461,405. City match funding will be provided by using \$461,405 from the City's FY 2017 capital project funds for the replacement of City bridges through the planned issuance of bonds.

This Council Report is requesting acceptance, authorization, and appropriation of Revenue Sharing funds in the amount of \$3,311,495 for projects 3 through 7 as identified above.

**Recommended Action:**

Accept VDOT's award of Transportation Revenue Sharing Program funds in the amount of \$3,311,495 which will be allocated as set forth above among the five (5) projects (3 through 7), with the City providing local matching funds in the amount of \$3,311,495.

Authorize the City Manager to execute the five (5) VDOT Appendix A documents similar to the ones attached to this report dated September 6, 2016. Such Appendices shall be in a form approved by the City Attorney.

Authorize the City Manager to take such further actions and execute such further documents as may be necessary to obtain, accept, implement, administer, and use such funds in the amount of \$3,311,495 in Revenue Sharing Program Funds for the five (5) projects as referred to above.

Adopt the accompanying Budget Ordinance to establish revenue estimates for the FY17 VDOT funds and appropriate funding in the same amount to the expenditure accounts as follows:

- a. Citywide Stormwater Improvements - \$1,611,842; project account 03-530-3014, Storm Drain Improvements.
- b. Citywide Curb, Gutter, and Sidewalk (New Construction) - \$615,207; project account 08-530-9475, Citywide Curb, Gutter, Sidewalk FY17.
- c. Garden City Boulevard Trail from Riverland Road to 9<sup>th</sup> Street - \$123,041; project account 08-530-9462, Roanoke River Greenway Connection - Garden City.
- d. Orange Avenue / King Street Intersection Improvements - \$500,000; project account 08-530-9440, Orange Ave / King St Intersection Improvements.
- e. Berkley Bridge Replacement - \$461,405; project account 08-530-9594, Berkley Road over Glade Creek Bridge Renovation.

Transfer funding in the amount of \$123,041 from the Economic and Community Development Reserve to the Garden City Boulevard Trail from Riverland Road to 9<sup>th</sup> Street project.



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CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers  
Sherman M. Stovall, Assistant City Manager for Operations  
Barbara A. Dameron, Director of Finance  
Robert K. Bengtson, P.E., Director of Public Works  
Philip C. Schirmer, P.E., L.S., City Engineer  
Mark D. Jamison, P.E., PTOE, Transportation Division Manager  
Dwayne R. D'Ardenne, CSM, PWM, Stormwater Manager

PROGRAMMATIC PROJECT ADMINISTRATION AGREEMENT

Revenue Sharing Projects

009245136104398R8FYD

09-13-13A11:19 RCVD

THIS AGREEMENT, made and executed in triplicate this 9<sup>th</sup> day of September 2013, by and between the City of Roanoke, Virginia, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT.

WHEREAS, the LOCALITY may, in accordance with §33.1-23.05 of the *Code of Virginia* (1950), as amended (the *Code*), and Commonwealth Transportation Board (CTB) policy, submit application(s) for Revenue Sharing funding and may also administer projects approved for Revenue Sharing funding by the CTB; and

WHEREAS, Appendix A documents the funding allocated to each Project and shall be developed and included as an attachment to this agreement. Such attachment may be amended, revised or removed or an additional Appendix A may be added as additional projects or funding is approved by the CTB and allocated to the LOCALITY to finance the Project(s) within the term of this Agreement without the need to execute an additional project administration agreement; and

WHEREAS, current and future projects approved for Revenue Sharing funding by the CTB within the term of this agreement and subject to the terms and conditions specified herein shall be identified on a list which will be included as an attachment to this Agreement as Appendix B. Such attachment may be amended as additional projects are approved by the CTB and shall be signed by an authorized LOCALITY and VDOT official, without the need to execute an additional project administration agreement. If any active project with an existing agreement is incorporated herein, the original project agreement shall automatically terminate upon inclusion in this programmatic agreement of an updated Appendix A and an amended Appendix B to reflect that project; and

WHEREAS, both parties have concurred in the LOCALITY's administration of the phase(s) of work for the respective Project(s) listed in the attachments in accordance with applicable federal, state and local laws and regulations and that the locality will certify compliance with those laws and regulations as prescribed by the Department.

NOW THEREFORE, in consideration of the mutual premises contained herein, the parties hereto agree as follows:

1. This agreement shall be effective for an initial period of THREE fiscal years and may be extended by an addendum signed by each party for one additional term of THREE fiscal years unless a change in policy or the *Code* necessitates a change in terms and conditions before the term of this agreement shall have passed. This Agreement shall NOT extend beyond SIX fiscal years. In the event that a new agreement becomes necessary during the life of this Agreement, Appendix A and Appendix B may be incorporated within the new approved agreement upon mutual agreement by both parties.

2. The LOCALITY shall:
  - a. Be responsible for all activities necessary to complete the noted phase(s) of each Project shown on the Appendix B and on the respective Project's Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties.
  - b. Receive individual prior written authorization from the DEPARTMENT to proceed with each project.
  - c. Administer the Project(s) in accordance with guidelines applicable to state funded Locally Administered Projects as published by the DEPARTMENT.
  - d. Provide certification by a LOCALITY official of compliance with applicable laws and regulations on the State Certification Form for State aid projects or in another manner as prescribed by the DEPARTMENT for each project included in Appendix B.
  - e. Maintain accurate and complete records of each Project's development of all expenditures and make such information available for inspection or auditing by the DEPARTMENT. Records and documentation for items for which reimbursement will be requested shall be maintained for not less than three (3) years following acceptance of the final voucher on each Project.
  - f. No more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of related vendor invoices paid by the LOCALITY and also include an up-to-date Project summary and schedule tracking payment requests and adjustments.
  - g. Reimburse the DEPARTMENT all Project expenses incurred by the DEPARTMENT if due to action or inaction solely by the LOCALITY, the project becomes ineligible for state reimbursement, or in the event the reimbursement provisions of Section 33.1-44 or Section 33.1-70.01 of the Code, or other applicable provisions of state law or regulations require such reimbursement.
  - h. Pay the DEPARTMENT the LOCALITY's matching funds for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 3.a.
  - i. Administer the Project in accordance with all applicable federal, state, and local laws and regulations. Failure to fulfill these obligations may result in the forfeiture of state-aid reimbursements. DEPARTMENT and LOCALITY staffs will work together to cooperatively resolve any issues that are identified so as to avoid any forfeiture of state-aid funds.

- j. If legal services other than those provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the project.
  - k. For projects on facilities not maintained by the DEPARTMENT, provide, or have others provide, maintenance of the Project upon completion, unless otherwise agreed to by the DEPARTMENT.
3. The DEPARTMENT shall:
- a. Perform any actions and provide any decisions and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties.
  - b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 2.f, reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.
  - c. If appropriate, submit invoices to the LOCALITY for the LOCALITY's share of eligible Project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a.
  - d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with applicable laws and regulations.
  - e. Make available to the LOCALITY guidelines to assist the parties in carrying out responsibilities under this Agreement.
4. Appendix A identifies the specific funding sources for each Project under this Agreement, phases of work to be administered by the LOCALITY, and additional project-specific requirements agreed to by the parties. There may be additional elements that, once identified, shall be addressed by the parties hereto in writing, which may require an amendment to this Agreement.
5. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to Section 33.1-94 of the *Code*.
6. Nothing in this Agreement shall obligate the parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. In the event the cost of a Project under this agreement is anticipated to exceed the allocation shown for such Project on the respective Appendix A, both parties agree to cooperate in providing additional funding for the Project or to terminate the Project before its cost exceeds the allocated amount, however

the DEPARTMENT and the LOCALITY shall not be obligated to provide additional funds beyond those appropriated pursuant to an annual or other lawful appropriation.

7. Nothing in this agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.
8. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
9. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, received a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.
10. This agreement may be terminated by either party upon 30 days advance written notice. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs 2.f, 2.g, and 3.b, subject to the limitations established in this Agreement and Appendix A. Should the LOCALITY unilaterally cancel a project agreement, the LOCALITY shall reimburse the DEPARTMENT all state funds reimbursed and expended in support of the project, unless otherwise mutually agreed-upon prior to termination.

THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any party.

THE LOCALITY and the DEPARTMENT further agree that should Federal-aid Highway funds be added to any project, this agreement is no longer applicable to that project and the applicable Appendix A shall be removed from this agreement and the Standard Project Administration Agreement for Federal-aid Projects executed for that project.

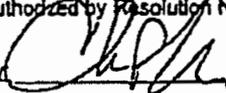
THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors, and assigns.

THIS AGREEMENT may be modified in writing by mutual agreement of both parties.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

**CITY OF ROANOKE, VIRGINIA:**

Authorized by Resolution No. 39730-080513

By 

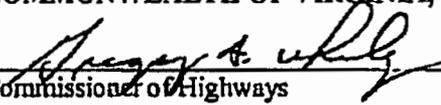
Christopher P. Morrill  
Typed or printed name of signatory

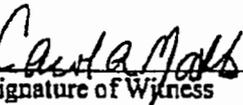
City Manager 8/21/13  
Title Date

 8/21/13  
Signature of Witness Date

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this agreement.

**COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:**

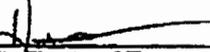
 9/9/13  
Commissioner of Highways Date  
Commonwealth of Virginia  
Department of Transportation

 9/9/13  
Signature of Witness Date

**Attachments**

- Appendix A (for each project covered under this Agreement)
- Appendix B (listing Project(s) covered under this Agreement)

Appropriation and Funds Required  
for this Contract Certified

For   
City Director of Finance  
Date: 8/20/13  
Account No.: Various Accounts

Approved as to Form: and execution (9-18-13)  
  
Assistant City Attorney 8-15-13

**PROGRAMMATIC PROJECT ADMINISTRATION AGREEMENT  
EXTENSION ADDENDUM  
Revenue Sharing Projects**

THIS ADDENDUM is made and executed in triplicate this 31 day of May, 2016 by and between the City of Roanoke Virginia, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT.

WHEREAS, the LOCALITY and the DEPARTMENT, entered into a Programmatic Project Administration Agreement for Revenue Sharing Projects on September 9, 2013; and

WHEREAS, said agreement has an initial term of three fiscal years (each year beginning July 1<sup>st</sup> - June 30<sup>th</sup>), and will expire on June 30, 2016, and may be extended for one additional term of three fiscal years; and

WHEREAS, the parties to the agreement hereby declare their intent to extend said agreement as provided in Paragraph 1 of said agreement and further declare that such terms and provisions provided therein shall remain unchanged.

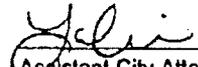
NOW THEREFORE, in consideration of the mutual premises contained therein and in this Addendum, the parties agree to extend said agreement for one additional term of three fiscal years with a new expiration date of June 30, 2019.

IN WITNESS WHEREOF, each party hereto has caused this Addendum to be executed as of the day, month, and year first herein written.

**CITY OF ROANOKE, VIRGINIA:** Authorized by Resolution No. 40493-050216

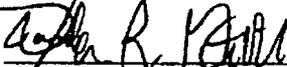
  
\_\_\_\_\_  
Christopher P. Morrill  
Typed or printed name of signatory

Approved as to Form:

5-6-16  
\_\_\_\_\_  
Assistant City Attorney

City Manager  
Title

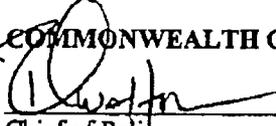
5-9-16  
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Date

  
\_\_\_\_\_  
Signature of Witness

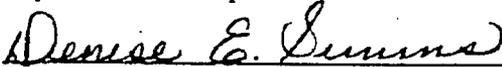
05/09/2016  
\_\_\_\_\_  
Date

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this addendum.

**COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:**

  
\_\_\_\_\_  
Chief of Policy  
Commonwealth of Virginia  
Department of Transportation

5/31/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Witness

5/31/16  
\_\_\_\_\_  
Date

|  |   |                |           |  |        |          |                 |
|--|---|----------------|-----------|--|--------|----------|-----------------|
| Project Number                               | EN15-128-366  | UPC            | 106265    | CFDA #                                       | 20.205 | Locality | City of Roanoke |
| Project Location ZIP+4                       | 24011-1517  | Locality DUNS# | 006704316 | Locality Address (incl ZIP+4):               |        |          |                 |
|  |   |                |           | 215 Church Ave. SW<br>Roanoke, VA 24011-1517 |        |          |                 |
| <b>Project Narrative</b>                     |   |                |           |  |        |          |                 |
| Scope:                                       | Design and construction of bicycle and pedestrian facilities on Garden City Boulevard |                |           |  |        |          |                 |
| From:  | Davenport Ave SE / Ivywood Street SE  |                |           |  |        |          |                 |
| To:  | Riverland Road SE   |                |           |  |        |          |                 |
| Locality Project Manager Contact Info:       | Priscilla Cygelnik, 540-853-2035  |                |           | Priscilla.Cygelnik@roanokeva.gov             |        |          |                 |
| Department Project Coordinator Contact Info: | Cheryl Becker, 540-387-5399   |                |           | cheryl.becker@vdot.virginia.gov              |        |          |                 |

| Project Estimates                   |                         |                            |              |                      |
|-------------------------------------|-------------------------|----------------------------|--------------|----------------------|
|                                     | Preliminary Engineering | Right of Way and Utilities | Construction | Total Estimated Cost |
| Estimated Locality Project Expenses | \$150,000               | \$34,000                   | \$755,000    | \$979,000            |
| Estimated VDOT Project Expenses     | \$10,000                | \$1,000                    | \$10,000     | \$21,000             |
| Estimated Total Project Costs       | \$160,000               | \$35,000                   | \$865,000    | \$1,000,000          |

| Project Cost and Reimbursement |                         |   |   |                    |  |  |
|--------------------------------|-------------------------|---|---|--------------------|--|--|
| Phase                          | Estimated Project Costs | Funds type<br>(Choose from drop down box) | Local % Participation for<br>Funds Type | Local Share Amount | Maximum Reimbursement<br>(Estimated Cost - Local<br>Share) | Estimated<br>Reimbursement to<br>Locality<br>(Max. Reimbursement -<br>Local Share) |
| Preliminary Engineering        | \$160,000               | RSTP                                      | 0%                                      | \$0                | \$160,000  |  |
|                                |                         |   |   | \$0                | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
| Total PE                       | \$160,000               |   |   | \$0                | \$160,000  | \$150,000  |
| Right of Way & Utilities       | \$35,000                | RSTP                                      | 0%                                      | \$0                | \$35,000   |  |
|                                |                         |   |   | \$0                | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
| Total RW                       | \$35,000                |   |   | \$0                | \$35,000   | \$34,000   |
| Construction                   | \$5,000                 | RSTP                                      | 0%                                      | \$0                | \$5,000  |  |
|                                | \$500,000               | Transportation Alternatives               | 20%                                     | \$100,000          | \$400,000  |  |
|                                | \$246,082               | Revenue Sharing                           | 50%                                     | \$123,041          | \$123,041  |  |
|                                | \$53,918                | Local Funds                               | 100%                                    | \$53,918           | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
| Total CN                       | \$865,000               |   |   | \$276,959          | \$528,041  | \$518,041  |
| Total Estimated Cost           | \$1,000,000             |   |   | \$276,959          | \$723,041  | \$702,041  |

|  |           |
|--|-----------|
| Total Maximum Reimbursement by VDOT to Locality (Less Local Share)                     | \$723,041 |
| Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses) | \$702,041 |

| Project Financing           |   |           |                 |                             |             |                       |
|-----------------------------|---|-----------|-----------------|-----------------------------|-------------|-----------------------|
| Transportation Alternatives | Transportation Alternatives Local Match | RSTP      | Revenue Sharing | Revenue Sharing Local Match | Local Funds | Aggregate Allocations |
| \$400,000                   | \$100,000                               | \$200,000 | \$123,041       | \$123,041                   | \$53,918    | \$1,000,000           |

**Program and Project Specific Funding Requirements**

- This project shall be administered in accordance with VDOT's Locality Administered Projects Manual
- In accordance with Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual, the locality shall complete project scoping on or before 09/30/2017
- This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$723,041 (if applicable)
- Revenue Sharing Program funds are not available until July 1 of the fiscal year in which they are allocated
- Revenue Sharing Program funds, as indicated in the Project Financing section, were approved in the following fiscal years:  
FY17 - \$246,082 (\$123,041 locality match and \$123,041 VDOT match)
- This project has Revenue Sharing Program allocations. Per §33.2-357 the project must progress in order to prevent these funds from being de-allocated
- Eligible VDOT project expenses will be recovered as follows: 80% will be deducted from the federal allocation and 20% will be deducted from reimbursement requests
- The DEPARTMENT will conduct all environmental studies necessary to complete an environmental document in compliance with the National Environmental Policy Act. The LOCALITY is responsible for implementing any environmental commitments from the environmental document. In addition, the LOCALITY is responsible for obtaining any water quality permits and conducting any required hazardous materials due diligence efforts. VDOT's estimated cost for the environmental document and studies will be provided to the locality and deducted from the project funds.
- For Transportation Alternatives projects, the LOCALITY shall maintain the project or have it maintained in a manner satisfactory to the Department for its useful life and make ample provisions each year for such maintenance unless otherwise agreed to by the DEPARTMENT. Failure to do so, or the sale of a TAP funded improvement prior to the expectations as identified in the TAP Guide, may require repayment of federal funds.
- In accordance with CTB policy, the project must be completed and the \$400,000 federal Alternatives allocation expended by 09/30/2018 or the project may be subject to de-allocation
- All local funds included on this appendix have been formally committed by the local government's board or council resolution
- Any ineligible items identified throughout project development will not be reimbursable
- This project is funded with federal-aid Regional Surface Transportation Program (RSTP) funds. These funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

\_\_\_\_\_  
Authorized Locality Official and Date

\_\_\_\_\_  
Typed or printed name of person signing

\_\_\_\_\_  
Authorized VDOT Official and Date

\_\_\_\_\_  
Typed or printed name of person signing

APPENDIX A2

Project Number: U000-128-R83 UPC: 107308 Locality: City of Roanoke

|                                       |                             |   |
|---------------------------------------|-----------------------------|---|
| Project Location ZIP+4:<br>24011-1520 | Locality DUNS#<br>006704316 | Locality Address (incl ZIP+4):<br>215 Church Ave. SW<br>Roanoke, VA 24011 |
|---------------------------------------|-----------------------------|---|

**Project Narrative**

|   |   |                                   |
|---|---|-----------------------------------|
| Scope                                       | Intersection Improvements - Orange Avenue and King Street |                                   |
| From  | 0.51 mi S of Int with Orange Ave (MP 0.95)                |                                   |
| To  | Int with Orange Ave (MP 1.46)                             |                                   |
| Locality Project Manager Contact Info       | Luke Pugh; 540-853-5208                                   | Luke.Pugh@RoanokeVa.gov           |
| Department Project Coordinator Contact Info | Adam Czesnowski; 540 387-5408                             | Adam.Czesnowski@vdot.virginia.gov |

| Project Estimates                   |                         |                            |              |                      |
|-------------------------------------|-------------------------|----------------------------|--------------|----------------------|
|                                     | Preliminary Engineering | Right of Way and Utilities | Construction | Total Estimated Cost |
| Estimated Locality Project Expenses | \$295,000               | \$99,000                   | \$2,090,000  | \$2,484,000          |
| Estimated VDOT Project Expenses     | \$5,000                 | \$1,000                    | \$10,000     | \$16,000             |
| Estimated Total Project Costs       | \$300,000               | \$100,000                  | \$2,100,000  | \$2,500,000          |

| Project Cost and Reimbursement |                         |  |   |                    |   |  |
|--------------------------------|-------------------------|--|---|--------------------|---|--|
| Phase                          | Estimated Project Costs | Funds type<br><i>(Choose from drop down box)</i> | Local % Participation for<br>Funds Type | Local Share Amount | Maximum Reimbursement<br>(Estimated Cost - Local Share) | Estimated Reimbursement to<br>Locality<br>(Max. Reimbursement - Est.<br>VDOT Expenses) |
| Preliminary Engineering        | \$300,000               | Revenue Sharing                                  | 50%                                     | \$150,000          | \$150,000   |  |
|                                |                         |  |   | \$0                | \$0   |  |
|                                |                         |  |   | \$0                | \$0   |  |
|                                |                         |  |   | \$0                | \$0   |  |
| <b>Total PE</b>                | <b>\$300,000</b>        |  |   | <b>\$150,000</b>   | <b>\$150,000</b>  |  |
| Right of Way & Utilities       | \$100,000               | Revenue Sharing                                  | 50%                                     | \$50,000           | \$50,000  |  |
|                                |                         |  |   | \$0                | \$0   |  |
| <b>Total RW</b>                | <b>\$100,000</b>        |  |   | <b>\$50,000</b>    | <b>\$50,000</b>   |  |
| Construction                   | \$2,100,000             | Revenue Sharing                                  | 50%                                     | \$1,050,000        | \$1,050,000   |  |
|                                |                         |  |   | \$0                | \$0   |  |
| <b>Total CN</b>                | <b>\$2,100,000</b>      |  |   | <b>\$1,050,000</b> | <b>\$1,050,000</b>                                      |  |
| <b>Total Estimated Cost</b>    | <b>\$2,500,000</b>      |  |   | <b>\$1,250,000</b> | <b>\$1,250,000</b>                                      | <b>\$1,234,000</b>   |

|   |                    |
|---|--------------------|
| <b>Total Maximum Reimbursement by VDOT to Locality (Less Local Share)</b>                     | <b>\$1,250,000</b> |
| <b>Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)</b> | <b>\$1,234,000</b> |

| Project Financing              |                                |  |  |  |  |
|--------------------------------|--------------------------------|--|--|--|--|
| Revenue Sharing<br>State Match | Revenue Sharing<br>Local Match |  |  |  | Aggregate Allocations<br>(A+B+C+D+E+F) |
| \$1,250,000                    | \$1,250,000                    |  |  |  | \$2,500,000                            |

**Program and project Specific Funding Requirements**

- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
- The project will be constructed and maintained in accordance with VDOT's Urban Manual (List Appropriate Guide or Manual)
- This project is a Revenue Sharing project and must follow the procedures set forth in the Guide to the Revenue Sharing Program.
- The Locality will continue to operate and maintain the facility as constructed. Should the design features of the project be altered by the Locality subsequent to project completion without approval of the Department, the locality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.
- This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$1,250,000 (if applicable)
- Estimated eligible VDOT expenses are based on VDOT processing SERP (if applicable) and inspection. Any additional assistance may result in additional VDOT charges
- In accordance with §33-2-357 of the Code of Virginia, this project must be initiated and at least a portion of the funds expended within one year of allocation. If not initiated by July 1, 2016 the project may be subject to deallocation.
- This project is part of a Programmatic Project Administrative Agreement for Revenue Sharing Projects. Any revision to this Appendix A will also require a revision to the Appendix B that is part of the agreement.
- Revenue Sharing Funds above consist of the following Fiscal Years:
  - FY 16 - \$1,500,000 (\$750,000 State Match; \$750,000 Local Match)
  - FY 17 - \$1,000,000 (\$500,000 State Match; \$500,000 Local Match)
- Total project allocations: **\$2,500,000**

\_\_\_\_\_  
Authorized Locality Official and date  
  
\_\_\_\_\_  
Typed or printed name of person signing

\_\_\_\_\_  
Authorized VDOT Official  
Recommendation and Date  
  
Jay Guy, Program Manager  
\_\_\_\_\_  
Typed or printed name of person signing

Project Number: U000-126-R93 UPC: 108848 CFDA # N/A Locality: City of Roanoke

|                                    |                          |   |
|------------------------------------|--------------------------|---|
| Project Location ZIP+4: 24011-1517 | Locality DUNS# 006704316 | Locality Address (incl ZIP+4)<br>215 Church Ave. SW<br>Roanoke, VA 24011-1517 |
|------------------------------------|--------------------------|---|

**Project Narrative**

|  |  |
|--|--|
| Scope:                                       | Citywide Drainage Improvements   |
| From:  | Multiple   |
| To:  | Multiple   |
| Locality Project Manager Contact Info:       | Josephus Johnson-Koroma, 540-853-5906<br>Josephus.Johnson-Koroma@RoanokeVa.gov |
| Department Project Coordinator Contact Info: | Cheryl Becker, 540-387-5399<br>cheryl.becker@vdot.virginia.gov                 |

**Project Estimates**

|                                     | Preliminary Engineering | Right of Way and Utilities | Construction | Total Estimated Cost |
|-------------------------------------|-------------------------|----------------------------|--------------|----------------------|
| Estimated Locality Project Expenses | \$0                     | \$0                        | \$4,547,006  | \$4,547,006          |
| Estimated VDOT Project Expenses     | \$1,000                 | \$1,000                    | \$20,000     | \$22,000             |
| Estimated Total Project Costs       | \$1,000                 | \$1,000                    | \$4,567,006  | \$4,569,006          |

**Project Cost and Reimbursement**

| Phase                       | Estimated Project Costs | Funds type<br>(Choose from drop down box) | Local % Participation for Funds Type | Local Share Amount | Maximum Reimbursement<br>(Estimated Cost - Local Share) | Estimated Reimbursement to Locality<br>(Max. Reimbursement - |
|-----------------------------|-------------------------|---|--------------------------------------|--------------------|---|--|
| Preliminary Engineering     | \$1,000                 | Revenue Sharing                           | 50%                                  | \$500              | \$500   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
| <b>Total PE</b>             | <b>\$1,000</b>          |   |                                      | <b>\$500</b>       | <b>\$500</b>  |  |
| Right of Way & Utilities    | \$1,000                 | Revenue Sharing                           | 50%                                  | \$500              | \$500   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
| <b>Total RW</b>             | <b>\$1,000</b>          |   |                                      | <b>\$500</b>       | <b>\$500</b>  |  |
| Construction                | \$3,221,684             | Revenue Sharing                           | 50%                                  | \$1,610,842        | \$1,610,842   |  |
|                             | \$1,345,322             | Local Funds                               | 100%                                 | \$1,345,322        | \$0   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
|                             |                         |   |                                      | \$0                | \$0   |  |
| <b>Total CN</b>             | <b>\$4,567,006</b>      |   |                                      | <b>\$2,956,164</b> | <b>\$1,610,842</b>                                      |  |
| <b>Total Estimated Cost</b> | <b>\$4,569,006</b>      |   |                                      | <b>\$2,957,164</b> | <b>\$1,611,842</b>                                      |  |

|   |                    |
|---|--------------------|
| <b>Total Maximum Reimbursement by VDOT to Locality (Less Local Share)</b>                     | <b>\$1,611,842</b> |
| <b>Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)</b> | <b>\$1,589,842</b> |

**Project Financing**

| Revenue Sharing State Match | Revenue Sharing Local Match | Local Funds | Aggregate Allocations |
|-----------------------------|-----------------------------|-------------|-----------------------|
| \$1,611,842                 | \$1,611,842                 | \$1,345,322 | \$4,569,006           |

**Program and project Specific Funding Requirements**

- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
- The project will be constructed and maintained in accordance with VDOT's Urban Manual (List Appropriate Guide or Manual)
- This project is a Revenue Sharing project and must follow the procedures set forth in the Guide to the Revenue Sharing Program
- All local funds included on this appendix have been formally committed by the local government's board or council resolution
- The Locality will continue to operate and maintain the facility as constructed. Should the design features of the project be altered by the Locality subsequent to project completion without approval of the Department, the locality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.
- This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$1,611,842 (if applicable)
- Estimated eligible VDOT expenses are based on VDOT processing SERP (if applicable) and inspection. Any additional assistance may result in additional VDOT charges.
- In accordance with §33.2-357 of the Code of Virginia, this project must be initiated and at least a portion of the funds expended within one year of allocation. If not initiated by July 1, 2017 the project may be subject to de-allocation.
- This project is part of a Programmatic Project Administrative Agreement for Revenue Sharing Projects. Any revision to this Appendix A will also require a revision to the Appendix B that is part of the agreement.
- Revenue Sharing Funds above consist of the following Fiscal Years:
  - FY17 - \$3,223,684 (\$1,611,842 locality match and \$1,611,842 VDOT match)

\_\_\_\_\_  
 Authorized Local Official and date  
 \_\_\_\_\_  
 Typed or printed name of person signing

\_\_\_\_\_  
 Authorized VDOT Official  
 Recommendation and Date  
 \_\_\_\_\_  
 Typed or printed name of person signing

Appendix A

Date: 6/29/2016

|                                   |                          |            |  |
|-----------------------------------|--------------------------|------------|--|
| Project Number: U000-128-R94      | UPC: 108849              | CFDA # N/A | Locality: City of Roanoke  |
| Project Location ZIP+4 24011-1517 | Locality DUNS# 006704316 |            | Locality Address (incl ZIP+4):<br>215 Church Ave. SW<br>Roanoke, VA 24011-1517 |

| Project Narrative                           |  |
|---|--|
| Scope                                       | Citywide Sidewalk Improvements   |
| From  | Multiple   |
| To  | Multiple   |
| Locality Project Manager Contact Info       | Priscilla Cygielnik, 540-853-2035<br>Priscilla.Cygielnik@roanokeva.gov |
| Department Project Coordinator Contact Info | Cheryl Becker, 540-387-5399<br>cheryl.becker@vdot.virginia.gov         |

| Project Estimates                   |                         |                            |              |                      |
|-------------------------------------|-------------------------|----------------------------|--------------|----------------------|
|                                     | Preliminary Engineering | Right of Way and Utilities | Construction | Total Estimated Cost |
| Estimated Locality Project Expenses | \$4,000                 | \$0                        | \$1,975,000  | \$1,979,000          |
| Estimated VDOT Project Expenses     | \$1,000                 | \$0                        | \$20,000     | \$21,000             |
| Estimated Total Project Costs       | \$5,000                 | \$0                        | \$1,995,000  | \$2,000,000          |

| Project Cost and Reimbursement |                         |   |   |                    |  |  |
|--------------------------------|-------------------------|---|---|--------------------|--|--|
| Phase                          | Estimated Project Costs | Funds type<br>(Choose from drop down box) | Local % Participation for<br>Funds Type | Local Share Amount | Maximum Reimbursement<br>(Estimated Cost - Local<br>Share) | Estimated<br>Reimbursement to<br>Locality<br>(Max. Reimbursement - |
| Preliminary Engineering        | \$5,000                 | Revenue Sharing                           | 50%                                     | \$2,500            | \$2,500  | \$1,500  |
|                                |                         |   |   | \$0                | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
| <b>Total PE</b>                | <b>\$5,000</b>          |   |   | <b>\$2,500</b>     | <b>\$2,500</b>   |  |
| Right of Way & Utilities       | \$0                     |   |   | \$0                | \$0  | \$0  |
|                                |                         |   |   | \$0                | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
| <b>Total RW</b>                | <b>\$0</b>              |   |   | <b>\$0</b>         | <b>\$0</b>   |  |
| Construction                   | \$1,225,414             | Revenue Sharing                           | 50%                                     | \$612,707          | \$612,707  | \$592,707  |
|                                | \$769,586               | Local Funds                               | 100%                                    | \$769,586          | \$0  |  |
|                                |                         |   |   | \$0                | \$0  |  |
| <b>Total CN</b>                | <b>\$1,995,000</b>      |   |   | <b>\$1,382,293</b> | <b>\$612,707</b>   |  |
| <b>Total Estimated Cost</b>    | <b>\$2,000,000</b>      |   |   | <b>\$1,384,793</b> | <b>\$615,207</b>   | <b>\$594,207</b>   |

|   |                  |
|---|------------------|
| <b>Total Maximum Reimbursement by VDOT to Locality (Less Local Share)</b>                     | <b>\$615,207</b> |
| <b>Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)</b> | <b>\$594,207</b> |

| Project Financing              |                                |             |  |  |                          |
|--------------------------------|--------------------------------|-------------|--|--|--------------------------|
| Revenue Sharing<br>State Match | Revenue Sharing<br>Local Match | Local Funds |  |  | Aggregate<br>Allocations |
| \$615,207                      | \$615,207                      | \$769,586   |  |  | \$2,000,000              |

- Program and project Specific Funding Requirements**
- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
  - The project will be constructed and maintained in accordance with VDOT's Urban Manual (List Appropriate Guide or Manual)
  - This project is a Revenue Sharing project and must follow the procedures set forth in the Guide to the Revenue Sharing Program
  - All local funds included on this appendix have been formally committed by the local government's board or council resolution
  - The Locality will continue to operate and maintain the facility as constructed. Should the design features of the project be altered by the Locality subsequent to project completion without approval of the Department, the locality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department
  - This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$615,207 (if applicable)
  - Estimated eligible VDOT expenses are based on VDOT processing SERP (if applicable) and inspection. Any additional assistance may result in additional VDOT charges
  - In accordance with §33.2-357 of the Code of Virginia, this project must be initiated and at least a portion of the funds expended within one year of allocation. If not initiated by July 1, 2017 the project may be subject to deallocation.
  - This project is part of a Programmatic Project Administrative Agreement for Revenue Sharing Projects. Any revision to this Appendix A will also require a revision to the Appendix B that is part of the agreement.
  - Revenue Sharing Funds above consist of the following Fiscal Years
    - FY17 - \$1,230,414 (\$615,207 locality match and \$615,207 VDOT match)

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 Authorized Locality Official and date  
 \_\_\_\_\_  
 Typed or printed name of person signing

\_\_\_\_\_  
 Authorized VDOT Official  
 Recommendation and Date  
 \_\_\_\_\_  
 Typed or printed name of person signing

Project Number: U000-128-R03 UPC: 108851 CFDA # N/A Locality: City of Roanoke

|                                    |                          |  |
|------------------------------------|--------------------------|--|
| Project Location ZIP+4: 24011-6605 | Locality DUNS# 006704316 | Locality Address (incl ZIP+4):<br>215 Church Ave. SW<br>Roanoke, VA 24011-1517 |
|------------------------------------|--------------------------|--|

**Project Narrative**

Scope: Berkeley Bridge at King Street NE, reconstruction of road and bridge replacement.

From: Berkely Road

To: King Street

Locality Project Manager Contact Info: Luke Pugh; 540-853-5208 Luke.Pugh@RoanokeVa.gov

Department Project Coordinator Contact Info: Cheryl Becker, 540-387-5399 cheryl.becker@vdot.virginia.gov

| Project Estimates                   |                         |                            |              |                      |
|-------------------------------------|-------------------------|----------------------------|--------------|----------------------|
|                                     | Preliminary Engineering | Right of Way and Utilities | Construction | Total Estimated Cost |
| Estimated Locality Project Expenses | \$0                     | \$0                        | \$1,484,000  | \$1,484,000          |
| Estimated VDOT Project Expenses     | \$1,000                 | \$0                        | \$15,000     | \$16,000             |
| Estimated Total Project Costs       | \$1,000                 | \$0                        | \$1,499,000  | \$1,500,000          |

| Project Cost and Reimbursement |                         |  |   |                    |  |  |
|--------------------------------|-------------------------|--|---|--------------------|--|--|
| Phase                          | Estimated Project Costs | Funds type<br><i>(Choose from drop down box)</i> | Local % Participation for<br>Funds Type | Local Share Amount | Maximum Reimbursement<br>(Estimated Cost - Local<br>Share) | Estimated<br>Reimbursement to<br>Locality<br>(Max. Reimbursement - |
| Preliminary Engineering        | \$1,000                 | Revenue Sharing                                  | 50%                                     | \$500              | \$500  |  |
|                                |                         |  |   | \$0                | \$0  |  |
|                                |                         |  |   | \$0                | \$0  |  |
|                                |                         |  |   | \$0                | \$0  |  |
| <b>Total PE</b>                | <b>\$1,000</b>          |  |   | <b>\$500</b>       | <b>\$500</b>   | <b>-\$500</b>  |
| Right of Way & Utilities       | \$0                     |  |   | \$0                | \$0  |  |
|                                |                         |  |   | \$0                | \$0  |  |
|                                |                         |  |   | \$0                | \$0  |  |
|                                |                         |  |   | \$0                | \$0  |  |
| <b>Total RW</b>                | <b>\$0</b>              |  |   | <b>\$0</b>         | <b>\$0</b>   | <b>\$0</b>   |
| Construction                   | \$921,810               | Revenue Sharing                                  | 50%                                     | \$460,905          | \$460,905  |  |
|                                | \$577,190               | Local Funds                                      | 100%                                    | \$577,190          | \$0  |  |
|                                |                         |  |   | \$0                | \$0  |  |
|                                |                         |  |   | \$0                | \$0  |  |
| <b>Total CN</b>                | <b>\$1,499,000</b>      |  |   | <b>\$1,038,095</b> | <b>\$460,905</b>   | <b>\$445,905</b>   |
| <b>Total Estimated Cost</b>    | <b>\$1,500,000</b>      |  |   | <b>\$1,038,595</b> | <b>\$461,405</b>   | <b>\$445,405</b>   |

|   |                  |
|---|------------------|
| <b>Total Maximum Reimbursement by VDOT to Locality (Less Local Share)</b>                     | <b>\$461,405</b> |
| <b>Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)</b> | <b>\$445,405</b> |

| Project Financing              |                                |             |  |  |  |                          |
|--------------------------------|--------------------------------|-------------|--|--|--|--------------------------|
| Revenue Sharing<br>State Match | Revenue Sharing<br>Local Match | Local Funds |  |  |  | Aggregate<br>Allocations |
| \$461,405                      | \$461,405                      | \$577,190   |  |  |  | \$1,500,000              |

- Program and project specific Funding Requirements**
- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
  - The project will be constructed and maintained in accordance with VDOT's Urban Manual (List Appropriate Guide or Manual)
  - This project is a Revenue Sharing project and must follow the procedures set forth in the Guide to the Revenue Sharing Program.
  - The Locality will continue to operate and maintain the facility as constructed. Should the design features of the project be altered by the Locality subsequent to project completion without approval of the Department, the locality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.
  - This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$461,405 (if applicable)
  - Estimated eligible VDOT expenses are based on VDOT processing SERP (if applicable) and inspection. Any additional assistance may result in additional VDOT charges
  - In accordance with §33.2-357 of the Code of Virginia, this project must be initiated and at least a portion of the funds expended within one year of allocation. If not initiated by July 1, 2017 the project may be subject to deallocation
  - This project is part of a Programmatic Project Administrative Agreement for Revenue Sharing Projects. Any revision to this Appendix A will also require a revision to the Appendix B that is part of the agreement
  - Revenue Sharing Funds above consist of the following Fiscal Years
    - FY17 - \$922,810 (\$461,405 locality match and \$461,405 VDOT match)

\_\_\_\_\_  
 Authorized Locality Official and date  
 \_\_\_\_\_  
 Typed or printed name of person signing

\_\_\_\_\_  
 Authorized VDOT Official  
 Recommendation and Date  
 \_\_\_\_\_  
 Typed or printed name of person signing

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7.0.11.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting the FY17 Virginia Department of Transportation’s (VDOT) award of Transportation Revenue Sharing Program Funds (Revenue Sharing Funds) to the City in the total amount of \$3,311,495 to be allocated among five (5) Projects; authorizing the City Manager to execute five (5) VDOT Appendix A documents for Revenue Sharing Funds for the Projects set forth below, which will require the City to provide matching funds of \$3,311,495; and authorizing the City Manager to take certain other actions in connection with the above matters and Projects. BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby accepts the FY17 VDOT award of Revenue Sharing Funds in the total amount of \$3,311,495 to be provided by VDOT for the FY17 time period for the five (5) Projects set forth in paragraph 2 below, with the City providing local matching funds in the total amount of \$3,311,495, with such funds to be allocated among the five (5) Projects referred to below, such funds having already been committed by the City of Roanoke, all as more fully set forth in the City Council Agenda Report dated September 6, 2016.

2. The allocations for the five (5) Projects, together with the amount of such VDOT Revenue Sharing Funds to be provided and the City matching funds to be provided, are as follows (the “Projects”):

|    |  |              |
|----|--|--------------|
| A. | Citywide Storm Drain Improvements                      | \$1,611,842. |
|    | City Matching Funds                                    | \$1,611,842. |
| B. | Citywide Curb, Gutter, and Sidewalk (New Construction) | \$ 615,207.  |
|    | City Matching Funds                                    | \$ 615,207.  |

|    |   |             |
|----|---|-------------|
| C. | Garden City Boulevard Trail from Riverland Road to 9 <sup>th</sup> Street | \$ 123,041. |
|    | City Matching Funds   | \$ 123,041. |
| D. | Orange Avenue/King Street Intersection Improvements                       | \$ 500,000. |
|    | City Matching Funds   | \$ 500,000. |
| E. | Berkley Bridge Replacement  | \$ 461,405. |
|    | City Matching Funds   | \$ 461,405. |

3. The City Manager is hereby authorized to execute five (5) Appendix A documents to a VDOT Standard Programmatic Project Administration Agreement for Revenue Sharing Projects, as extended, substantially similar to the ones attached to the above mentioned Agenda Report for the above five (5) Projects listed as A through E in connection with the VDOT Revenue Sharing Funds, together with the required City matching funds mentioned above. Such Appendices shall be approved as to form by the City Attorney.

4. The City Manager is hereby authorized to take such further actions and execute such further documents as may be necessary to obtain, accept, implement, administer, and use the above Revenue Sharing Funds in the total amount of \$3,311,495 from VDOT, together with \$3,311,495 in City matching funds, for the above mentioned five (5) Projects, with any such documents to be approved as to form by the City Attorney.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from Virginia Department of Transportation Revenue Sharing Funds and the Economic & Community Development Reserve to the Stormwater Improvements, City-wide Curb Gutter Sidewalk, Garden City Greenway Connection, Orange Ave & King St Intersection Improvements, and Berkley Road over Glade Creek Bridge Renovation projects, amending and reordaining certain sections of the 2016-2017 Stormwater Utility and Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2016-2017 Stormwater Utility and Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

**Stormwater Utility Fund**

|                                |                  |             |
|--------------------------------|------------------|-------------|
| Appropriations                 |                  |             |
| Appropriated from State Grants | 03-530-3014-9007 | \$1,611,842 |
| Revenues                       |                  |             |
| VDOT – Stormwater Improvements | 03-530-3014-3014 | 1,611,842   |

**Capital Projects Fund**

|   |                  |             |
|---|------------------|-------------|
| Appropriations  |                  |             |
| Appropriated from State Grants                        | 08-530-9475-9007 | 615,207     |
| Appropriated from State Grants                        | 08-530-9462-9007 | 123,041     |
| Appropriated from State Grants                        | 08-530-9440-9007 | 500,000     |
| Appropriated from State Grants                        | 08-530-9594-9007 | 461,405     |
| Appropriated from General Revenue                     | 08-530-9462-9003 | 123,041     |
| Revenues  |                  |             |
| VDOT – City-wide Curb, Gutter, Sidewalk               | 08-530-9475-9475 | 615,207     |
| VDOT – Garden City Greenway Connection                | 08-530-9462-9463 | 123,041     |
| VDOT – Orange Ave & King St Intersection Improvements | 08-530-9440-9440 | 500,000     |
| VDOT – Berkley Bridge Renovation                      | 08-530-9594-9594 | 461,405     |
| Fund Balance  |                  |             |
| E&CD Reserve - Unappropriated                         | 08-3365          | ( 123,041 ) |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



7.a.12.

## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** September 6, 2016  
**Subject:** One-Time Payment To City Employees Who Did Not Receive A Full Pay Raise For Fiscal Year 2016-2017 (CM16-00129)

### **Background:**

The budget for Fiscal Year 2016-2017 included funding for a two percent (2%) base pay increase for employees who achieved the required performance score on the annual performance evaluation. If the two percent base pay increase resulted in the base salary of the employee exceeding the maximum annual salary for the applicable pay grade, the employee was eligible to receive the increase in such amount that would not exceed the maximum for the applicable pay grade, as defined in the Pay Ordinance adopted by City Council on May 9, 2016.

A total of 28 employees received only a partial increase or no increase in base pay given their respective base salaries and the maximum annual salary for the applicable pay grade.

### **Considerations:**

City Council approval is required to provide a one-time payment in the amount of the difference between the salary increase the aforementioned employees received and the amount they would have received had they not reached the maximum salary for the applicable pay grade, to the extent that such employees are otherwise qualified for an increase in pay. The estimated cost to provide the one-time payment is \$33,000. There is not an incremental cost to provide the one-time payment as funding is available from the budget allocation for the general base pay increase.

### **Recommended Action:**

Approve the attached ordinance to provide a one-time payment in the amount of the difference between the salary increase the aforementioned employees

received and the amount they would have received had they not reached the maximum salary for the applicable pay grade, to the extent that such employees are otherwise qualified for an increase in pay.



-----  
Christopher P. Morrill  
City Manager

Distribution: Council Appointed Officers  
Barbara A. Dameron, Director of Finance  
Michele M. Vineyard, Director of Human Resources

UNS

7.a.12.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing and approving a one-time payment to certain City employees who did not receive a full raise for the 2016-17 fiscal year because they reached the maximum salary for their pay ranges and dispensing with the second reading of this Ordinance by title.

WHEREAS, twenty-eight City employees have reached the maximum salary within their pay range, and to the extent they were otherwise qualified, were unable to realize the full benefits of the salary increase approved by City Council as a part of the 2016-17 pay ordinance and

WHEREAS, City Council desires to acknowledge the continued good work of these City employees by granting them a one-time payment in the amount of the difference between the salary increase these employee's received and the amount they would have received had they not reached the maximum salary for their pay range, to the extent that such employees are otherwise qualified for an increase in pay.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. All full-time and permanent part-time employees in the classified service of the City who, as of July 1, 2016, were unable to receive the full benefits of the salary increase approved by City Council as a part of the 2016-17 pay ordinance adopted by City Council on May 9, 2016 as Ordinance No. 40501-050916, shall receive a one-time payment in the amount of the difference between the salary increase these employees received and the amount they would have received had they not reached the maximum salary for their pay range, to the extent each such employee is otherwise qualified for a pay raise in accordance with City personnel policies and procedures.

2. This one-time payment shall be subject to all applicable tax withholdings.

3. This one-time payment shall not constitute a part of the employee's salary, nor shall such one-time payment be considered or construed as wages earned for the purposes of computing an employee's retirement benefits or for purposes of calculating any future pay increase, including a pay increase based upon an employee's promotion.

4. Pursuant to the provisions of Section 12 of the City Charter, City Council dispenses with the second reading of this Ordinance by title.

ATTEST:

City Clerk



**Daniel J. Callaghan**  
City Attorney

**CITY OF ROANOKE**  
OFFICE OF THE CITY ATTORNEY  
464 MUNICIPAL BUILDING  
215 CHURCH AVENUE, SW  
ROANOKE, VIRGINIA 24011-1595

TELEPHONE 540-853-2431  
FAX 540-853-1221  
EMAIL: cityatty@roanokeva.gov

7.6.1.

**Timothy R. Spencer**  
**Steven J. Talevi**  
**David L. Collins**  
**Heather P. Ferguson**  
**Laura M. Carini**  
Assistant City Attorneys

September 6, 2015

The Honorable Sherman P. Lea, Sr., Mayor  
and Members of City Council  
Roanoke, Virginia

Re: Amendment to Chapter 21, Motor Vehicles and Traffic, of the  
Code of the City of Roanoke, Virginia (1979), as amended,  
by repealing Section 21-44.1.

Dear Mayor Lea and Members of Council:

**Background:**

Recent developments in the law have caused the provisions of the City's aggressive panhandling ordinance codified in City Code Section 21-44.1 to come into legal question. Both the City of Charlottesville and Henrico County have had their panhandling ordinance struck down by the courts because they were found to have violated the citizen's First Amendment rights of free speech. In Clatterbuck v. City of Charlottesville, the United States Court of Appeals for the Fourth Circuit found that "[t]here is no question that panhandling and solicitation of charitable contributions are protected speech under the First Amendment." The Fourth Circuit also noted that public streets and medians qualify as traditional public forums. Therefore, the City Attorney has recommended that the City repeal City Code Section 21-44.1.

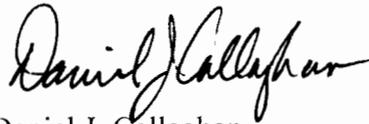
**Considerations:**

The repeal of Section 21-44.1 is necessary due to the Fourth Circuit's recent rulings in cases involving the City of Charlottesville and Henrico County. Section 21.44.1 enumerates eight types of conduct that are prohibited including (i) prohibiting individuals from soliciting money from others who are eating at outdoor dining facilities, or (ii) prohibiting an individual from soliciting funds from another individual within fifteen (15) of the entrance of a bank. These types of restrictions have been held to be unconstitutional by the Fourth Circuit. Therefore, as shown in the attached ordinance, Section 21-44.1 is being repealed in its entirety. (Exhibit A) The City is able to address certain aggressive behavior through enforcement of other laws. For example, Section 21-44.1 prohibits an individual from intentionally touching another individual while soliciting money. This intentional behavior can be addressed through the existing assault and battery laws.

**Recommended Action:**

Adopt the accompanying ordinance to repeal Section 21-44.1 of Chapter 21, Offenses Miscellaneous, of the Code of the City of Roanoke, Virginia (1979), as amended.

Sincerely,



Daniel J. Callaghan  
City Attorney

DJC/lsc

c: Christopher P. Morrill, City Manager  
R. Brian Townsend, Assistant City Manager  
for Community Development  
Sherman Stovall, Assistant City Manager  
for Operations  
Barbara Dameron, Director of Finance  
Troy D. Harmon, City Auditor  
Timothy S. Jones, Chief of Police  
Donald Caldwell, Commonwealth's Attorney  
Stephanie Moon Reynolds, City Clerk

## IN THE COUNCIL FOR THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE repealing Section 21-44.1, Aggressive solicitation and sales; definitions; prohibited acts and penalties; Article I, In General, Chapter 21, Offenses - Miscellaneous, of the Code of the City of Roanoke (1979), as amended; providing for an effective date; and dispensing with the second reading of this Ordinance by title.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 21-44.1, Aggressive solicitation and sales; definitions; prohibited acts and penalties; Article I, In General, Chapter 21, Offenses - Miscellaneous, of the Code of the City of Roanoke (1979), be and it is hereby REPEALED.
2. This Ordinance shall take effect upon its passage.
3. Pursuant to the provisions of Section 12 of the City Charter, the second reading by title of this ordinance is hereby dispensed with.

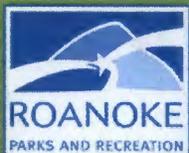
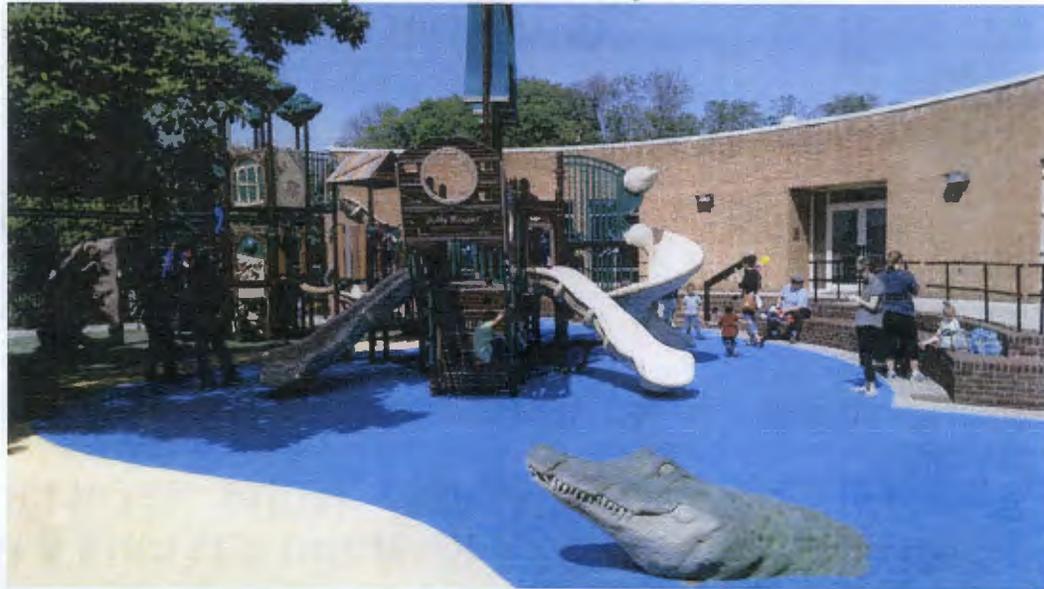
ATTEST:

City Clerk.



# PARKS AND RECREATION MASTER PLAN UPDATE

September 6, 2016



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## PREVIOUSLY COMPLETED PROJECTS:

- RESTROOM & SHELTER UPGRADES AT WASENA, FALLON, GOLDEN, MELROSE, SMITH, AND JACKSON
- NEW SHELTERS AT HUFF LANE, FISHBURN, BOWMAN, AND PERRY
- NEW GREENWAY TRAILHEAD AT BRIDGE STREET
- NEW DOG PARK AT THRASHER
- DOG PARK AND ROADWAY IMPROVEMENTS AT HIGHLAND
- NEW DISC GOLF COURSE AT HIGHLAND
- NEW TRAIL FITNESS EQUIPMENT AND YOUTH PRACTICE FIELD AT WASHINGTON



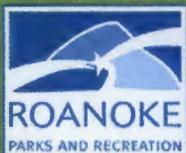
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# PREVIOUSLY COMPLETED PROJECTS:



- DEVELOPED A NEW PARK AT COUNTRYSIDE
- PLAYGROUND REPLACEMENTS AT BOWMAN, FALLON, HIGHLAND, PERRY, MELROSE, HUFF LANE, LAKEWOOD, WASHINGTON, AND GOLDEN
- NEW PLAYGROUND AT ELMWOOD
- CREATED PHASE III OF THE LICK RUN GREENWAY
- HARDCOURT IMPROVEMENTS AT SUNRISE, HUFF LANE, PERRY, MELROSE, GOLDEN, AND JACKSON
- ATHLETIC LIGHTING UPGRADES FOR RIVERS EDGE SPORTS COMPLEX
- ❖ TOTAL INVESTMENT OF APPROXIMATELY \$5,600,000.00 (INCLUDING FY16)

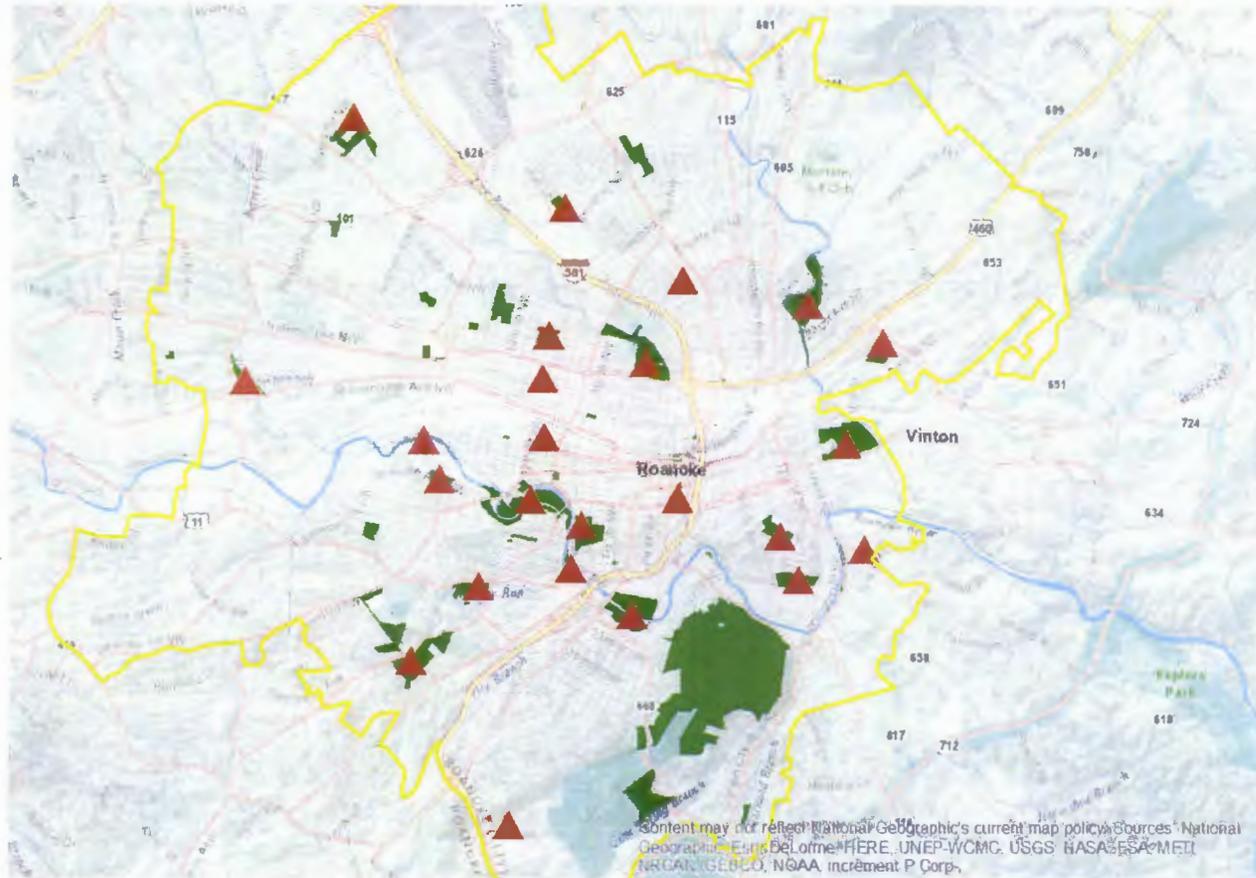


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# PROJECT LOCATIONS



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# UPDATE SUMMARY 2016:

## - ADDITIONAL PLAYGROUND REPLACEMENTS

COMPLETED: EUREKA, NORWICH, MORNINGSIDE

TO BE COMPLETED: SMITH (OCTOBER 2016)



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## - PARK IMPROVEMENTS

COMPLETED: HUFF LANE AND FISHBURN



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## - TENNIS COURT IMPROVEMENTS

COMPLETED: NEW COURTS AT RIVERS EDGE PARK-NORTH

TO BE COMPLETED: REPAIRS TO RIVERS EDGE TENNIS-SOUTH (OCTOBER 2016)



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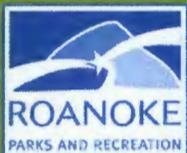
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## - RESTROOM AND SHELTER IMPROVEMENTS

COMPLETED: STRAUSS AND EASTGATE

TO BE COMPLETED: THRASHER (OCTOBER 2016)



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# - SPORTS LIGHTING IMPROVEMENTS

COMPLETED: MAHER FIELD



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# - LOOKING FORWARD IN FY17

- RIVERS EDGE SPORTS COMPLEX-NORTH PHASE I IMPROVEMENTS:



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# - MASTER PLAN FY-17 AND BEYOND



- ❖ **TINKER CREEK GREENWAY PHASE II**
  - **CONNECT FROM FALLON PARK TO MASONS MILL PARK & RCIT**
  
- ❖ **CONTINUE TO IMPROVE EXISTING PARK FACILITIES**
  - **TBD: NEIGHBORHOOD, COMMUNITY, AND REGIONAL PARKS**
  
- ❖ **OUTDOOR POOL IMPROVEMENTS**
  - **FALLON AND WASHINGTON PARKS**
  - **CAPITAL MAINTENANCE**
  
- ❖ **INDOOR RECREATION SPACE**
  - **RECREATION CENTER FEASIBILITY STUDY**



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QUESTIONS?



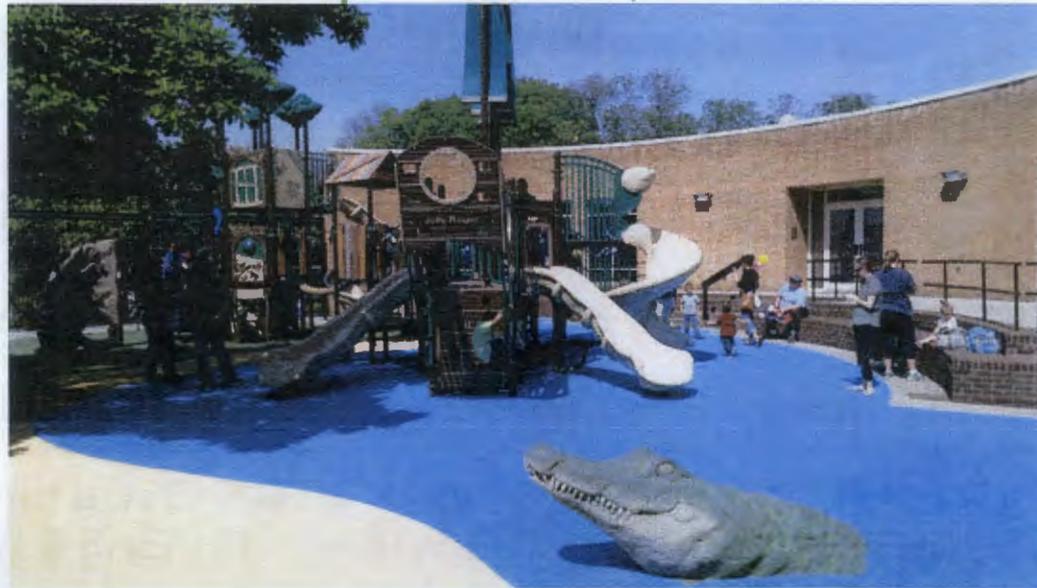
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# PARKS AND RECREATION MASTER PLAN UPDATE

September 6, 2016



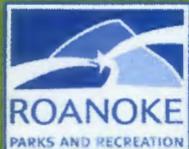
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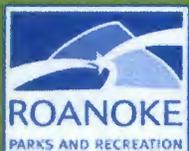
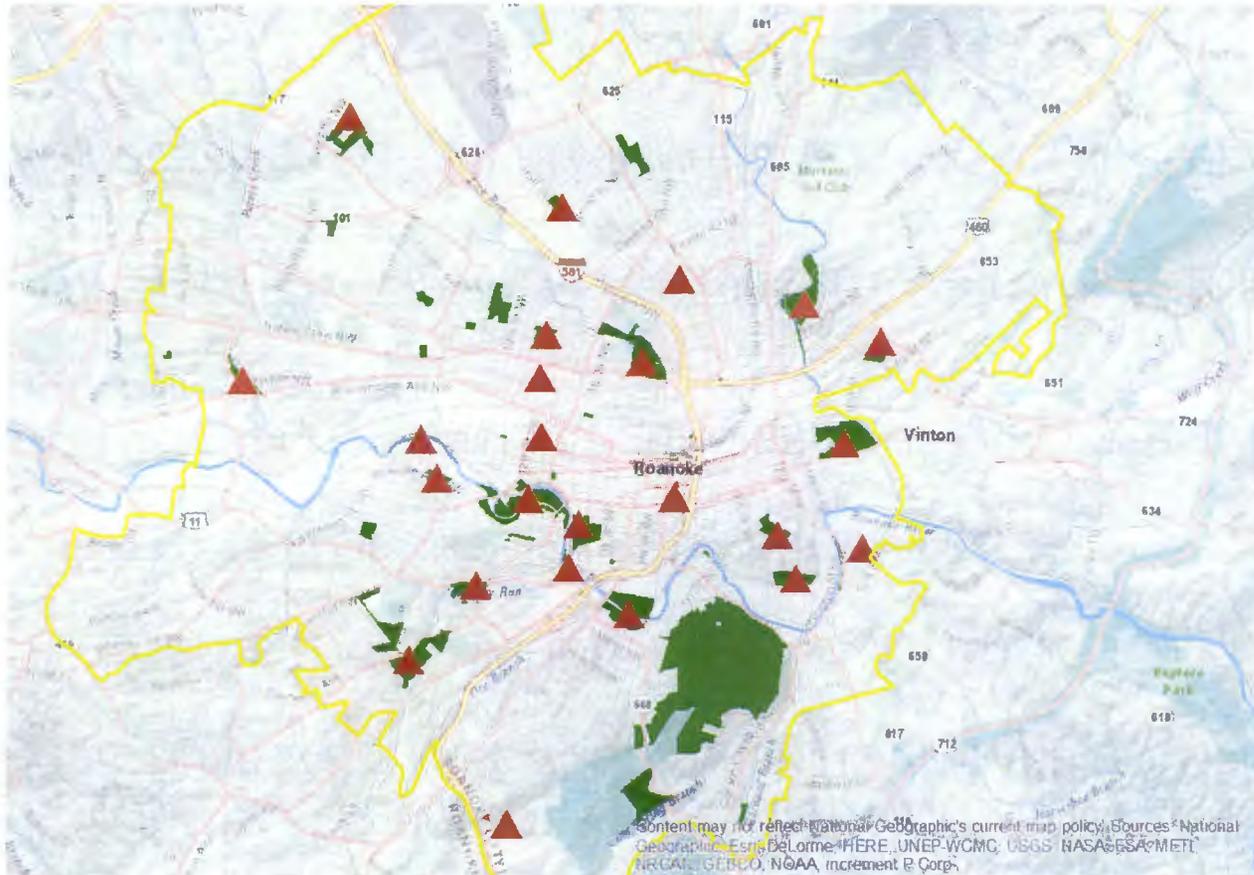


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# PROJECT LOCATIONS



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# UPDATE SUMMARY 2016:

## - ADDITIONAL PLAYGROUND REPLACEMENTS

COMPLETED: EUREKA, NORWICH, MORNINGSIDE

TO BE COMPLETED: SMITH (OCTOBER 2016)



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## - PARK IMPROVEMENTS

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## - RESTROOM AND SHELTER IMPROVEMENTS

COMPLETED: STRAUSS AND EASTGATE

TO BE COMPLETED: THRASHER (OCTOBER 2016)



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# - SPORTS LIGHTING IMPROVEMENTS

COMPLETED: MAHER FIELD



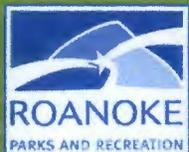
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# - LOOKING FORWARD IN FY17

- RIVERS EDGE SPORTS COMPLEX-NORTH PHASE I IMPROVEMENTS:



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# - MASTER PLAN FY-17 AND BEYOND

- ❖ TINKER CREEK GREENWAY PHASE II
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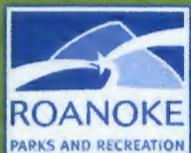


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QUESTIONS?



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# City Property Sold: 2008 - Present

## City Property Sold: 2008 - Present

| Year | Tax ID No. | Address                         | Description                          | Purchaser  | Purchase Price (\$) | Current Assessed Value (\$) |
|------|------------|---------------------------------|--------------------------------------|--|---------------------|-----------------------------|
| 2008 | 1112411    | 301 6 <sup>th</sup> Street, SW  | Former Fire Station #3               | Bellavita Holdings, LLC (Interactive Design Group) | 171,000             | 492,900                     |
| 2009 | 3012827    | 120 Commonwealth Ave., NE       | Former Howards Car Care              | Anstey Hodge Advertising Group, Inc.               | 41,800              | 260,400                     |
| 2010 | 2420202    | 514 24 <sup>th</sup> Street, NW | Former Fire Station #9               | Mahlon P. Maxey (Maxey Seat Cover Center)          | 100,024             | 126,500                     |
| 2010 | 1113210    | 530 8 <sup>th</sup> Street, SW  | Former Health Department Annex       | Rebuilding Together Roanoke, Inc. (Offices)        | 10*                 | 179,000                     |
| 2010 | 2212317    | 216 12 <sup>th</sup> Street, NW | Former Fire Station #5               | Que House, Inc. (Meeting Center)                   | 10*                 | 119,000                     |
| 2010 | 1012103    | 220 Church Avenue, SW           | Commonwealth of Virginia Building    | 220 Church, LLC (Office Building)                  | 3,650,000           | 6,788,300                   |
| 2011 | 4130501    | 1321 Morningside Street, SE     | Former Buena Vista Recreation Center | Scott and Ascension Horchler (Single Family Home)  | 30,000*             | 227,400                     |

\*Sale Subject to Performance Agreement and Conditions

## City Property Sold: 2008 - Present

| Year | Tax ID No. | Address                 | Description   | Purchaser  | Purchase Price (\$) | Current Assessed Value (\$)             |
|------|------------|-------------------------|---|--|---------------------|---|
| 2014 | 1121401    | 802 Wiley Drive, SW     | Former Transportation Museum                              | Anstey Holdings, LLC<br>(Green Goat Restaurant)                            | 2,000*              | 92,800<br>(Phase II Under Construction) |
| 2015 | 4013803    | 206 Williamson Road, SE | Former Parking Lot at Williamson Road and Tazewell Avenue | Tazewell Development, LLC<br>(Gramercy Row Apartments and Office Building) | 50,000*             | 1,043,300<br>(Under Construction)       |
| 2015 | 2013001    | 209 Henry Street, NW    | Parking lot next to Culinary School                       | Roanoke Higher Education Authority<br>(Culinary School Expansion)          | 10*                 | 374,000<br>(Construction Pending)       |
| 2015 | 1040201    | 250 Reserve Avenue      | Former Naval Reserve Offices                              | Carilion Services, Inc.  | 610,000             | 568,100                                 |

\*Sale Subject to Performance Agreement and Conditions

# City Property Available for Sale

## City Property Available for Sale

| <b>Tax ID No.</b>                       | <b>Address</b>            | <b>Description</b>   | <b>Current Assessed Value (\$)</b> | <b>Status</b>  |
|---|---------------------------|--|------------------------------------|--|
| 7230101                                 | 2002 Blue Hills Drive, NE | RCIT - Tract D & E   | 1,653,800                          | Under Contract, Sale Pending   |
| Botetourt County<br>108(9)B<br>108(9)1A | Coyner Springs Road       | Coyner Springs - Crisis Intervention Center and adjacent land  | Total Combined<br>1,192,000        | Under Contract   |
| 6640124                                 | 5540 Precision Circle, NW | Budget Car Rental Maintenance Shop<br>(Used for Storage)   | 211,500                            | Inquiry from Roanoke Regional Airport Commission                                 |
| 4011706                                 | 13 Church Avenue, SE      | Fire Station #1 (inactive)   | 1,214,200                          | Proposals received in October 2014; held pending other development opportunities |
| 4120808                                 | 1015 Jamison Avenue, SE   | Fire station #6 (inactive)   | 158,200                            | Pending  |
| 7280104                                 | 0 Blue Hills Circle, NE   | RCIT - Tract 7   | 449,400                            | Proposal under consideration   |
| 2430601                                 | 2750 Hoover Street, NW    | Villa Heights Recreation Center  | 31,000                             | Proposals under consideration  |
| 6472302                                 | 2100 Countryside Road, NW | Countryside Property<br>(City improvements include; playground, greenway and soccer fields. A private co-housing development is also pending.) | 1,778,300                          | Actively Marketing According to Master Plan                                      |

## City Property Available for Sale

| <b>Tax ID No.</b>             | <b>Address</b>                             | <b>Description</b>  | <b>Current Assessed Value (\$)</b> | <b>Status</b>  |
|-------------------------------|--|---|------------------------------------|--|
| 6410104<br>6410105<br>6410106 | 2903 Peters Creek Road, NW                 | Peters Creek Site<br>(Three parcels, two semi-cleared parcels, and one site is leased to Magic Star Auto Sales, Inc.) | Total Combined<br>1,228,900        | Actively Marketing (processed one inquiry)   |
| 7230103                       | 1950 Blue Hills Drive, NE                  | RCIT - Tract A  | 864,500                            | Actively Marketing   |
| 4013321<br>4013322            | 197 Bullitt Ave.<br>502 Williamson Rd., SE | Williamson Road at Elm Avenue Surface Parking Lots  | Total Combined<br>1,105,700        | Not Currently Marketing (ceased marketing due to a VDOT project and active inquiries from office and hotel prospects. Also currently absorbing the effect of loss of parking lot taken by Gramercy Row Apartments) |
| 4011413                       | 120 Church Ave.                            | Williamson Road at Church Avenue Surface Parking Lot  | 558,300                            | Not Currently Marketing (currently absorbing the effect of loss of parking lot taken by Gramercy Row Apartments)   |

Other City Property

## Other City Property

| Tax ID No.                     | Address                    | Description  | Current Assessed Value (\$)                 | Status                  |
|--------------------------------|----------------------------|--|---|-------------------------|
| 2031801                        | 1610 Burrell Street, NW    | Washington Park Cottage                                      | Cottage Not Assessed                        | Not Currently Marketing |
| 1470301                        | 2424 Brambleton Avenue, SW | Fishburn Park Cottage  | 70,400<br>(Land: 1,591,000 for 15.22 acres) | Not Currently Marketing |
| 14 Parcels surrounding 2012940 | 216 Henry Street, NW       | Henry Street Parking Lot<br>(and surrounding vacant parcels) | Total Combined<br>674,600                   | Not Currently Marketing |

# City Property Sold 2008 - Present

## Former Fire Station #3



## Howard's Car Care Building



## Former Commonwealth Of Virginia Building



Former Buena Vista Recreation Center



Former YMCA  
425 Church Avenue, SW



Former Health Department



Market Garage Hotel



Former Huff Lane School



Former Proposed Amphitheatre Site



Former Countryside Tennis Court Property



Former Transportation Museum  
802 Wiley Drive



Former Parking Lot  
206 Williamson Road



Former Parking Lot  
209 Henry Street



City Property  
Available for Sale

RCIT Tracts D & E



Coyner Springs – Crisis Intervention Center



Former Budget Car Rental Maintenance Shop



Former Fire Station #1



Former Fire Station #6



RCIT – Tract 7



Villa Heights Recreation Center



Countryside Property



Peters Creek Site



RCIT – Tract A



Williamson Road Surface Lots



120 Church Avenue Surface Lot



Improvements to:

# COLONIAL AVENUE

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September 6, 2016 - Project Update

# PROJECT GOAL

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- Project Goal:
  - > Create a modern transportation corridor in harmony with the VWCC Campus with an eye toward sustainability and connectivity.
- Recurring Themes:
  - > Pedestrian Safety
  - > Maintain a Median throughout (Create an collegiate identity along entire corridor)
  - > Roundabout at Overland and Colonial is “desired” by VWCC
  - > Envision the Corridor as it “should be” (Opportunity to Reimagine)
  - > Campus Feel to the Corridor
  - > Mindful of Night-Time Users
  - > Provide a Gateway Feature
  - > Sustainability

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IMPROVEMENTS TO COLONIAL AVENUE



**4 SCENARIOS EXPLORED:**

ALT A: Single Lane Roundabout at Overland Road and McNeil Drive

ALT B: Double Lane Roundabout at Overland Road with Roundabout at McNeil

ALT C: Signalized Intersection at Overland Road with Roundabout at McNeil

ALT D: Signalized Intersection at Overland Road and McNeil Drive

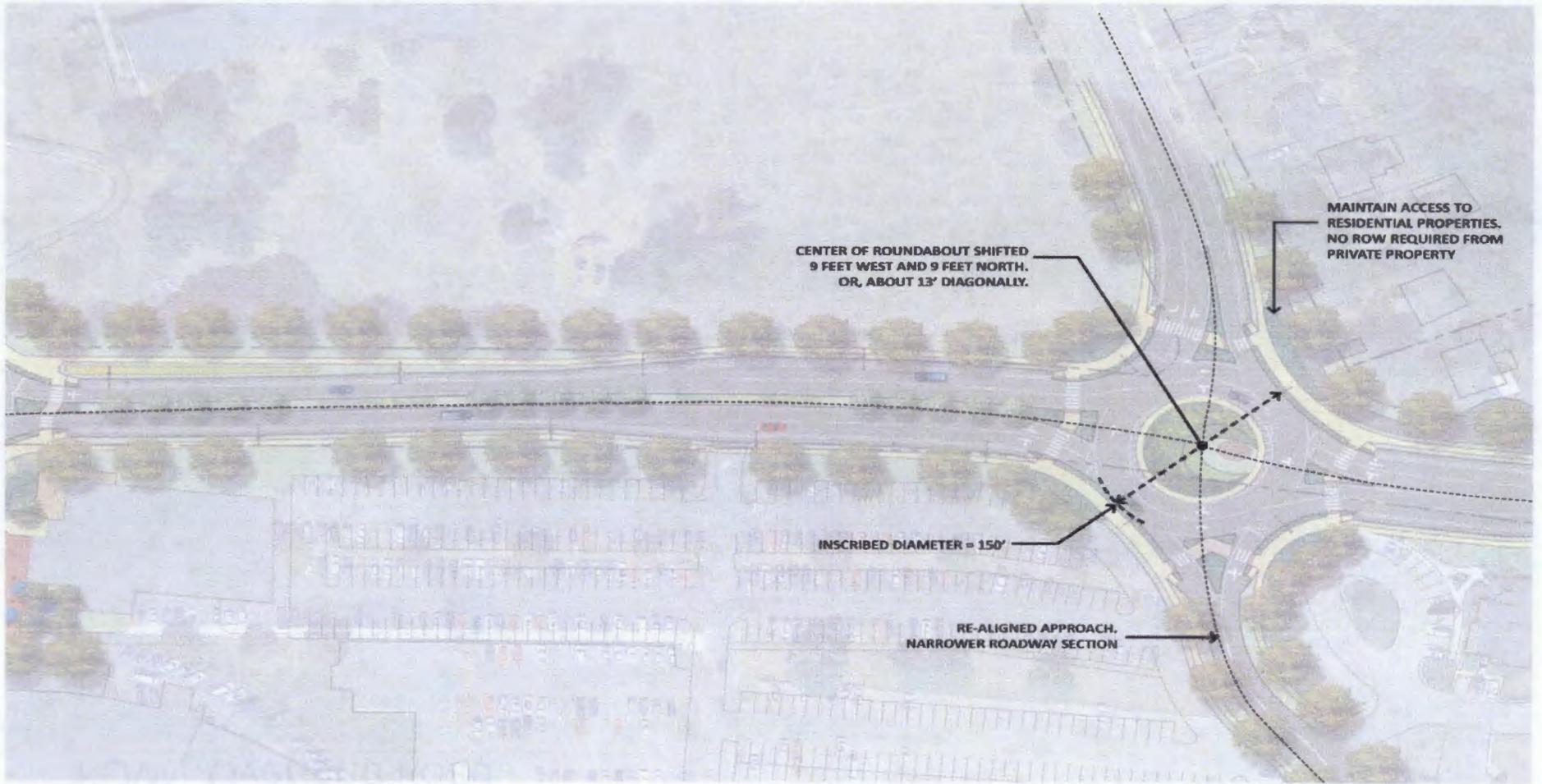
- > Closing the McNeil Entrance to VWCC Campus and installing a single lane roundabout or signalized intersection at Colonial/Overland degrade LOS to a level F in at least 1 direction during AM/PM peak hours

**SUMMARY:** Alternatives B and D are viable for Colonial Avenue from a Traffic Perspective

# Colonial Avenue | Concept Plan



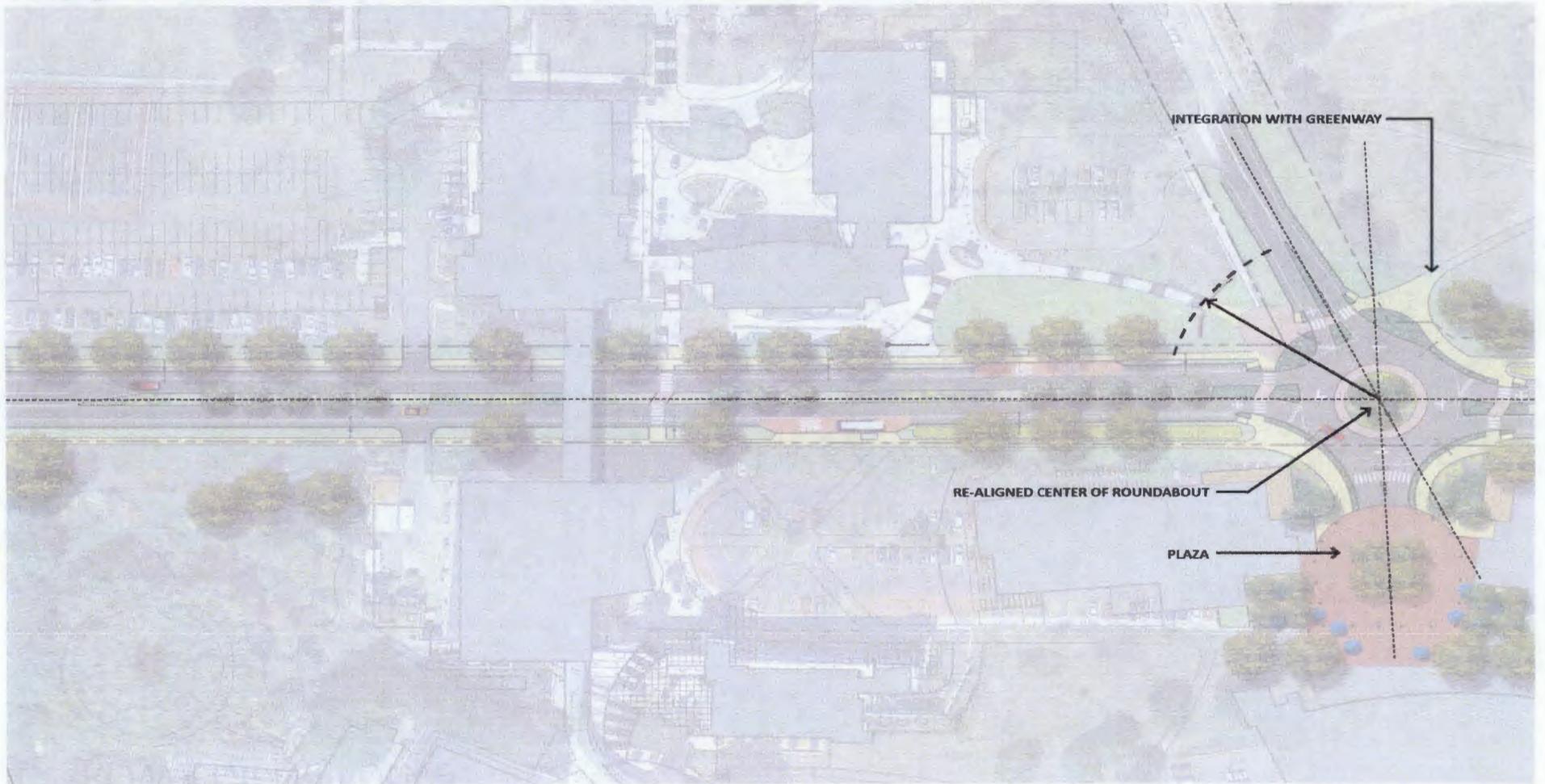
# Geometry | Overland Road



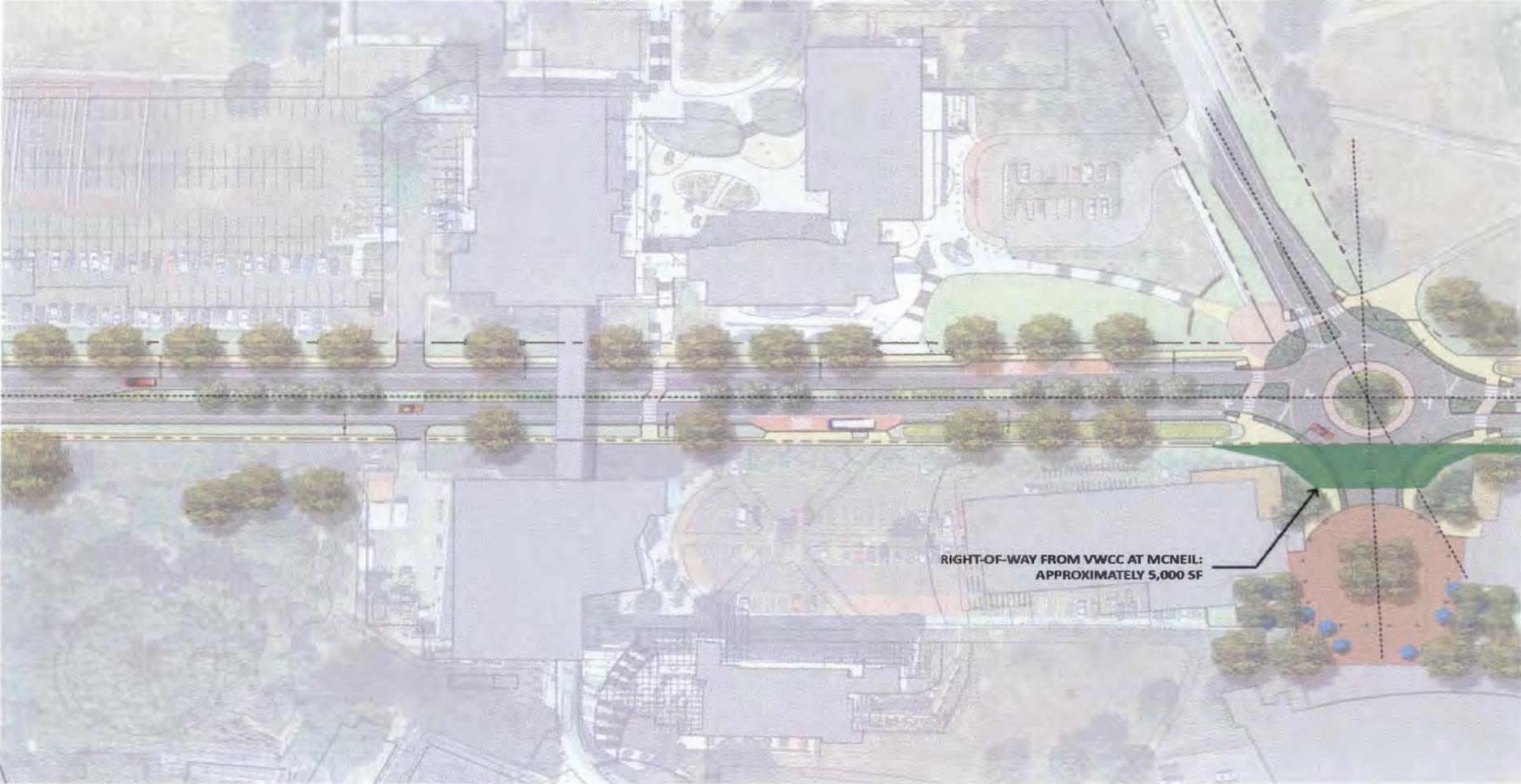
# ROW | Overland Road



# Geometry | McNeil Drive



# ROW | McNeil Drive



T H E W O R K O F  
**LINE + GRADE**

*IN ASSOCIATION WITH*



**VIRGINIA WESTERN**  
*The Community's College*



**ROANOKE**

# **Public Art Work Plan**

## **FY 2017**

# Overview

- The Roanoke Arts Commission (RAC) approved these projects at their monthly meeting on August 16, 2016.
- The major project for FY 2017 will be to install nine temporary art works in the Art Walk in Elmwood.
- The RAC has ongoing maintenance responsibilities following the Conservation Study completed in 2012.

# Art on the Bus

- Partner again with Ride Solutions and Valley Metro to place works from the collection on city buses in spring 2017
- Hire a writer or artist to ride the buses and create work from their experience
- Budget: \$3,000 from Percent for Art Funds

# Nan Mahone – *Tinker View* from Carvins Cove



# Eric Fitzpatrick – *Hotel Roanoke: A New Day Dawns*



# AIR in Elmwood

- The current pieces are due to be picked up by the artists by November 15, 2016.
- The RAC will issue a Request for Proposals in fall 2016.
- Nine new works will be installed in Spring 2017.
- The RAC will once again hold the Peoples Choice vote coinciding with Festival in the Park in May.

# Purchase *Descending Night*

- The art received a large number of votes in Peoples Choice contest.
- The RAC goal is to purchase a piece each year and eventually leave at least half the spots open for rotating art work.
- Downtown Roanoke Inc. is contributing half the cost.
- Total cost is \$18,000.





# The Roanoke Arts Commission

Thank you for your support of the  
Public Art Program

- Questions?
- Request City Council concurrence  
in RAC recommendations

# 558

## ROANOKE CITY COUNCIL-REGULAR SESSION

June 6, 2016

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, June 6, 2016, at 9:00 a.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor David A. Bowers, presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 40280-070615 adopted by the Council on Monday, July 6, 2015.

PRESENT: Council Members Anita J. Price (arrived late), Court G. Rosen (arrived late), David B. Trinkle, William D. Bestpitch, Raphael E. Ferris, Sherman P. Lea, and Mayor David A. Bowers-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

At this point, Council Member Price entered the meeting (9:03 a.m.)

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

ITEMS FOR ACTION:

CITY COUNCIL: A communication from Mayor David A. Bowers requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.23711 (A)(1), Code of Virginia (1950), as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle moved that Council concur in the request of the Mayor as abovementioned. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was not present when the vote was recorded.)

CITY COUNCIL: A communication from Council Member Sherman P. Lea, Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss a personnel matter, being the performance of a Council-Appointed Officer, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Lea moved that Council concur in the request as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was not present when the vote was recorded.)

CITY COUNCIL: A communication from the City Attorney requesting that Council convene in a Closed Meeting for consultation with legal counsel pertaining to actual litigation, where such consultation and briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body, pursuant to Section 2.2 3711(A)(7), Code of Virginia (1950), as amended.

(See communication on file in the City Clerk's Office.)

Vice- Mayor Trinkle moved that Council concur in the request of the City Attorney as abovementioned. The motion was seconded by Council Member Price.

Council Member Ferris advised of a personal conflict of interest, noting he will refrain from voting due to a conflict of interest in connection with the above matter; and he read the following statement into record:

## "STATEMENT OF CONFLICT OF INTEREST

I, Raphael E. Ferris, states that I have a personal interest in the agenda item regarding the request of the City Attorney for a closed meeting of City Council to discuss pending litigation involving the City because the plaintiff in this litigation is Ronald Milan, a relative of mine but not an immediate family member. Under these circumstances, I have elected to refrain from participation in this matter under Virginia Code. Therefore, pursuant to Virginia Code Section 2.2-3112, I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting

Witness the following signature made this 6<sup>th</sup> day of June, 2016.

S/Raphael E. Ferris  
Raphael E. Ferris, Council Member"

(See Statement on file in the City Clerk's Office.)

There being no addition remarks or questions by Council. The abovementioned communication was adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Lea, and Mayor Bowers-5.

NAYS: None-0.

(Council Member Rosen was not present when the vote was recorded.) (Council Member Ferris abstained from voting.)

ITEMS LISTED ON THE 2:00 P.M. COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION AND ADDITIONS/DELETIONS TO THE 2:00 P.M. AGENDA: NONE.

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL: NONE.

### BRIEFINGS:

#### **RYSE Program**

Afira DeVries, President and CEO, United Way of Roanoke Valley, briefed the Council on the Rehousing Youth for Success in Education (RYSE) program, which is a new collaborative leadership model that addresses an ongoing youth homeless problem. She reported there are nearly 600 students from the Roanoke City Public Schools who are homeless, adding. United Way's job is to coordinate, invest, and give holistic support by providing a stable and brighter future for students and families.

Ms. DeVries spoke about the following objectives relating to the program:

What if the problem is not addressed?

- Inconsistent attendance leads to significant gaps in skill development
- Unmet medical, dental and mental health challenges emerge.
- Student's ability to be prepared for school is severely impaired by the absence of privacy and personal space.
- Social and behavioral concerns commonly arise as students become wary of developing close relationships with peers and teachers.

Ms. DeVries shared if the problem is not addressed, the problem would arise again. She reported that fewer than 25% of homeless high school students in Virginia graduate from high school and remarked that RYSE is a family initiative which goals are not simple.

The Goals of RYSE:

- Help stabilize kids and their families, ensuring students are better prepared to learn and succeed.
- Holistic support goes beyond a single need, offering support for the entire family.
- Solutions are customizable to target each family's unique situation.
- Addresses challenges that are interrelated.

Ms. DeVries shared RYSE is an initiative designed to address these issues with participation from local and regional partnerships.

Partners address family's unique needs:

- Builds on close partnerships with school systems to address this critical need.
- Consistent and committed case management helps each family become and remain stable.
- Builds on the growth of existing programs; pools and targets resources.
- Centralized data tracking improves collaboration among service providers.
- A partnership allows community trends to be more quickly identified.
- Continuous review process ensures efficiency and effectiveness of the program.

# 562

Carol Tuning, Human Services Coordinator, shared how the program would work with local coordinated assessment and entry system programming:

## How does the system work?

- A collaborative partnership with the Blue Ridge Continuum of Care.
- Provides a central access and referral system.
- Offers a no wrong door approach to and access to services.
- Facilitates navigation of the broader community service system.
- There is a sharing of data.

## How do we know that it works?

- Success of the Veteran's initiative
- Bi-weekly meetings and development of partnership and continuous communication.
- By-name list was created to identify and track systemic barriers and strategize solution across multiple providers.

## Framework already in place

- The Community Education Homeless Student Financial Assistance Prevention program
- Administered by the City of Roanoke in partnership with the Roanoke City Schools
- The program was developed to assist families in the Roanoke City Public Schools with financial resources to gain and/or maintain housing stability.

At this point, Council Member Rosen entered the meeting (9:31 a.m.)

Having previously reviewed the information, Council Member Ferris expressed concern about the rapid rehousing issue and wondered if it would work unless there was cooperation with other localities. He inquired about the type of buy-in with partners was anticipated and what would be the service area; whereupon, Ms. Tuning replied there was a statewide model of the Homelessness Prevention and Rapid Re-Housing Program (HPRP).

Ms. DeVries interjected services were available in other localities, specifically Roanoke County and Salem areas.

(See copy presentation on file in the City Clerk's Office.)

Following dialogue with the Council, Ms. DeVries reported that it would cost approximately \$8,000.00 to rehouse each family, which would include case management cost and overlay of data analysis, adding that United Way's target is to rehouse 50 families before the next school year.

Mayor Bowers thanked Ms. DeVries and Ms. Tuning for the presentation, noting all remarks would be received and filed.

At 10:09 a.m., the Mayor declared the meeting in recessed.

At 10:18 a.m., the Council meeting was reconvened, Mayor Bowers presiding and all Members of the Council in attendance, with the exception of Council Member Price.

### **Erosion and Sediment Control Program Update**

Christopher L. Chittum, Director, Planning, Building and Development, advised that the City's Sediment Control Ordinance had been in place for many years, that erosion and sediment control was a State mandate and the purpose of erosion and sediment control was to address water quality for active construction sites. He highlighted the following presentation:

#### **Purpose**

- Water Quality
- Sediment from construction sites is a leading cause of water pollution
- VDEQ water quality standards
- Mandate: Federal → State → Local

#### **2014 Mandate**

- New stormwater management regulations
- Integration with Erosion and Sediment Control
  - Inspection frequency increased
  - Increased threshold from 5,000 to 10,000 s.f. disturbed land area
  - Erosion and Sediment Control ordinance update not mandated nor pursued

#### **Current Code**

- Threshold at 2,000 s.f. disturbed area
- 19 minimum standards apply regardless of project scale

#### **Proposed Amendment**

- Increase local threshold to 2,500 s.f.
- Ease plan requirements for projects between 2,500 and 10,000 s.f.
- Minimum standards – level of detail
- Who can prepare a plan

## **Erosion and Sediment Plan Requirement**

|  |  |
|--|--|
| 2,500 to 10,000 s.f.                     | >10,000                                  |
| Site plan only                           | Site plan + narrative                    |
| RLD, Professional Engineer,<br>Landscape | RLD, Professional Engineer,<br>Landscape |
| Architect                                | Architect                                |

## **Considerations**

- Oversight for smaller projects maintained
- Reduce burden on developers
- Frequent inspections and communication in field
- Retain water quality benefits
- Comparable to Roanoke County

## **Next Steps**

- Proposed amendments drafted
- Initial legal review complete
- DEQ approval needed (will affect timing)
- City Council consideration and adoption

## **Development Review Updates**

- TRAKit permit system implementation
  - Testing, testing and more testing
  - Go-live scheduled for August 3 (delayed to late October)
  - Minimize downtime
- Review time back on-time
- Implemented many process improvements

## **Summer Zoning Amendments**

- Wireless Telecommunication Facilities
- Signs (content)
- Floodplain (FEMA/DCR mandate)
- Various technical amendments
- Technical zoning map amendments

(See copy of presentation on file in the City Clerk's Office.)

Discussion:

Council Member Rosen inquired if the City was enabled, by law, to do nothing under 10,000 square feet; whereupon, Mr. Chittum replied in the affirmative, adding that they do have to address things like transit, to maintain water quality and do receive credit for regulating water quality under 10,000 square feet.

Council Member Bestpitch asked if there was anticipation in the possibility that Department of Environmental Quality may recommend changes or not approve what was proposed.

Mr. Chittum explained that State enabling legislation states that localities can adopt more stringent standards, and in most cases they do; and the City currently uses the Department of Environmental Quality model ordinance and do not expect any major pushback from the Department of Environmental Quality.

Following in-depth discussion of the renovation of single-family homes, tax breaks and incentives, Council Member Bestpitch questioned if incentives could be provided for homes for the homeless, possibly making homes available. He noted some of the area houses that were less expensive could be the needed housing stock for rapid rehousing which would benefit the City.

As a follow-up to Council Member Bestpitch's remarks, Council Member Ferris was in favor of considering all alternatives to renew and revitalize the housing stock and to find affordable housing. He was hopeful that a tax break could initiate discussions; but felt that may not be enough. He questioned if there was a way to tell if the homes that already qualified for those kinds of incentives were making an impact.

R. Brian Townsend, Assistant City Manager for Community Development, advised that a briefing on the West End area was on the 2:00 p.m. agenda and in that presentation general information would be provided highlighting what the average housing stock was worth over the past six years and its worth currently.

In conclusion, the City Manager suggested workshops be scheduled to further discuss some of the aforementioned issues.

Mayor Bowers thanked Mr. Chittum for the presentation and advised that the briefing would be received and filed.

### **Assembly Permit Process**

Mark Jamison, Transportation Manager, briefed the Council on the assembly permit process, noting the actions that permit applications trigger internally and the effects of the events on the community. He highlighted the following presentation:

#### **Downtown events and the Public Assembly Permit Process 2015 Statistics**

- 137 downtown events
- 77 events closed at least one street
- 29 events closed streets at City Market Building and vicinity

# 566

## **Downtown: 2007 – 2016**

- City Market Building
- Center in the Square
- Market Square
- Taubman Museum of Art
- Social Security Building
- Elmwood Park
- Hampton Inn & Suites
- Carilion Riverside/Carilion-VA Tech Medical School
- Bridges Development
- Residences: 278 (in 2007) and 1,306+ (in 2016)
- Thriving Business Community

## **Assembly Permit Process**

- Public Assemblies - City Code Section 30, Article VI
- Downtown Roanoke, Inc. (DRI)
- Contract to Plan, Promote and Manage events for City
- Downtown Event Support and Permit Services for Citizens
- Applications received and processed by both DRI and City Public Works Department

## **Behind the Scenes**

- Evaluate routes and proposed street closures
- Coordination of Event Logistics (Traffic Control, Safety, Security)
- Fabrication and placement of signs and barricades
- Parking restrictions
- Street closures
- Maintenance and repairs of infrastructure within event space
- External coordination
- Local-DRI, PARK Roanoke, Valley Metro, Carilion, Affected Businesses
- Regional EMS Agencies and Hospitals
- State and Federal Agencies (e.g. VDH, VDOT, State Police, NPS)

## **Support and Resources**

- Assembly Permit Application Process
- Multiple Departments review, approve and support
- Additional Support as needed:
  - Solid Waste
  - Stormwater (street sweeping)
  - Police
  - Traffic Control - Signs and barricades
  - Fire-EMS

**Considerations**

- Impacts on:
- Businesses
- Residents
- Traffic/Transit
- Time and Day of Week
- Public Safety
- Suitability of Venue
- Parking
- Solid Waste
- Feasibility of Routes (Parades, Runs, Walks)

**Recent Challenges**

- Frequency of street closures
- Impeding vehicular access to Central Business District, tourist destinations, and health care facilities
- Residential population is growing
- Level of City resources required to support events
- Number of events continues to increase

**Finding a Balance**

- Develop a Special Events Policy
- Balance
- Vitality and Level of Activity in Downtown
- Business Interests
- Residential Interests
- Considerations
- How many events?
- Locations?
- Street Closures?
- Day of week?
- Time of day?
- Others?
- Questions

(See copy of presentation on file in the City Clerk's Office.)

## Discussion:

The City Manager advised that the most consistent complaints were from retailers because many patrons may attend or participate in an event, but would not patronize the businesses on the same visit; and street closures prevent regular patrons from entering the area. He also pointed out that during the week, complaints stem from the office buildings where clients do not have access.

Mr. Jamison stated that over the next few months stakeholders will meet to discuss the creation of a policy with regard to events; adding that localities such as Raleigh, North Carolina have an outstanding special events policy, which would provide a good basis for conversation for the City of Roanoke; and he plans to share updates on the matter.

Following discussion surrounding the challenges of the downtown area and the First Friday's event, Mr. Jamison advised that businesses may or may not call with a complaint, but he remains respectful of the fact that there were several thousand vehicles trying to use downtown streets, such as Franklin Road, to get out of town at 5:00 p.m., on a Friday.

Council Member Bestpitch commented that the City has some large events along with some challenges, but actions have been taken to attempt to create additional venues for some of those events in an effort to offer more options. He suggested that the management of Elmwood Park be a topic at the upcoming meeting of the stakeholders.

Following comments by Council Members, Mayor Bowers thanked Mr. Jamison for the update and advised that the briefing would be received and filed.

### **Climate Action Plan:**

Michael Shockley, Director of General Services and Sustainability, introduced Dr. Sean McGinnis, Director of Virginia Tech's Green Engineering Program; and Nell Boyle, Sustainability Outreach Coordinator, updated the Council on Greenhouse Gas Emissions New Community Targets for 2015 through 2019. Mr. Shockley shared data was reported in February 2016 and the City had met and exceeded the municipal and community goals and are eager to continue the progress. Dr. McGinnis presented a recommendation for the next five year plan as follows:

### **5 Step Process for GHG Reduction**

1. Baseline emissions inventory and forecast
  - 2005 Baseline Report – December 27, 2007
2. Emissions reduction target
  - City Council Resolution – September 2, 2008
    - 10% community reduction (January 2009 – December 2014)
    - 12.5% municipal reduction (January 2009 – December 2014)
3. Develop Local Government Action Plan
4. Implement Local Action Plan
5. Monitor and verify results

### **Community GHG Emissions**

| Sector        | 2005             | 2014             | % Change      | 2015 (%)    |
|---------------|------------------|------------------|---------------|-------------|
| <b>Totals</b> | <b>2,276,343</b> | <b>1,971,679</b> | <b>-13.4%</b> | <b>100%</b> |

Dr. McGinnis noted the community target was 10% in 2005 and that goal was exceeded by 3.4% in 2014.

### **Municipal GHG Emissions**

The municipal target was 12.5% and the city exceeded that target by doubling that goal with a 25.0% decrease, focusing on buildings, lighting and fleet vehicles.

### **Highlights**

- In 2015, the Department of Energy recognized the Berglund Center for its successful energy retrofit project:
  - 24% total energy savings
  - 40% savings in electricity
  - 57% reduction in GHG
- Special recognition from the White House for outstanding performance in the Better Building Challenge 2012 through 2014, confirming our commitment to reduce our energy consumption 20% by 2020.
- Highest electric saving – the Noel C. Taylor Municipal Building at 49 percent reduction.
- Reduced fleet energy consumption by 20%.
- Municipal energy savings in avoided energy
  - 2012 - \$577,000.00
  - 2014 - \$926,700.00

# 570

## **New Goals**

- Community – 10%
- Municipal – 12.5%

## **Focus Areas**

- Energy Management – HVAC, major projects and plug loads
- Alternative energy and fuels
- Weatherization and conservation
- Water and energy outreach and education
- Alternative transportation, accessible streets and safe bike paths

(See copy of presentation on file in City Clerk's Office.)

Following the presentation, Council Member Bestpitch inquired whether the City is committed to reducing energy consumption to 20 percent prior to 2020, and if the current target of 12.5 percent would be considered a part of the 20 percent. Ms. Boyle advised that at this point, the City was ahead of schedule in reaching its goal of 20 percent by 2020.

Vice-Mayor Trinkle inquired whether the Roanoke City Schools energy consumption data was included in the analysis. Dr. McGinnis shared the School Division was considered a separate entity; however, the data is shown in the overall numbers.

Mayor Bowers thanked Dr. McGinnis for the presentation, noting the presentation would be received and filed.

At 11:57 a.m., the Mayor declared the Council Meeting in recess for a Closed Meeting in Council's Conference Room, Room 451, and thereafter to be reconvened at 2:00 p.m., in the Council Chamber.

At 2:00 p.m., the Council meeting reconvened in the Council Chamber, with Mayor Bowers presiding.

PRESENT: Council Members Anita J. Price, Court G. Rosen, David B. Trinkle, William D. Bestpitch, Raphael E. Ferris, Sherman P. Lea, and Mayor David A. Bowers-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by The Reverend Kelvin Edwards, Sr., Pastor, Hales Ford United Methodist Church.

The Mayor called for a Moment of Silence in recognition of the D-Day Anniversary, and in memory of Jeff Beckner, a former City employee and Fire Chief of Botetourt County Fire /EMS, who passed away on Friday, June 3, 2016; and Steven C. Buschor, Director of Parks and Recreation, who passed away on Monday, June 6, 2016, respectively.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Bowers.

#### PRESENTATIONS AND ACKNOWLEDGEMENTS:

DECEASED PERSONS: Council Member Bestpitch offered the following resolution recording City Council's deepest regret and sorrow at the passing of Wesley V. Hillman, a Roanoke native and aviation legend:

(#40521-060616) A RESOLUTION memorializing the late Wesley V. Hillman, a Roanoke native and longtime resident.

(For full text of resolution, see Resolution Book No. 78, page 280.)

Council Member Bestpitch moved the adoption of Resolution No. 40521-060616. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

Mayor Bowers presented ceremonial copy of Resolution No. 40521-060616 to Melinda Stewart, daughter; and Al Hillman, son.

The Mayor asked that a copy of the resolution be forwarded to the Virginia Museum of Transportation inasmuch as Mr. Hillman was an aviator.

**ENVIRONMENTAL MANEGEMENT:** Mayor Bowers recognized Christopher Blakeman, Environmental Administrator; and the Environmental Management Division on receiving an Environmental Health and Safety Information Management Award.

Following remarks, he presented the Award to Mr. Blakeman.

**HEARING OF CITIZENS UPON PUBLIC MATTERS:** The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters would be referred to the City Manager for response, recommendation or report to Council, as he may deem appropriate.

**MISCELLANEOUS:** Robert Gravely, 3360 Hershberger Road, N. W., appeared before the Council to reiterate his opinion regarding the violation of his employment rights.

**AIRPORT:** Geoff Campbell, 780 Tinker Mill Road, Daleville, appeared before the Council and spoke about the Roanoke Aviation Transit Service "RATS."

**AIRPORT:** Troy Larimer, 3800 Franklin Street, Rocky Mount, appeared before the Council and complained about the lack of support from the City's airport representatives regarding enforcement of taxi parking.

**AIRPORT:** Bennett Early, 1415 Antrim Street, Salem, appeared before the Council and expressed his concern about of the lack of cooperation from the Roanoke Regional Airport Commission regarding the Airport taxi policy.

## CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda are considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion were desired, the item would be removed from the Consent Agenda and considered separately. Mayor Bowers called attention to one request for a public hearing from the City Manager.

**TAP-CITY-OWNED PROPERTY:** A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 20, 2016, at 2:00 p.m., or as soon thereafter as the matter may be heard, to consider a request of Total Action Against Poverty in Roanoke Valley, trading as Total Action for Progress (TAP), for tax exemption of real property located at 1633 Salem Avenue, S. W., and 702 and 624 Shenandoah Avenue, N. W., was before the body.

(See communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle moved that Council concur in the request of the City Manager as abovementioned. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

CITY PLANNING COMMISSION: A communication from the City Clerk advising of the resignation of Chad A. Van Hying as a member of the City Planning Commission, effective immediately, was before the body.

(See communication on file in the City Clerk's Office.)

Vice Mayor Trinkle moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

OATHS OF OFFICE-ROANOKE VALLEY AREA METROPOLITAN PLANNING ORGANIZATION-COURT COMMUNITY CORRECTIONS REGIONAL PROGRAM COMMUNITY CRIMINAL JUSTICE BOARD-ROANOKE VALLEY GREENWAY COMMISSION-BLUE RIDGE BEHAVIORAL HEALTHCARE-ROANOKE PUBLIC LIBRARY-MILL MOUNTAIN ADVISORY BOARD-ROANOKE PENSION PLAN-ROANOKE ARTS COMMISSION-BUILDING AND FIRE CODE BOARD- ROANOKE NEIGHBORHOOD ADVOCATES: Reports of qualification of the following individuals were before the Council:

The Honorable Raphael E. Ferris as an elected official representative of the Roanoke Valley Area Metropolitan Planning Organization for a three-year term of office ending June 30, 2017;

The Honorable Timothy A. Allen, City Sheriff, as a City representative of the Court Community Corrections Regional Program, Community Criminal Justice Board for a three-year term of office ending June 30, 2019;

James D. Ritchie as the City representative of the Roanoke Valley Greenway Commission for a three-year term of office ending June 30, 2019;

Laura Eichenlaub as the Blue Ridge Behavioral Healthcare City representative of the Court Community Corrections Regional Program, Community Criminal Justice Board to fill the unexpired term of Gail Burruss ending June 30, 2018;

Marianne Gandee and Benjamin Bazak as members of the Roanoke Public Library Board for a three-year term of office, each, ending June 30, 2019;

Whitney H. Feldmann as the Mill Mountain Garden Club representative and Mary L. Kegley as the Fishburn Family representative of the Mill Mountain Advisory Board for three-year terms of office, each ending June 30, 2019;

Michael B. Shockley (City employee) as a member of the City of Roanoke Pension Plan, Board of Trustees for a four-year term of office ending June 30, 2020;

Patice L. Holland as a member of the Roanoke Arts Commission for a three-year term of office ending June 30, 2019;

D. Jeffrey Parkhill (Architect) as a member of the Building and Fire Code Board of Appeals for a three-year term of office ending June 30, 2019; and

Cindy Pasternak as a member of the Roanoke Neighborhood Advocates for a three-year term of office ending June 30, 2019;

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Vice-Mayor Trinkle moved that the reports of qualification be received and filed. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

## REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

## BRIEFINGS:

**West End Target Area – Project Wrap Up Report:**

Keith Holland, Neighborhood Services, Community Resources Program Administrator gave a report on the use of HUD Entitlement Funds in the West End Target Area in the Hurt Park to West End area of the City. He reported the following:

Major Accomplishments

- 30 new home ownership – constructed or rehabilitated
- 49 rehabilitations of owner – occupied
- 18 residential façade improvements
- 2 dilapidated structures demolished
- 2,500 linear feet of new or rehabilitated sidewalks/curbing
- 1,200 linear feet of new storm drain piping
- Freedom First Financial Services Center
- \$5.6 million CDBG and HOME funds

Code Enforcement (2011 – 2016)

- Inoperable Vehicles down 32%
- Weed and Trash citations down 47%
- Property Maintenance citations down 54%
- Graffiti complaints down 100%

Law Enforcement (2010 – 2016)

- Total Criminal Offenses down 10%
- Property Crime down 19%
- Calls for Service down 16%

Property Valuation (2011 – 2015)

- 2011 median sales price - \$70,000.00
- 2011 average assessed value - \$87,000.00
- 2015 median sales price - \$121,000.00
- 2015 average assessed value - \$140,000.00

# 576

## Financial Services – Freedom First Credit Union

- 1,615 new accounts
  - 90 unbanked
  - 14 underbanked
- Loans
  - 224 consumer
  - 6 real estate
  - 22 first mortgages
  - 6 business
- \$4.27 million loan value

## Private Investment

- \$4.7 million in building permits since 2011
- \$941,936 Freedom First Credit Union
- Refurbished commercial properties
- Private home construction/remodeling

## 13<sup>th</sup> Street Project

- 2,500 linear feet of new sidewalk and curb
- 1,200 linear feet of new storm drainage
- 31 street trees
- 32 street lamps
- New intersection/crosswalk at 13<sup>th</sup> Street, S. W. and Patterson Avenue, S. W.
- \$1.2 million CDBG funds for \$1.7 million project

## Neighborhood Development – Other Notable Results

- West End Village Plan by Emerging Leaders in Architecture
- 13<sup>th</sup> Street Infrastructure and Streetscape Project
- LEAP Community Kitchen
- West End Community Garden
- Gateway Public Art
- 2015 Project of the Year by Virginia Statewide Neighborhood Conference

Mr. Holland recognized the following community and business partners for their efforts and support:

- Habitat for Humanity
- Total Action for Progress (TAP)
- Renovation Alliance

- Roanoke Community Garden Association (RCGA)
- Freedom First Credit Union
- Roanoke Redevelopment and Housing Authority
- Blue Ridge Independent Living Center
- Community Housing Partners (CHP)
- HUD and City Departments

(See copy of presentation on file in the City Clerk's Office.)

Following the presentation, Council Member Bestpitch thanked Mr. Holland for the report and announced a community potluck would be held on Thursday, July 7 at the Mountain View Center located at 714 13th Street, S. W. at 6:30 p.m.

### **Sculpture for West End Gateway:**

Susan Jennings, Arts and Culture Coordinator, gave a brief update on a part of the West End Gateway project. After consulting with the Art Committee, the intersection of Campbell Avenue, S. W. and Patterson Avenue, S. W. has been selected as the preferred site. She reported the following information:

#### **Background**

- The SWETA group (Stakeholders of the West End Target Area) requested that a gateway art piece be included in the plans for the area.
- The intersection of Campbell and Patterson was chosen as the preferred site.
- This project utilizes Community Development Block Grant Funds designated for this area.
- A selection panel to choose the piece included representatives from SWETA, Old Southwest, Inc., Mountain View neighborhood, the nearby business community, individual artists and the Roanoke Arts Commission.
- An RFP was issued through the City of Roanoke Purchasing Department.
- Twelve artists responded to the RFP.
- David Caudill of Louisville, Kentucky was chosen to create the piece "Dancing with Time" as his proposed work best suited the site.

#### **Why "Dancing with Time"**

- It is the correct scale for the site at a total of 18' high -the base is 10' and the stainless steel top is 8'.
- The materials are durable enough for our changing weather.
- It can be viewed from all sides.
- It is bright and colorful.

# 578

Ms. Jennings shared that a panel was chosen with representatives from the Southwest neighborhood, Mountain View neighborhood, including nearby business community individuals, artists, and the Arts Commission to select the piece. An RFP was issued by the Purchasing Department and received twelve responses from artists. The panel chose and recommended David Caudill of Louisville, Kentucky to create a piece called "Dancing with Time." She continued to share that the panel recommended this piece because it is very tall (approximately 18 feet tall), the base is 10 feet, and the top is 8 feet tall. The materials are very durable for changing weather. The bottom will be powder coated and it is stainless steel. Per the artist, it can be viewed from all sides and it is a very bright and colorful and will reflect the light that will create a shimmering affect.

(See copy of presentation on file in the City Clerk's Office.)

Mayor Bowers thanked Ms. Jennings for the presentation, noting the presentation would be received and filed.

## ITEMS RECOMMENDED FOR ACTION:

**SUMMER FOOD PROGRAM-BUDGET-GRANTS:** The City Manager submitted a written communication recommending execution of an agreement with the Virginia Department of Health in connection with the Summer Food Program.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Price offered the following resolution:

(#40522-060616) A RESOLUTION authorizing the acceptance of a Summer Food Program Grant from the Virginia Department of Health, and authorizing execution and attestation of any required documents on behalf of the City, in connection with such grant, under certain conditions.

(For full text of resolution, see Resolution Book No. 78, page 281.)

Council Member Price moved the adoption of Resolution No. 40522-060616. The motion was seconded by Vice-Mayor Trinkle.

Following comments by the City Manager regarding the specifics about the Summer Food Program, Resolution No. 40522-060616 was adopted by the following vote:

**AYES:** Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

**NAYS:** None-0.

Council Member Price offered the following budget ordinance:

(#40523-060616) AN ORDINANCE to appropriate funding from the Federal Government, through the Virginia Department of Health, for the Summer Food Program, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 282.)

Council Member Price moved the adoption of Budget Ordinance No. 40523-060616. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

BUDGET-GRANTS-HOUSING: The City Manager submitted a written communication recommending acceptance of the 2016 - 2017 Community Development Block Grant, Home Investment Partnerships Program and Emergency Solutions Grant Entitlement funds from the Department of Housing and Urban Development.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#40524-060616) A RESOLUTION authorizing acceptance of certain grants from the United States Department of Housing and Urban Development (HUD) for entitlement funding for the 2016 - 2017 fiscal year consisting of the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME) Grant, and the Emergency Solutions Grant (ESG), such grants to be used in connection with the 2016 - 2017 HUD Action Plan previously approved by City Council; upon certain terms and conditions, and authorizing the execution of the necessary grant documents required to accept such funding.

(For full text of resolution, see Resolution Book No. 78, page 283.)

Council Member Bestpitch moved the adoption of Resolution No. 40524-060616. The motion was seconded by Council Member Ferris.

The City Manager remarked that CDBG funds will be used to support public funding for the Lansdowne Public Housing area in an attempt to transform the neighborhood.

There being no comments by the Council Members, Resolution No. 40524-060616 was adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

Council Member Bestpitch offered the following budget ordinance:

(#40525-060616) AN ORDINANCE to appropriate funding from the Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program, and Emergency Solutions Grant (ESG), amending and reordaining certain sections of the 2016 - 2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 284.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40525-060616. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

HOUSING-GRANTS-SOCIAL SERVICES: The City Manager submitted a written communication recommending acceptance of the Virginia Homeless Solutions Grant from the Department of Housing and Community Development to support Continuum of Care strategies and homeless service and prevention programs.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#40526-060616) A RESOLUTION authorizing the acceptance of the Virginia Homeless Solutions Program Grant ("Grant") to the City of Roanoke ("City") by the Virginia Department of Housing and Community Development ("VDHCD") in the amount of \$93,647.00; authorizing the City of Roanoke to be the fiscal agent for distribution of the grant proceeds; and authorizing the City Manager to execute any documentation required to accept the Grant on behalf of the City, including Memorandums of Understanding with certain provider agencies.

(For full text of resolution, see Resolution Book No. 78, page 287.)

Council Member Bestpitch moved the adoption of Resolution No. 40526-060616. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

Council Member Bestpitch offered the following budget ordinance:

(#40527-060616) AN ORDINANCE to appropriate funding from the Commonwealth of Virginia Department of Community Development for the Virginia Homeless Solutions Program, amending and reordaining certain sections of the 2016 - 2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 288.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40527-060616. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

**BUDGET-HUMAN SERVICES:** The City Manager submitted a written communication recommending approval of Human Services Advisory Board allocation funding to various non-profit agencies for Fiscal Year 2016 - 2017; and execution of a contract with the Council of Community Services to conduct performance audits in connection therewith.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Rosen offered the following resolution:

(#40528-060616) A RESOLUTION approving the recommendations of the Human Services Advisory Board ("Board") for allocation of City funds to various qualified agencies to assist such agencies in the performance of their programs for Fiscal Year 2016 - 2017, and authorizing the City Manager or his designee to execute a contract with the Council of Community Services to perform the necessary performance audits to evaluate the effectiveness and efficiency of all the funded programs by such agencies.

(For full text of resolution, see Resolution Book No. 78, page 289.)

Council Member Rosen moved the adoption of Resolution No. 40528-060616. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

**AYES:** Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

**NAYS:** None-0.

Council Member Rosen offered the following budget ordinance:

(#40529-060616) AN ORDINANCE to transfer funding to specific Human Services Committee agencies, amending and reordaining certain sections of the 2016 - 2017 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 291.)

Council Member Rosen moved the adoption of Budget Ordinance No. 40529-060616. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

BUDGET-ARTS AND CULTURE: The City Manager submitted a written communication recommending approval of Roanoke Arts Commission allocation funding to specific arts and culture agencies for Fiscal Year 2016 - 2017.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following resolution:

(#40530-060616) A RESOLUTION concurring with and approving the recommendations of the Roanoke Arts Commission's ("Arts Commission") allocation of City funds to various nonprofit agencies for Fiscal Year 2016 - 2017.

(For full text of resolution, see Resolution Book No. 78, page 293.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40530-060616. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

Vice- Mayor Trinkle offered the following budget ordinance:

(#40531-060616) AN ORDINANCE to transfer funding to specific Art Commission agencies, amending and reordaining certain sections of the 2016 - 2017 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 294.)

# 584

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40531-060616. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

DONATIONS-PARKS: The City Manager submitted a written communication recommending acceptance of a donation from the Civitan Club of Roanoke and the Civitan Chesapeake District Foundation to replace playground equipment in Smith Park.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following resolution:

(#40532-060616) A RESOLUTION accepting the donation of funds from the Civitan Chesapeake District Foundation and the Civitan Club of Roanoke to assist with the Smith Park playground replacement process; authorizing the City Manager to take such further actions and execute all documents as may be necessary to obtain, accept, implement, administer such donation; and expressing the City's appreciation for such donation.

(For full text of resolution, see Resolution Book No. 78, page 295.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40532-060616. The motion was seconded by Council Member Rosen.

Following comments from Council Members Ferris and Price, Resolution No. 40532-060616 was adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

Vice-Mayor Trinkle offered the following budget ordinance:

(#40533-060616) AN ORDINANCE to appropriate funding from Civitan Club of Roanoke to the Smith Park Playground Replacement project, amending and reordaining certain sections of the 2015 - 2016 Capital Projects Fund Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 296.)

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40533-060616. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

CITY CODE: The City Manager submitted a written communication recommending amendment of the City Code to revise the definition of the Sealed Compactor Zone; and amend the Fee Compendium to reflect fee schedule, effective September 1, 2016 — November 30, 2016, and the deletion of fees no longer applicable.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following resolution:

(#40534-060616) AN ORDINANCE amending Section 14.1-1, Definitions, of Article I, In General, of Chapter 14.1, Solid Waste Management, of the Code of the City of Roanoke (1979), as amended, to provide for the proper collection of refuse as set forth below; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 297.)

Vice-Mayor Trinkle moved the adoption of Ordinance No. 40534-060616. The motion was seconded by Council Member Rosen.

# 586

Following dialogue about noise from the core neighborhood in the downtown area and a solution to alleviate the problem, Ordinance No. 40534-060616 was adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

Vice-Mayor Trinkle offered the following resolution:

(#40535-060616) A RESOLUTION amending the Fee Compendium to amend fees for refuse collection in the Central Business District, as set out below; and establishing an effective date.

(For full text of resolution, see Resolution Book No. 78, page 298.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40535-060616. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

**BUDGET-PARKING-GARAGES:** The City Manager submitted a written communication recommending appropriation of funds for various upgrades and repairs at the Church Avenue Parking Garage.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Rosen offered the following budget ordinance:

(#40536-060616) AN ORDINANCE to appropriate funding from the Parking Fund Retained Earnings to Parking Fund Contingency for various capital upgrade and repair projects, amending and reordaining certain sections of the 2015 - 2016 Parking Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 299.)

Council Member Rosen moved the adoption of Budget Ordinance No. 40536-060616. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

PARKING-GARAGES: The City Manager submitted a written communication recommending execution of Amendment No. 4 to the City's Contract with Thyssen Krupp Elevator Corporation to replace parts in two of the elevators located in the Church Avenue Parking Garage.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Rosen offered the following resolution:

(#40537-060616) A RESOLUTION authorizing the City Manager's issuance and execution of Amendment No. 4 to the City's Contract with ThyssenKrupp Elevator Corporation ("ThyssenKrupp") for additional professional services for repairs to the Church Avenue Parking Garage elevator; and authorizing the City Manager to take certain other actions in connection with such Amendment.

(For full text of resolution, see Resolution Book No. 78, page 300.)

Council Member Rosen moved the adoption of Resolution No. 40537-060616. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

PARKING: The City Manager submitted a written communication recommending execution of Amendment No. 4 to amend and extend the City's contract with Lancor Parking, LLC for management and operation of the City's on and off-street parking operations.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Rosen offered the following resolution:

(#40538-060616) A RESOLUTION authorizing the City Manager's issuance and execution of Amendment No. 4 to the City's Contract with Lancor Parking, L.L.C. ("Lancor") to adjust the monthly management fee of such Contract; and authorizing the City Manager to take certain other actions in connection with such Amendment.

(For full text of resolution, see Resolution Book No. 78, page 301.)

Council Member Rosen moved the adoption of Resolution No. 40538-060616. The motion was seconded by Council Member Bestpitch.

Discussion was held regarding the bidding process to receive proposals to manage and operate the City's on and off-street parking operations. The City Manager indicated that parking meter vendors were interested and shared backyard information, noting the two year contract, with a two year renewal, will be bid again next year. The Assistant City Manager for Community Development interjected that a Request for Proposals will be issued in December 2016 for a five year contract period beginning July 1, 2016.

Following comments by Council Member Rosen expressing appreciation to Lancor for professional services rendered, Resolution No. 40538-060616 was adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

GREENHOUSE GASES EMISSIONS: The City Manager submitted a written communication recommending approval of a specific target greenhouse gas emissions reduction goal.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following resolution:

(#40539-060616) A RESOLUTION adopting greenhouse gas ("GHG") reduction targets.

(For full text of resolution, see Resolution Book No. 78, page 302.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40539-060616. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

#### COMMENTS OF CITY MANAGER:

The City Manager shared the following comments:

#### **Parks and Arts returns in 2016**

The award-winning Parks and Arts series will return to five different neighborhood parks this summer. The program is organized by the Roanoke Arts Commission, the Office of Neighborhood Services and the Parks and Recreation Department. The following parks have been selected:

- Golden Pak, June 25, noon to 3:00 p.m.
- Preston Park, July 16, noon to 3:00 p.m.
- Mountain View, August 6, noon to 3:00 p.m.
- Elmwood Park, August 27, noon to 3:00 p.m.
- Horton Park, October 1, 10:00 a.m. to 2:00 p.m.

Parks and Arts is also a partnership between the city and the Roanoke Symphony Orchestra. A highlight of this year's events will be in the performance at Elmwood Park by RSO Pops. The entire event is free and open to the public for the first time in RSO history. Also new this year, Parks and Arts will work with the Roanoke Public Libraries to enhance their Fall Festival in the Melrose Neighborhood.

#### **Residents invited to Enter Photo Contest**

The Roanoke Valley Greenway Commission is offering cash for photos. So take along your camera or smart phone on your next greenway outing and capture a special scene. All images must be taken along or from a greenway corridor in the Roanoke Valley greenway network. Prizes will be awarded as follows:

- 1<sup>st</sup> Place - \$100.00
- 2<sup>nd</sup> Place - \$50.00
- 3<sup>rd</sup> Place - \$25.00
- Honorable Mention – no cash prize, recognition only

Photos must have been taken between October 1, 2015 and September 15, 2016 to be eligible for submission. The photo contest period is May 1 through September 16, and online entries must be uploaded no later than midnight September 16. Images should be submitted as attachments via email to [rvgreenways@gmail.com](mailto:rvgreenways@gmail.com). Visit [www.greenways.org](http://www.greenways.org) for greenway locations and maps.

### **City Pools set to open for summer**

Washington Park Pool opens to the public on June, while Fallon Park Pool opens on June 10.

Fallen Park Pool will be open Fridays and Saturdays from noon to 7:00 p.m. and Sundays from noon to 6:00 p.m. Through a partnership with the YMCA, Washington Park Pool will operate six days a week from noon to 6:00 p.m. Both pools will be closed on Wednesdays for maintenance.

### **DIRECTOR OF FINANCE:**

**FINANCIAL REPORTS:** The Director of Finance submitted the Financial Report for the City of Roanoke for ten months ended April 30, 2016; and Roanoke City Public Schools for nine months ended March 31, 2016.

(For full text, see copy of Financial Reports and presentation on file in the City Clerk's Office.)

Following commentary by Ms. Dameron on the financial results for ten months ended April 30, 2016; and Roanoke City Public Schools for nine months ended March 31, 2016, the Mayor advised that the report would be received and filed.

### **REPORTS OF COMMITTEES: NONE.**

### **INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

**SCHOOLS:** Council Member Lea offered the following resolution appointing and electing two School Board Trustees on the Roanoke City School Board for three-year terms of office, each, commencing July 1, 2016 and ending June 30, 2019:

(#40540-060616) A RESOLUTION appointing Annette Lewis and Lutheria Harrison Smith, as School Board Trustees of the Roanoke City School Board for terms commencing July 1, 2016, and ending June 30, 2019.

(For full text of resolution, see Resolution Book No. 78, page 303.)

Council Member Lea moved the adoption of Resolution No. 40540-060616. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

NAYS: None-0.

MOTION AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

SOLID WASTE: Council Member Bestpitch shared concerns from citizens regarding the Solid Waste Management Brush and Bulk Pickup Policy. He requested a review of the process to better meet the needs of the citizens.

YOUTH-RECREATION: Council Member Lea announced that the Lea Youth Outdoor Basketball League event will be held at Fallon Park on Wednesday, June 8 at 7:00 p.m. He encouraged the public to attend.

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL:

OATHS OF OFFICE-ROANOKE NEIGHBORHOOD ADVOCATES: The Mayor called attention to the upcoming expiration of the three-year term of office of Chris Craft as member of the Roanoke Neighborhood Advocates ending June 30, 2016; whereupon, he opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the name of Nicole Harris.

There being no further nominations, Ms. Harris was appointed to replace Mr. Craft as a member of the Roanoke Neighborhood Advocates for a three-year term of office ending June 30, 2019, by following vote:

FOR MS. HARRIS: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

OATHS OF OFFICE-VIRGINIA BLUE RIDGE CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS: The Mayor called attention to the upcoming expiration of the one-year terms of office of Doug Robison, Jeffrey Marks, Gary Walton and Renee "Butch" Craft as City representatives of the Virginia Blue Ridge Convention and Visitors Bureau, Board of Directors ending June 30, 2016; whereupon, he opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the names of Doug Robison, Thomas Cullen, Bart Wilner and Renee "Butch" Craft.

There being no further nominations, Mr. Robison and Ms. Craft were reappointed and appointed Mr. Cullen to replace Mr. Marks and Mr. Wilner to replace Mr. Walton as City representatives of the Virginia Blue Ridge Convention and Visitors Bureau Board of Directors for one-year terms of office, each, ending June 30, 2017, by the following vote:

FOR MESSRS. ROBISON, CULLEN, WILNER AND MS. CRAFT: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

OATHS OF OFFICE-YOUTH SERVICES CITIZEN BOARD: The Mayor called attention to the upcoming expiration of the terms of office of Council Member Anita J. Price (Public/Government), Cerid Lugar (Citizen At-Large), and Joyce Watkins as members of the Youth Services Citizen Board ending June 30, 2016; whereupon, he opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the names of Council Member Anita J. Price, Cerid Lugar and Joyce Watkins.

There being no further nominations, Council Member Price, Ms. Lugar and Ms. Watkins were reappointed as members of the Youth Services Citizen Board for three-year terms of office, each, ending June 30, 2019, by the following vote:

FOR COUNCIL MEMBER PRICE, MS. LUGAR AND MS. WATKINS: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

OATHS OF OFFICE-ROANOKE ARTS COMMISSION: The Mayor called attention to upcoming expiration of a three-year term of office of Nathan L. Harper as a member of the Roanoke Arts Commission ending June 30, 2016. Inasmuch as Mr. Harper has served three consecutive terms of office, he was not eligible for reappointment; whereupon, Mayor Bowers opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the name of Lora Katz.

There being no further nominations, Ms. Katz was appointed to replace Mr. Harper as a member of the Roanoke Arts Commission for a term of three years ending June 30, 2019, by the following vote:

FOR MS. KATZ: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

OATHS OF OFFICE-ROANOKE PUBLIC LIBRARY BOARD: The Mayor called attention to a vacancy on the Roanoke Public Library Board for a term ending June 30, 2016, due to the passing of Owen C. Shultz; whereupon, he opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the name of Jane Field.

There being no further nominations, Ms. Field was appointed to replace Mr. Shultz as a member of Roanoke Public Library Board for a three-year term of office ending June 30, 2019, by following vote:

FOR MS. FIELD: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

OATHS OF OFFICE-CITY OF ROANOKE PENSION PLAN: Mayor Bowers advised that Terry King (Fire Department) was appointed to replace Lieutenant Stephen Keatts (Police Department) as a member of the City of Roanoke Pension Plan, Board of Trustees for a two year term of office ending June 30, 2018, at the May 2, 2016 Council meeting; and noted that the City residency requirement needed to be waived in this instance.

Vice-Mayor Trinkle moved that the City residency requirement for Mr. King be waived in this instance. The motion was seconded by Council Member Price and unanimously adopted.

OATHS OF OFFICE-HOTEL ROANOKE AND CONFERENCE CENTER COMMISSION: The Mayor called attention to the expiration of the four-year term of office of Harvey Brookins as the Citizen representative of the Hotel Roanoke and Conference Center Commission ended April 1, 2016; whereupon, he opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the name of Council Member Court G. Rosen.

There being no further nominations, Council Member Rosen was appointed to replace Mr. Brookins as the Citizen representative of the Hotel Roanoke and Conference Center Commission for a term of office ending June 30, 2020, effective July 1, 2016, by following vote:

FOR COUNCIL MEMBER ROSEN: Council Members Price, Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-7.

CITY COUNCIL: With respect to the Closed Meeting just concluded Council Member Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Rosen, Trinkle, Bestpitch, Lea, Ferris and Mayor Bowers-7.

NAYS: None-0.

**(Council Member Ferris abstained from voting only on the Certification of Closed Meeting request of the City Attorney with regard to consultation with legal counsel pertaining to actual litigation.)**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 4:17 p.m.

A P P R O V E D

ATTEST:

Stephanie M. Moon Reynolds  
City Clerk

David A. Bowers  
Mayor

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## ROANOKE CITY COUNCIL—REGULAR SESSION

June 20, 2016

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, June 20, 2016, at 2:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor David A. Bowers presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 40280-070615 adopted by the Council on Monday, July 6, 2015.

Mayor David A. Bowers convened the meeting with a Gavel presented to him as President of the Patrick Henry High School Student Government Association (1969-1970).

PRESENT: Council Members Court G. Rosen, David B. Trinkle, William D. Bestpitch, Raphael E. Ferris, Sherman P. Lea, Anita J. Price, and Mayor David A. Bowers-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by The Reverend Carlton Wright, Associate Pastor for Seniors and Pastoral Care, Shenandoah Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Bowers.

PRESENTATIONS AND ACKNOWLEDGMENTS:

ACTS OF ACKNOWLEDGEMENTS-DECEASED PERSONS: Mayor Bowers recognized Oakey's Funeral Service and Crematory on its 150<sup>th</sup> Anniversary.

He presented a framed Key to the City to Sam G. Oakey, President and Board Chairman, and staff in recognition of service to the people of Roanoke.

ACTS OF ACKNOWLEDGEMENTS-SOCIAL SERVICES: Mayor Bowers recognized Jane Conlin, Director; and staff of the Department of Human/Social Services on receipt of the i3 Award for Customer Service and Business Process Improvement.

He presented the Innovation, Implementation and Impact (i3) Award for Customer Service and Process Improvement from the Virginia Department of Social Services to Ms. Conlin.

CITY COUNCIL-ACTS OF ACKNOWLEDGEMENT: Council Member Ferris offered the following resolution recognizing the services of the Honorable Courtney "Court" G. Rosen as Council Member and former Vice-Mayor of the City of Roanoke:

(#40542-062016) A RESOLUTION paying tribute to the Honorable Courtney "Court" G. Rosen, and expressing to him the appreciation of the City and its people for his exemplary public service.

(For full text of Resolution, see Resolution Book No.78, page 307.)

Council Member Ferris moved the adoption of Resolution No. 40542-062016. The motion was seconded by Council Member Lea.

Following accolades by Council Members and remarks by Council Member Rosen, Resolution No. 40542-062016 was adopted by the following vote:

AYES: Council Members Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen abstained from voting.)

CITY COUNCIL-ACTS OF ACKNOWLEDGEMENT: Vice-Mayor Trinkle offered the following resolution paying tribute to the Honorable David A. Bowers as Mayor of the City of Roanoke:

(#40541-062016) A RESOLUTION paying tribute to the Honorable David A. Bowers, Mayor of the City of Roanoke, and expressing to him the appreciation of the City and its people for his exemplary public service.

(For full text of Resolution, see Resolution Book No.78, page 305.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40541-062016. The motion was seconded by Council Member Price.

Following comments by the Council and expression of appreciation from Mayor Bowers, Resolution No. 40541-062016 was adopted by the following vote:

AYES: Council Members Rosen, Bestpitch, Ferris, Lea, Price and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers abstained from voting.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters would be referred to the City Manager for response, recommendation or report to Council, as he may deem appropriate.

MISCELLANEOUS: Bill Tanger, Acting Chair, Blue Way Committee, 257 Dancing Tree Lane, Roanoke County, appeared before Council to discuss City-owned surplus property located at Sun Valley Swim Club for use by the Committee. He encouraged the City Council to devote more attention to the issue in order for the matter to move forward.

Since prior discussion of the matter had been in a Closed Meeting, the matter was referred to the City Manager for response.

MISCELLANEOUS: Chris Craft, 1501 East Gate Avenue, N. E., appeared before Council to express concern regarding a citation from the City requesting the removal of a storage building located on City-owned property adjacent to his residence, noting the former City Manager had granted permission for storage building to be placed on the paper street.

It was stated that no authority could be granted by the City for use of City-owned property without official action in written form.

## CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda are considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion were desired, the item would be removed from the Consent Agenda and considered separately. Mayor Bowers called attention to a request for public hearing from the City Manager; and an additional written communication Council Member Lea, Chair, City Council Personnel Committee, requested that Council convene in a Closed Meeting to discuss a personal matter.

REGISTRAR OFFICE: A communication from the City Manager requesting that Council schedule a public hearing for Monday, July 18, 2016, at 2:00 p.m., or at such time thereafter as the matter may be reached, or at such later date and time as the City Manager may determine to consider the establishment of a new absentee voting precinct, was before the body.

(See communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle moved that Council concur in the request of the City Manager as abovementioned. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

ARCHITECTURAL REVIEW BOARD: A communication from the City Clerk advising of the resignation of Mary Dykstra as a member of the Architectural Review Board, effective August 30, 2016, was before the Council.

(See communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle moved that Council accept the resignation and receive and file the communication. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

OATHS OF OFFICE-ROANOKE VALLEY JUVENILE DETENTION CENTER-CITY OF ROANOKE PENSION PLAN: Reports of qualification of Barbara A. Dameron as the City representative of the Roanoke Valley Juvenile Detention Center Commission for a four-year term of office ending June 30, 2020; and Terry King as the Public Safety representative of the City of Roanoke Pension Plan, Board of Trustees for a two-year term of office ending June 30, 2018, were before the Council.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Vice Mayor Trinkle moved that the reports of qualification be received and filed. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

CITY COUNCIL: A written communication from Council Member Sherman P. Lea, Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss a personnel matter, being the performance of a Council-Appointed Officer, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended, was before the body.

(See copy of communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle moved that the Council concur in the request of Council Member Lea as abovementioned. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

## REGULAR AGENDA

### PUBLIC HEARINGS:

**ZONING:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 20, 2016, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to rezone property located at 523, 0, and 0 Harrison Avenue, N. W., from RM-1, Residential Mixed Density District, with a ND, Neighborhood Design Overlay District; to RM-F, Residential Multifamily District, with an H-2, Historic Neighborhood Overlay District, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 31, 2016, and Tuesday, June 7, 2016.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the Amended Application No.1 is consistent with the City's Comprehensive Plan, *Harrison & Washington Park Neighborhood Plan*, and Zoning Ordinance as it rezones the properties to allow for continued development of the site in a manner appropriate to the surrounding area.

(For full text, see report on file in the City Clerk's Office.)

Vice- Mayor Trinkle offered the following ordinance:

(#40543-062016) AN ORDINANCE to rezone certain property located at 523, 0 (zero), and 0 (zero) Harrison Avenue, N. W., from RM-1, Residential Mixed Density District, with an ND, Neighborhood Design Overlay, to RMF, Residential Multifamily District, with an H-2, Historic Neighborhood Overlay; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 309.)

Vice-Mayor Trinkle moved the adoption of Ordinance No. 40543-062016. The motion was seconded by Council Member Rosen.

Council Member Price advised of a personal conflict of interest, due to her husband's relationship with the Harrison Museum of American Culture that may be negotiating with the applicant; and she read the following statement into record:

**"STATEMENT OF CONFLICT OF INTEREST**

I, Anita James Price, states that I have a personal interest in agenda item 5.a. regarding the request of Harrison Elderly Apartments, LLC, to rezone property located at 523, 0, and 0 Harrison Avenue, N.W. from RM -1, Residential Mixed Density District, and ND, Neighborhood Design Overlay District, to RM -F, Residential Multifamily District and H -2, Historic Neighborhood Overlay District, because my husband, Charles Price, on behalf of The Harrison Museum, may be negotiating with the applicant on matters related to the development of this project.

Therefore, pursuant to Virginia Code Section 2.2 -3112, I must refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 20<sup>th</sup> day of June, 2016.

S/Anita J. Price  
Anita J. Price  
Member of Council"

(See Statement of Conflict of Interest on file in the City Clerk's Office.)

Evelyn Slone, Agent, appeared before the Council in support of the request.

The Mayor inquired if there were persons present who wished to speak on the matter.

Charles Price, President, Harrison Museum of African American Culture, appeared before the Council in support of the rezoning. He remarked that it was appropriate to place the former Harrison School under a historic designation inasmuch as the building was one of three remaining facilities used for educational purposes.

Mr. Price called attention to an error that the Harrison Museum of African American Culture was not an occupant of the building, adding that when the building was sold in 2013, it was the Museum's intent to continue to work from the facility and use a portion of the ground floor for archives and research related activities. However, he was unaware that the building had been sold. For clarification purposes, he was interested in community collaborations with the new owners and wanted to retrieve the Museum's archives and remaining artifacts,

# 602

In conclusion, Mr. Price encouraged the Council to approve the Historic Neighborhood Overlay District, which would allow the facility to remain in the community; and suggested the appointment of a community representative to oversee the historic preservation of the building and its history.

Mayor Bowers thanked Mr. Price for his comments.

There being no further speakers or additional comments by the Council Members, Mayor Bowers declared the public hearing closed and Ordinance No. 40543-062016 was adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Price abstained from voting.)

TAXES: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard, to approve the request of Total Action Against Poverty in Roanoke Valley, trading as Total Action for Progress, for exemption from taxation of real properties located at 1633 Salem Avenue, S. W., Official Tax Map No. 1210711; and 702 and 624 Shenandoah Avenue, N. W., Official Tax Map Nos. 2113105 and 2113201, respectively, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, June 10, 2016.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending authorization for TAP's exemption from real property taxation, effective July 1, 2016.

(For full text, see report on file in the City Clerk's Office.)

Council Member Rosen offered the following ordinance:

(#40544-062016) AN ORDINANCE exempting from real estate property taxation certain property located at 1633 Salem Avenue, S. W., 702 Shenandoah Avenue, N. W., and 624 Shenandoah Avenue, N. W., Roanoke, Virginia, and identified respectively as Official Tax Map Nos. 1210711, 2113105, and 2113201 owned by Total Action Against Poverty in Roanoke, Valley, trading as Total Action for Progress (hereinafter "the Applicant"), an organization devoted exclusively to charitable or benevolent purposes on a non-profit basis providing for an effective date; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 310.)

Council Member Rosen moved the adoption of Ordinance No. 40544-062016. The motion was seconded by Vice-Mayor Trinkle.

Wallace Clark, Director of Management of Property, Total Action for Progress, appeared in support of the exemption.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and/or comments by the Council Members, Ordinance No. 40544-062016 was adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

RESOURCE AUTHORITY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard, to receive public comment on the joiner of the City of Salem, Virginia, to the Roanoke Valley Resource Authority; and on approval and execution of an Amended and Restated Articles of Incorporation of the Roanoke Valley Resources Authority for accomplishing such joiner of City of Salem, Virginia, together with any related matters, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Wednesday, May 18, 2016.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending approval of the reorganization and expansion of the Roanoke Valley Resource Authority by providing that the City of Salem, Virginia, join the authority; approval authorization to execute (1) an Amended and Restated Articles of Incorporation of the Roanoke Valley Resource Authority and the appointments of Michael Shockley and Robert "Bobby" Edwards as the appointees of the City of Roanoke to serve on the Roanoke Valley Resource Authority; and (2) an Amended and Restated Roanoke Valley Resource Authority Members and Facilities Use Agreement to accomplish such joinder, subject to approval as to form by the City Attorney; and provide, for an extension of time for the Roanoke Valley Resource Authority to continue its existence as a corporation to January 1, 2066.

(For full text, see report on file in the City Clerk's Office.)

Council Member Ferris offered the following resolution:

(#40545-062016) A RESOLUTION approving the reorganization and expansion of the Roanoke Valley Resource Authority ("Authority") by providing that the City of Salem, Virginia, join the Authority, approving and authorizing the execution of Amended and Restated Articles of Incorporation of the Roanoke Valley Resource Authority to accomplish such joinder; and authorizing the appropriate public officials to take any actions and execute any documents necessary to accomplish such matters, all in accordance with the provisions of the Code of Virginia (1950), as amended.

(For full text of resolution, see Resolution Book No. 78, page 312.)

Council Member Ferris moved the adoption of Resolution No. 40545-062016. The motion was seconded by Council Member Lea.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and/or comments by the Council Members, Resolution No. 40545-062016 was adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

Council Member Ferris offered the following resolution:

(#40546-062016) A RESOLUTION authorizing the adoption of an Amended and Restated Roanoke Valley Resource Authority Members and Facilities Use Agreement, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 78, page 320.)

Council Member Ferris moved the adoption of Resolution No. 40546-062016. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

Council Member Ferris offered the following resolution:

(#40547-062016) A RESOLUTION authorizing and providing for an additional period of time for the Roanoke Valley Resource Authority to exist as a corporation, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 78, page 322.)

Council Member Ferris moved the adoption of Resolution No. 40547-062016. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

**BONDS:** Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard, to receive citizen comments to authorize the City to contract a debt and issue general obligation public improvement bonds of the City (and in anticipation of the issuance of any such bonds to issue general obligation public improvement bond anticipation notes of the City), in the principal amount of not to exceed \$28,000,000, for the purpose of providing net proceeds of sale (after taking into account costs of issuance, underwriting compensation and original issue discount) to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement, equipping, rehabilitation and repair of various public improvement projects of and for the City (including related design and architectural and engineering services) for the purposes and in the approximate amounts, the matter was before the body.

# 606

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 6, 2016.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending authorization to issue bonds up to \$28 million for the projects as previously referenced in report, with the City's intent to reimburse itself from the proceeds of these bonds.

(For full text, see report on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following resolution:

(#40548-062016) A RESOLUTION authorizing the issuance of not to exceed twenty-eight million dollars (\$28,000,000.00) aggregate principal amount of General Obligations of the City of Roanoke, Virginia, in the form of General Obligation Public Improvement Bonds of the City, for the purpose of providing funds to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the city (including related design and architectural and engineering services); fixing the form, denomination and certain other details of such Bonds; providing for the sale of such Bonds, together with other General Obligation Public Improvement Bonds of the City; authorizing the preparation of a preliminary official statement and an official statement relating to such Bonds and the distribution thereof and the execution of a certificate relating to such official statement; authorizing the execution and delivery of a continuing disclosure certificate relating to such bonds; authorizing and providing for the issuance and sale of a like principal amount of General Obligation Public Improvement Bond anticipation notes in anticipation of the issuance and sale of such bonds; delegating to the City Manager and the Director of Finance certain powers with respect to the sale and determination of the details of such bonds and notes; and otherwise providing with respect to the issuance, sale and delivery of such bonds and notes.

(For full text of resolution, see Resolution Book No. 78, page 323.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40548-062016. The motion was seconded by Council Member Rosen.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and/or comments by the Council Members, Resolution No. 40548-062016 was adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

Vice-Mayor Trinkle offered the following budget ordinance:

(#40549-062016) AN ORDINANCE to appropriate funding to be provided by the issuance of General Obligation Bonds to the Stormwater Improvements, City-wide Curb/Gutter/Sidewalk, Streetscapes, Street Improvements FY17, Bridge Renovations, Melrose Library Renovations, Countryside Library Renovations, Parks & Rec Master Plan - Phase II, E-911 Facility, Round Hill Expansion – Phase III, Crystal Spring HVAC Replacement, and various school maintenance upgrade projects, amending and reordaining certain sections of the 2016 - 2017 Stormwater Utility, Capital Projects, and School Capital Projects Funds, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 338.)

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40549-062016. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

PETITIONS AND COMMUNICATIONS: NONE.

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-SOCIAL SERVICES: The City Manager submitted a written communication recommending acceptance and appropriation of funds from the Virginia Department of Social Services for the Southwest Virginia Regional Employment Coalition to maintain existing services to the Temporary Assistance to Needy Families (TANF) population.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#40550-062016) A RESOLUTION authorizing the acceptance of an Employment Advancement for Temporary Assistance to Needy Families (TANF) Participants grant from the Virginia Department of Social Services (VDSS); authorizing the City of Roanoke to serve as the primary fiscal agent for the distribution of such funds to the provider agencies for services provided to the local departments of social services (DSS) in Roanoke City, Roanoke County, Franklin County, Botetourt County, and Craig County; and authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant.

(For full text of resolution, see Resolution Book No. 78, page 340.)

Council Member Bestpitch moved the adoption of Resolution No. 40550-062016. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

Council Member Bestpitch offered the following budget ordinance:

(#40551-060616) AN ORDINANCE to appropriate funding from the Federal Government through the Commonwealth of Virginia Department of Social Services for the Southwest Virginia Regional Employment Coalition Grant, amending and reordaining certain sections of the 2016 - 2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 341.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40551-062016. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

**BUDGET-EMERGENCY MEDICAL SERVICES:** The City Manager submitted a written communication recommending acceptance and appropriation of additional funds in connection with the Fiscal Year 2016 "Four-For-Life" payment for Emergency Medical Services for training, supplies or other appropriate items.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following resolution:

(#40552-062016) A RESOLUTION authorizing the acceptance of additional FY2016 "Four for Life" Grant for Emergency Medical Services (EMS) made to the City of Roanoke by the Commonwealth of Virginia, Department of Health, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 78, page 341.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40552-062016. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

Vice-Mayor Trinkle offered the following budget ordinance:

(#40553-060616) AN ORDINANCE appropriating funding from the Virginia Department of Health for the purpose of purchasing emergency medical service (EMS) supplies, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 342.)

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40553-062016. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

# 610

**BUDGET-SOCIAL SERVICES:** The City Manager submitted a written communication recommending acceptance and appropriation of funds for the Fostering Futures Program and Family Partnership meetings from the Virginia Department of Social Services to help youth exiting from foster care to be self-sufficient.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#40554-062016) A RESOLUTION authorizing acceptance of the funding for the Fostering Futures Program and Family Partnership Meetings made to the City of Roanoke ("City") by the Virginia Department of Social Services ("VDSS"); establishing a new Senior Family Services Specialist position; and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 78, page 343.)

Council Member Bestpitch moved the adoption of Resolution No. 40554-062016. The motion was seconded by Council Member Price and adopted by the following vote:

**AYES:** Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

**NAYS:** None-0.

Council Member Bestpitch offered the following budget ordinance:

(#40555-060616) AN ORDINANCE to appropriate funding from Commonwealth of Virginia for the Department of Social Services and Children's Services Act (CSA), for the Foster Futures Program and the Family Partnership Meetings Program, amending and reordaining certain sections of the 2016 - 2017 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 344.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40555-062016. The motion was seconded by Council Member Price and adopted by the following vote:

**AYES:** Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

**NAYS:** None-0.

**BUDGET-GRANTS-SOCIAL SERVICES:** The City Manager submitted a written communication recommending acceptance of a Child Abuse and Neglect Prevention Program Grant from the Virginia Department of Social Services to provide parenting classes with an in-home component to parents of children 0-5 years of age identified by the Department of Social Services as at risk of abusing and neglecting their children.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Price offered the following resolution:

(#40556-062016) A RESOLUTION authorizing the acceptance of the Child Abuse and Neglect Prevention Program Grant ("Grant") from the Virginia Department of Social Services ("VDSS") in the amount of \$50,000.00; authorizing the City of Roanoke to serve as the primary fiscal agent for the distribution of such grant funds to the provider agencies for the services provided under the Grant; and authorizing the City Manager to execute any documentation required to accept the Grant on behalf of the City.

(For full text of resolution, see Resolution Book No. 78, page 345.)

Council Member Price moved the adoption of Resolution No. 40556-062016. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

**AYES:** Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

**NAYS:** None-0.

Council Member Price offered the following budget ordinance:

(#40557-060616) AN ORDINANCE to appropriate funding from the Virginia Department of Social Services for the Child Abuse and Neglect Prevention Program Grant, amending and reordaining certain sections of the 2016 - 2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 346.)

# 612

Council Member Price moved the adoption of Budget Ordinance No. 40557-062016. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

**BUDGET-GRANTS-LAW ENFORCEMENT:** The City Manager submitted a written communication recommending appropriation of funds in the connection with the Federal Asset Forfeiture Sharing Program and the Department of Treasury Federal Asset Sharing Program to allow for police officer training in a variety of important specialties.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following budget ordinance:

(#40558-060616) AN ORDINANCE to appropriate funding from the Department of Justice Federal Asset Sharing Program and the Department of Treasury Federal Asset Sharing Program for enhancing law enforcement operations, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 347.)

Vie-Mayor Trinkle moved the adoption of Budget Ordinance No. 40558-062016. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

**BUDGET-POLICE-EQUIPMENT:** The City Manager submitted a written communication recommending appropriation of funds in connection with the State Asset Forfeiture Sharing Program in order to acquire new and replacement equipment for police officers.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following budget ordinance:

(#40559-060616) AN ORDINANCE to appropriate funding from the State Asset Sharing Program for enhancing law enforcement operations, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 348.)

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40559-062016. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

BUDGET-POLICE-COURTS: The City Manager submitted a written communication recommending appropriation of funds for the implementation of an electronic summons system in the Police Department.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following budget ordinance:

(#40560-060616) AN ORDINANCE to appropriate funding from the Electronic Summons System Court Fees revenues as enacted by the General Assembly in section 17.1-279.1 of the Code of Virginia (1950), amending and reordaining certain sections of the 2016 - 2017 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 349.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40560-062016. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

# 614

**BUDGET-SCHOOLS-TAXES-LAW ENFORCEMENT:** The City Manager submitted a written communication recommending appropriation of funds in connection with Fiscal Year 2016 revenue and expenditure adjustments.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Ferris offered the following budget ordinance:

(#40561-060616) AN ORDINANCE to increase the Roanoke City Public Schools transfer, Visit Virginia's Blue Ridge allocation, Health Maintenance Contract, Public Safety Off-Duty Earnings (Police and Sheriff) and Budget Contingency expenditures and to increase revenue budget estimates for Personal Property (Current and Delinquent) Taxes ,Public Service Corp – Real Estate, Sales Tax, Transient Occupancy Tax, Occupational Health Services, and Off-Duty Billings (Police and Sheriff) revenue, amending and reordaining certain sections of the 2015 - 2016 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 350.)

Council Member Ferris moved the adoption of Budget Ordinance No. 40561-062016. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

**AYES:** Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

**NAYS:** None-0.

**STORMWATER IMPROVEMENTS:** The City Manager submitted a written communication recommending acquisition of real property rights in connection with the Graybill Road, Stormwater Drainage Improvements Project.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following ordinance:

(#40562-060616) AN ORDINANCE providing for the acquisition of real property rights needed by the City in connection with the Graybill Road Stormwater Drainage Improvements Project ("Project"); authorizing City staff to acquire such property rights by negotiation for the City; authorizing the City Manager to execute appropriate acquisition documents; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 351.)

Vice-Mayor Trinkle moved the adoption of Ordinance No. 40562-062016. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

CARILION-RECREATION: The City Manager submitted a written communication recommending execution of an agreement between the City of Roanoke and Carilion Property Management, Inc., to allow use of parking spaces along the fence on Evans Mill Road, S. W., behind 213 McClanahan Street, S. W., as a shuttle drop-off point; and for the City to indemnify and hold Carilion harmless from any and all liabilities arising out of the use of its facilities in connection with the annual fireworks show at River's Edge Sports Complex on July 4, 2016.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Lea offered the following resolution:

(#40563-062016) A RESOLUTION authorizing execution of an Agreement with Carilion Property Management in connection with the use of the Crystal Spring Garage, the Riverwalk Garage and parking spaces on Evans Mill Road during the 2016 annual fireworks show.

(For full text of resolution, see Resolution Book No. 78, page 352.)

Council Member Lea moved the adoption of Resolution No. 40563-062016. The motion was seconded by Council Member Rosen.

Council Member Trinkle advised of a personal conflict of interest, due to his employer, Carilion Health Services, is affiliated with Carilion Property Management Services, Inc. and read the following statement into record:

## **“STATEMENT OF CONFLICT OF INTEREST**

I, David B. Trinkle, state that I have a personal interest in agenda item 7 a. 10. regarding the request to execute an agreement with Carilion Property Management, Inc. to allow the City to use parking spaces owned by Carilion Property Management, Inc. and to indemnify and hold Carilion Property Management, Inc. harmless in connection with the annual July 4, 2016 fireworks show because my employer, Carilion Health Services is affiliated with Carilion Property Management Services, Inc.

Therefore, pursuant to Virginia Code Section 2.2-3112, I must refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 20<sup>th</sup> day of January 2016.

S /David B. Trinkle  
David B. Trinkle, Vice-Mayor and  
Member of Council"

(See Statement of Conflict of Interest on file in the City Clerk's Office.)

There being no further comments by the Council Members, Resolution No. 40563-062016 and adopted by the following vote:

AYES: Council Members Rosen, Bestpitch, Ferris, Lea, Price and Mayor Bowers-6.

NAYS: None-0.

(Vice-Mayor Trinkle abstained from voting.)

MARKET GARAGE: The City Manager submitted a written communication recommending execution of a Deferral Agreement between the City of Roanoke and South Commonwealth Partners, LLC, for deferral of certain performance obligations pertaining to development, construction, operation and maintenance in connection with the hotel atop the Market Garage.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Trinkle offered the following ordinance:

(#40564-060616) AN ORDINANCE authorizing the proper City officials to execute an Agreement for Deferral of Certain Performance Obligations (Deferral Agreement) with South Commonwealth Partners, LLC, in regards to the Performance Agreement for Hotel Development, Construction, Operation, and Maintenance (Performance Agreement) between the City of Roanoke (City) and South Commonwealth Partners, LLC, in connection with the development of certain portions of property located at 25 Church Avenue, S. E., Roanoke, Virginia 24011 for the construction and operation of a hotel (Hotel) upon certain conditions; authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Deferral Agreement; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 353.)

Vice-Mayor Trinkle moved the adoption of Ordinance No. 40564-062016. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

**ECONOMIC DEVELOPMENT:** The City Manager submitted a written communication recommending execution of Amendment No. 1 to the Performance Agreement regarding the Operation Period Economic Development Grant among the City of Roanoke, Economic Development Authority of the City of Roanoke and South Commonwealth Partners, LLC, for operations related activities associated with development at 25 Church Avenue, S. W.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Rosen offered the following ordinance:

(#40565-060616) AN ORDINANCE authorizing the proper City officials to issue and execute an Amendment No. 1 to the Performance Agreement Regarding Operation Period Economic Development Grant (Original EDA Operation Grant Agreement) among the City of Roanoke (City), the Economic Development Authority of the City of Roanoke, Virginia, (EDA), and South Commonwealth Partners, LLC, (Amendment No. 1), that provides for grants not to exceed a total of \$1,500,000.00 subject to certain undertakings and obligations by the parties in connection with the development of certain portions of property located at 25 Church Avenue, S. E., Roanoke, Virginia 24011 for the construction and operation of a hotel (Project); authorizing the City

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Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendment No. 1; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 355.)

Council Member Rosen moved the adoption of Ordinance No. 40565-062016. The motion was seconded by Council Member Price.

Following remarks by Council Member Rosen, noting this type of investment in downtown Roanoke being prosperous for the City, along with changing the skyline in downtown, Ordinance No. 40565-062016 was adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

CITY CODE-DIRECTOR OF FINANCE: The City Manager submitted a written communication recommending amendment of the City Code to allow the transfer of funds by the City Manager in any amount within and between funds, with the Director of Finance to report, on a quarterly basis, all transfers in excess of \$100,000.00 between funds within the Capital Project and Grant Funds, respectively.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Ferris offered the following ordinance:

(#40566-060616) AN ORDINANCE amending and reordaining Section 2-121, Authority to transfer funds, of Article V, City Manager, of Chapter 2, Administration, of the Code of the City of Roanoke (1979), as amended, to provide for the authorization of the City Manager to transfer funds; providing for an effective date; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 357.)

Council Member Ferris moved the adoption of Ordinance No. 40566-062016. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Bestpitch, Ferris, Lea, Price and Vice-Mayor Trinkle-6.

NAYS: Mayor Bowers-1.

**HOUSING:** The City Manager submitted a written communication recommending authorization to submit an application to the Department of Housing and Urban Development, in conjunction with the Roanoke Redevelopment and Housing Authority and Council of Community Services with regard to the Choice Neighborhoods Implementation Grant Program for the Loudon-Melrose/Shenandoah West neighborhoods in the City.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Price offered the following resolution:

(#40567-062016) A RESOLUTION authorizing the City Manager to submit an application to the Department of Housing and Urban Development's Choice Neighborhoods Implementation Grant Program for an amount not to exceed \$30,000,000.00; and authorizing the City Manager to take additional actions in connection with such application.

(For full text of resolution, see Resolution Book No. 78, page 358.)

Council Member Price moved the adoption of Resolution No. 40567-062016. The motion was seconded by Vice-Mayor Trinkle.

The City Manager commented on the tremendous opportunity for the Housing Authority in its efforts to transform the neighborhood and commended all involved who worked on the grant application.

There being no comments by the Council Members, Ordinance No.40567-062016 and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

**ECONOMIC DEVELOPMENT:** The City Manager submitted a written communication recommending execution of Amendment No. 2 to Ivy View, LLC Performance Agreement.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Rosen offered the following ordinance:

(#40568-060616) AN ORDINANCE AN ORDINANCE authorizing the proper City officials to issue and execute an Amendment No. 2 to the Performance Agreement dated July 1, 2012, as amended (Performance Agreement) among the City of Roanoke (City), the Economic Development Authority of the City of Roanoke, Virginia, (EDA), and Ivy View, LLC (Ivy View), (Amendment No. 2), that provides for (a) the City and EDA to waive certain defaults in the Performance Agreement, (b) Ivy View to apply for a grant for the grant year of July 1, 2015 through June 30, 2016; and (c) the termination of the Performance Agreement under which termination Ivy View will have no further rights thereunder; authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendment No. 2; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 360.)

Council Member Rosen moved the adoption of Ordinance No. 40568-062016. The motion was seconded by Council Member Ferris.

Following a brief overview of the Amendment No. 2 from the Assistant City Manager for Community Development, Ordinance No. 40568-062016 was adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

ECONOMIC DEVELOPMENT: The City Manager submitted a written communication recommending approval and execution of a Performance Agreement between the City of Roanoke, City of Roanoke Economic Development Authority, HRP Ivy View, LLC as assignee of Harbour Retail Partners Management, LLC for the continued development of the Ivy Market project.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Lea offered the following ordinance:

(#40569-060616) AN ORDINANCE authorizing the proper City officials to execute a Performance Agreement among the City of Roanoke (City), the Economic Development Authority of the City of Roanoke, Virginia, (EDA), and HRP Ivy View, LLC, (HRP Ivy View), a special purpose entity to be formed by Harbour Retail Partners Management, LLC that provides for certain undertakings by the parties in connection

with the continued development of certain property located at the northwest corner of Franklin Road and Wonju Street, S. W., in the City of Roanoke (Project); authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Performance Agreement; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 363.)

Council Member Lea moved the adoption of Ordinance No. 40569-062016. The motion was seconded by Vice-Mayor Trinkle.

The Assistant City Manager for Community Development announced that acquisition of the property closed on December 30, 2016; the restaurant will open on April 1, 2017; and retail grocery to open to the public in January 2018.

There being no comments by the Council Members, Ordinance No. 40569-062016 and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

#### COMMENTS OF CITY MANAGER:

The City Manager shared the following comments:

#### **FY17 Adopted Budget Document**

Availability of the document to the public:

- The Department of Management and Budget will retain a hard copy of the adopted budget document in their office.
- A hard copy will be made available for viewing by 5 p.m. this afternoon in:
  - the City Clerk's Office
  - the Main Library
- Immediately following today's City Council meeting, Management and Budget staff will send an email to Council Members with a link to the document on the city's website.
  
- Following the notification to Council, the Office of Communications will notify the public of the availability of the document on the homepage of the city's website.

**Summer Reading Program Kicks Off**

Roanoke Public Libraries has kicked off their annual Summer Reading Program, "On Your Mark, Get set...READ."

- A variety of activities will be held at different branch locations:
  - Magic
  - Theater
  - Neighborhood Block Parties
  - Paint Parties
  - Yoga for Kids
  - Soccer Exhibition
  - Family Foot Race
- Summer Reading also incorporates the Feed and Read program, in collaboration with the YMCA.
- Kids and teens under 18 are invited to participate in this program, which offers free food and books.
- Events will be held June 6 through August 12.
- More information is available at [www.ymcaroanoke.org/summerfood](http://www.ymcaroanoke.org/summerfood)

**Parks and Arts Program**

The first event of the summer will be Saturday, June 25, at Golden Park from noon to 3 p.m. Admission is free.

Performing Artists:

- The Moyer Brothers
  - Taubman Museum of Art
  - Opera Roanoke
  - Mill Mountain Theatre
  - SWVA Ballet
- Visual Artists:
- Art is Happening
  - Hat & Prop Making
  - Katherine Devine (banners for all ages)

**City of Roanoke Fireworks**

- July 4, River's Edge Sports Complex
- Patriotic music from Winds of the Blue Ridge starts at 8 p.m.
- Fireworks show begins at 9:30 p.m.
- This year's fireworks show is presented by the City of Roanoke, The Roanoke Times, WFXR, and Downtown Roanoke, Inc.
- More information is available by calling Roanoke Parks and Recreation offices at 853-2236 or visiting [www.roanokeva.gov/fireworks](http://www.roanokeva.gov/fireworks).

## CITY ATTORNEY:

LEGISLATION: The City Attorney submitted a written report recommending designating the Public Information Officer as the Freedom of Information Act Officer for the City of Roanoke.

(For full text, see report on file in the City Clerk's Office.)

Council Member Rosen offered the following resolution:

(#40570-062016) A RESOLUTION pursuant to Chapter 748, Laws of 2016, Acts of Assembly designating Melinda Butler Mayo, Communications and Media Officer as the City of Roanoke's Freedom of Information Act officer; authorizing the City Manager to enter into Memoranda of Understanding with each constitutional officer to allow Ms. Mayo to serve as FOIA officer for such constitutional officers; and providing for an effective date.

(For full text of resolution, see Resolution Book No. 78, page 364.)

Council Member Rosen moved the adoption of Resolution No. 40570-062016. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

## DIRECTOR OF FINANCE:

CITY CODE-PENSION: The Director of Finance and City Manager submitted a joint written report recommending amendment of the City Code to provide for the application of interest in connection with the City of Roanoke Pension Plan Member Contributions and Interest on Member Contribution Accounts at a rate of two percent, annually, effective July 1, 2017.

(For full text, see report on file in the City Clerk's Office.)

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Council Member Rosen offered the following ordinance:

(#40571-060616) AN ORDINANCE amending and reordaining Section 22.3-27(j), Contributions and member's contribution account, Article IV, Contributions, of Chapter 22.3, Pensions and Retirement, Code of the City of Roanoke (1979), as amended; providing for effective dates; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 365.)

Council Member Rosen moved the adoption of Ordinance No. 40571-062016. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

CITY CODE-DEFERRED COMPENSATION: The Director of Finance and City Manager submitted a joint written report recommending amendment of the City Code to provide for the City Manager's ex-officio position to be replaced by the Assistant City Manager of Operations, and provide that the Assistant City Manager of Operations designate two members, neither of whom shall be the Director of Finance to serve on the Deferred Compensation Board.

(For full text, see report on file in the City Clerk's Office.)

Vice- Mayor Trinkle offered the following ordinance:

(#40572-060616) AN ORDINANCE amending and reordaining, Section 22.3-78 (b) and (e), Administration and Investment, Article XIV, Defined Contribution Plan, Chapter 22.3 Pensions and Retirement, Code of the City of Roanoke (1979) as amended, providing for an effective date; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 367.)

Vice-Mayor Trinkle moved the adoption of Ordinance No. 40572-062016. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

## REPORTS OF COMMITTEES:

**BUDGET-SCHOOLS:** The Roanoke City School Board submitted a written report requested appropriation of funds for various educational grant programs; and the Director of Finance submitted a written report recommending that Council concur in the request.

(For full text, see reports on file in the City Clerk's Office.)

Vice Mayor Trinkle offered the following budget ordinance:

(#40573-060616) AN ORDINANCE to appropriate funding from the Commonwealth grants for various educational programs, amending and reordaining certain sections of the 2015 - 2016 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 368.)

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40573-062016. The motion was seconded by Council Member Rosen and adopted by the following vote:

**AYES:** Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

**NAYS:** None-0.

**BUDGET-SCHOOLS:** The Roanoke City School Board submitted a written report requesting an amendment to the 2016 – 2017 Categorical Budget; and the Director of Finance submitted a written report recommending that Council concur in the request.

(For full text, see reports on file in the City Clerk's Office.)

Council Member Rosen offered the following budget ordinance:

(#40574-060616) AN ORDINANCE to adopt an amendment to the 2016 - 2017 School Board Categorical Budget, amending and reordaining certain sections of the School General Fund Appropriation and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 369.)

# 626

Council Member Rosen moved the adoption of Budget Ordinance No. 40574-062016. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCE AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF CITY COUNCIL:

DISABLED PERSONS-CHARITIES: Vice-Mayor Dave Trinkle announced plans for a "Dinner in the Dark" benefit for the non-profit organization New Vision, which provides support to visually impaired persons in the Roanoke region. He is planning the event as a challenge to future vice-mayors, noting that the office of the Vice-Mayor changes every two years, so the dinner is a fun way to celebrate the rotating position. He added it is also a chance to develop a new tradition in Roanoke where the outgoing Vice-Mayor hosts a farewell event to benefit an area charity. Vice-Mayor-elect Price accepted the challenge to carry the torch in 2018. In conclusion Vice-Mayor Trinkle announced that the event will take place on July 21, 2016 at The Hotel Roanoke and Conference Center.

CABLE TELEVISION: Council Member Bestpitch expressed concern regarding Cox Cable TV fees. Without objection, the matter was referred to the Administration and the Roanoke Valley Cable Television Committee representative Council Member Price for response back to Council.

Mayor Bowers announced that a Farewell Reception for the outgoing Council Member Rosen and himself as Mayor will be held at the Blue 5 Restaurant at 5:00 p.m.; and the Investiture Ceremony for the Newly-elected City Officials will be held on June 27 at 4:00 p.m. at the Berglund Center Performing Arts Theatre.

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL: NONE.

Inasmuch as there is no other business or public hearings to come before the Council at the 7:00 p.m. Session, Mayor Bowers announced that the Session has been cancelled.

**(Prior to recessing the meeting, Closed Meeting, Mayor Bowers passed the Official Gavel to Mayor-Elect Sherman P. Lea, Sr. and Council Member Price presented flowers to Clara Lea, his spouse.)**

At 4:44 p.m., the Mayor declared the Council meeting in recess for a Closed Meeting in the Council's Conference Room, Room 451, fourth floor, Noel C. Taylor Municipal Building.

At 5:24 p.m., the Council meeting reconvened in the Council Chamber, with Mayor Bowers presiding and all Members of the Council in attendance.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

CITY MANAGER: Council Member Lea offered the following ordinance to amend the salary of the City Manager to \$210,886.86, effective July 1, 2016.

Council Member Lea offered the following ordinance:

(#40575-060616) AN ORDINANCE amending and reordaining Ordinance No. 40501-050916 to amend the salary of the City Manager, Christopher P. Morrill and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 370.)

# 628

Council Member Lea moved the adoption of Ordinance No. 40575-062016. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Rosen, Trinkle, Bestpitch, Ferris, Lea, Price and Mayor Bowers-7.

NAYS: None-0.

There being no further business to come before the Council, Mayor Bowers declared the Council meeting adjourned at 5:34 p.m.

A P P R O V E D

ATTEST:

Stephanie M. Moon Reynolds, MMC  
City Clerk

David A. Bowers  
Mayor

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## ROANOKE CITY COUNCIL-ORGANIZATIONAL MEETING

July 5, 2016

2:00 p.m.

The Council of the City of Roanoke held its Organizational Meeting on Tuesday, July 5, 2016, at 2:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Sherman P. Lea, Sr., presiding, pursuant to Section 10, Meetings of Council, Charter of the City of Roanoke, at which time the newly elected Members of the Council officially took their seats.

PRESENT: Council Members William D. Bestpitch, Michelle L. Dykstra, John A. Garland, Anita J. Price, David B. Trinkle, and Mayor Sherman P. Lea, Sr.-6.

ABSENT: Council Member Raphael E. Ferris-1.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

CITY COUNCIL: The Mayor advised that the purpose of the Organizational Meeting is for the newly elected Members of City Council to officially take their seats; whereupon, he called attention to a communication from the City Clerk advising of the following qualifications:

Sherman P Lea, Sr., as a Mayor for a term commencing July 1, 2016 and ending June 30, 2020;

Anita J. Price as a Vice-Mayor for a term commencing July 1, 2016 and ending June 30, 2018; and as a Member of Council for a term commencing July 1, 2016 and ending June 30, 2020;

Michelle L. Dykstra as a Member of Council for a term commencing July 1, 2016 and ending June 30, 2020; and

John A. Garland as a Member of Council for a term commencing July 1, 2016 and ending June 30, 2020.

(See communication on file in the City Clerk's Office.)

# 2

Without objection by the Council, the Mayor advised that the communication from the City Clerk would be received and filed.

CITY COUNCIL: Vice-Mayor Trinkle offered the following resolution recognizing the Honorable Sherman P Lea, Sr., as Mayor of the City of Roanoke:

(#40576-070516) A RESOLUTION recognizing the Honorable Sherman P. Lea, Sr., as Mayor of the City of Roanoke.

(For full text of resolution, see Resolution Book No. 78, page 372.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40576-070516. The motion was seconded by Vice-Mayor Price and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

CITY COUNCIL: Vice-Mayor Trinkle offered the following resolution recognizing the Honorable Anita J. Price as a member of the City Council and Vice-Mayor of the City of Roanoke:

(#40577-070516) A RESOLUTION recognizing the Honorable Anita J. Price to be a member of the City Council and Vice-Mayor of the City of Roanoke.

(For full text of resolution, see Resolution Book No. 78, page 372.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40577-070516. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

CITY COUNCIL: Council Member Price offered the following resolution recognizing the services of the Honorable David B. Trinkle as the Vice-Mayor of the City of Roanoke:

(#40578-070516). A RESOLUTION paying tribute to the Honorable David B. Trinkle, and expressing to him the appreciation of the City and its people for his exemplary public service as the Vice-Mayor of the City of Roanoke.

(For full text of resolution, see Resolution Book No. 78, page 373.)

Council Member Price moved the adoption of Resolution No. 40578-070516. The motion was seconded by Council Member Bestpitch.

Council Member Trinkle reminded the Council about the Vice-Mayor Challenge Dinner in the Dark Charity for the Blind on July 21 at The Hotel Roanoke and Conference Center.

There being no additional remarks by the Council, Resolution No. 40578-070516 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

CITY COUNCIL: Council Member Bestpitch offered the following resolution establishing a meeting schedule for City Council for the Fiscal Year commencing July 1, 2016 and terminating June 30, 2017:

(#40579-070516) A RESOLUTION establishing a meeting schedule for City Council for the Fiscal Year commencing July 1, 2016, and terminating June 30, 2017.

(For full text of resolution, see Resolution Book No. 78, page 374.)

Council Member Bestpitch moved the adoption of Resolution No. 40579-070516. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

# 4

CITY COUNCIL: Mayor Lea submitted a written communication recommending certain committee assignments for the Members of City Council. He called attention to a minor revision on a committee assignment for Council Member Dykstra to serve on the Roanoke Valley-Alleghany Regional Commission.

(See communication on file in the City Clerk's Office.)

Council Member Bestpitch moved that Council concur in the recommendation, as revised. The motion was seconded by Vice-Mayor Price and adopted.

There being no further business, the Mayor declared the Organizational meeting adjourned at 2:15 p.m. in recess to be reconvened

The Council of the City of Roanoke met in regular session immediately following its Organization Meeting on Tuesday, July 5, 2016, at 2:15 p.m., in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S.W., City of Roanoke, with Mayor Sherman P. Lea, Sr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 40579-070516 adopted by the Council on Tuesday, July 5, 2016.

PRESENT: Council Members William D. Bestpitch, Michelle L. Dykstra, John A. Garland, Anita J. Price, David B. Trinkle, and Mayor Sherman P. Lea, Sr.-6.

ABSENT: Council Member Raphael E. Ferris-1.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Richard D. Brown, Director of Chaplin Service, Carilion Clinic.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Lea.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

PROCLAMATIONS-DISABLED PERSON-ELECTIONS: Mayor Lea declared July 11-15, 2016 as National Disability Voter Registration Week.

(See ceremonial copy of proclamation on file in the City Clerk's Office.)

He presented the Ceremonial Proclamation to Karen Michalski-Karney, Chair, VALUE Committee.

Council Member Garland encouraged strong participation from the disabled community.

**ACTS OF ACKNOWLEDGEMENT-LIBRARIES:** Mayor Lea recognized the Director of Libraries, Sheila Umberger, on receiving the 2016 Peggy Sullivan Award for Public Library Administrators Support Services to Children in support of library services to children.

Following accolades from Council Member Garland and Vice-Mayor Price, along with the City Manager, Mayor Lea presented the Award to Ms. Umberger.

**HEARING OF CITIZENS UPON PUBLIC MATTER: NONE.**

#### CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda are considered to be routine by the Members of Council and will be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion are desired, the item would be removed from the Consent Agenda and considered separately. He called attention to a request for Closed Meeting regarding vacancies on Council-appointed bodies, and two requests for public hearings from the City Manager.

**CITY COUNCIL:** A communication from Mayor Sherman P. Lea, Sr., requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. A list of current vacancies is included with the agenda for this meeting, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that Council concur in the request of the Mayor as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

**NAYS:** None-0.

(Council Member Ferris was absent.)

# 6

**CITY-OWNED PROPERTY:** A communication from the City Manager requesting that City Council schedule a public hearing for August 1, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard, or as such later date and time as the City Manager may determine, for conveyance of an approximate 0.460 acre of City-owned vacant land located along Jae Valley Road in Roanoke County, Virginia to the Virginia Department of Transportation in support of the Route 116 Highway Project 0116-080-101, RW – 201, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that Council concur in the request of the City Manager as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

**NAYS:** None-0.

(Council Member Ferris was absent.)

**ZONING:** A communication from the City Manager requesting that the City Clerk be authorized to schedule and advertise a public hearing for August 15, 2016 at 7:00 p.m., or at such other date and time as soon thereafter as deemed appropriate by the City Manager, to consider boundary amendments to Enterprise Zone One A and its Subzone B, was before the Council.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that Council concur in the request of the City Manager as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

**NAYS:** None-0.

(Council Member Ferris was absent.)

**FINANCIAL REPORTS:** A report of the Director of Finance transmitting the Financial Report for the eleven months ended May 31, 2016, was before the Council.

(See Financial Report on file in the City Clerk's Office.)

Council Member Trinkle moved that Financial Report be received and filed. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

**CIVIC CENTER COMMISSION:** A communication from the City Clerk advising of a vacancy created by the unexcused absences of Ssunny Shah on the Roanoke Civic Center Commission for a term of office ending September 30, 2017, was before the Council.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that the communication be received and filed and discussed in Closed Meeting. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

**ROANOKE CITY SCHOOL BOARD-VISIT VIRGINIA'S BLUE RIDGE BOARD-ROANOKE NEIGHBORHOOD ADVOCATES-ROANOKE ARTS COMMISSION-ROANOKE PUBLIC LIBRARY BOARD:** Reports of qualification of the following individuals were before the Council:

Annette Lewis and Lutheria H. Smith as Trustees on the Roanoke City School Board for three-year terms of office, each, ending June 30, 2019;

Barton J. "Bart" Wilner as a City representative of the Visit Virginia's Blue Ridge, Board of Directors, for a one-year term of office ending June 30, 2017;

Nicole Lynn Harris as a member of the Roanoke Neighborhood Advocates for a three-year term of office ending June 30, 2019;

# 8

Lora Katz as a member of the Roanoke Arts Commission for a three-year term of office ending June 30, 2019; and

Jane Field as a member of the Roanoke Public Library Board for a three-year term of office ending June 30, 2019.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Council Member Trinkle moved that the reports of qualification be received and filed. The motion was seconded by Council Member Bestpitch and adopted by the following vote.

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

## REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BRIDGES: The City Manager submitted a written communication recommending Issuance and execution of amendments to two contracts for the Transportation Structures Inspection Program (2014 - 2018) Year Three of Five to the City's Contract with AECOM Technical Services, Inc., and Mattern & Craig, Inc., respectively.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#40580-070516) A RESOLUTION authorizing the City Manager's issuance and execution of additional Amendments to the City's Contract with AECOM Technical Services, Inc., for additional professional services for the third year of the City's Transportation Structures Inspection Program (2014-2018); and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendments to the above mentioned Contract, as well as the Contract itself.

(For full text of resolution, see Resolution Book No. 78, page 376.)

Council Member Bestpitch moved the adoption of Resolution No. 40580-070516. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

Council Member Bestpitch offered the following resolution:

(#40581-070516) A RESOLUTION authorizing the City Manager's issuance and execution of additional amendments to the City's Contract with Mattern & Craig, Inc., for additional professional services for the third year of the City's Transportation Structures Inspection Program (2014-2018); and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendments to the above mentioned Contract, as amended, as well as the Contract itself.

(For full text of resolution, see Resolution Book No. 78, page 377.)

Council Member Bestpitch moved the adoption of Resolution No. 40581-070516. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

# 10

**PURCHASE/SALE PROPERTY:** The City Manager submitted a written communication recommending execution of Amendment No. 2 to the Contract for Purchase and Sale of Real Property between the City of Roanoke and Northwest Recreation Club, Inc.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#40582-070516) AN ORDINANCE approving certain changes and modifications to the Contract for Purchase and Sale of Real Property dated February 28, 2014, by and between the City of Roanoke, Virginia, and Northwest Recreation Club, Inc., as amended by Amendment No. 1 dated October 19, 2015 ("Contract"), and under the terms of the Contract, Northwest Recreation Club, Inc. assigned its rights and obligations as buyer to Countryside Sportsplex, Inc. ("Countryside"), to extend the time Countryside has to meet certain performance obligations and conditions imposed on Countryside under the terms of the Contract; authorizing the City Manager to execute Amendment No. 2 to the Contract to provide for such extension of time; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 378.)

Inasmuch as her husband Charles Price is involved in the abovemention project on behalf of Northwest Recreation Club, Vice-Mayor Price acknowledged a personal interest and read the following statement:

### **"STATEMENT OF CONFLICT OF INTEREST"**

I, Anita James Price, state that I have a personal interest in agenda item 7.a.2 regarding the execution of Amendment No 2. To the Contract for the Purchase and sale of Real Property between the City of Roanoke and Northwest Recreation Club, Inc., because my husband, Charles Price, is involved in this project on behalf of Northwest Recreation Club, Inc.

Therefore, pursuant to Virginia Code Section 2.2-3112, I must refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 5<sup>th</sup> day of July, 2016.

S/Anita J. Price  
Anita J. Price  
Member of Council"

(See Statement of Conflict of Interest on file in the City Clerk's Office.)

There being no additional comments by the Council, Ordinance No. 40582-070516 was adopted by the following vote:

Council Member Bestpitch moved the adoption of Ordinance No. 40582-070516. The motion was seconded by Council Member Trinkle.

AYES: Council Members Bestpitch, Dykstra, Garland, Trinkle, and Mayor Lea-5.

NAYS: None-0.

(Council Member Ferris was absent.) (Vice-Mayor Price abstained from voting.)

#### COMMENTS BY CITY MANAGER.

##### **Plans for July 5 Fireworks**

- For the past 14 years, the city has had a major fireworks show. Ours is one of the largest in Southwest Virginia.
- Yesterday, on July 4, city administration monitored the weather and spoke with city staff regarding whether to have the fireworks show. At 5:30 p.m. we became aware of the direct threat of thunderstorm cells moving into the Roanoke area and learned that some localities were cancelling their fireworks shows.
- We felt the safest thing to do was to make the call to cancel our fireworks.
- Our biggest concern in having the fireworks show was getting people to and from River's Edge fields if a severe thunderstorm occurred during the show.
- We have learned today that dismantling the fireworks equipment could cause a spark that might set off the fireworks. As a result, the city has decided to display the fireworks tonight at 9:30 p.m. at River's Edge.
- Music and food, previously scheduled for Monday has been cancelled.
- City officials have worked with Valley Metro and shuttle service will be provided from the Elmwood Garage in downtown Roanoke beginning at 8 p.m. The last shuttle pickup at the Elmwood Garage is scheduled for 9 p.m. After the fireworks show, shuttles will return patrons to the garage. Parking is unavailable at Virginia Western Community College. Drivers should not use the parking garages near Carilion Memorial Hospital.
- At 6:00 p.m., Reserve Avenue in Roanoke will close in preparation for the show. Wiley Drive will remain open throughout the event.

### **Roanoke Featured in Publications**

Recently, articles shining a positive light on Roanoke and its progressive strategies have been published in local, regional, and national magazines.

#### **LEAN**

- The June 2016 issue of *VML Town & City* magazine featured an article about city's Lean program.
- Titled "Lean forward," the article shares Roanoke's success stories – how departments have used Lean to improve the quality of our services, eliminate waste, minimize costs, and save time.
- The first Lean Conference – "Implementing Lean for Operational Excellence" – was held in March and we are working to have additional Lean Conferences in the future, as well as create a Lean Academy.

#### **SOCIAL MEDIA**

- The July 2016 issue of *Valley Business Front* includes an article titled "Two Channel Work Better Than One," touting Roanoke's social media success in providing two-way communication.
- In the article, Timothy Martin (the city's social media manager) tells how the city has successfully used tools like Facebook to push out information and interact with citizens.
- Timothy also received national recognition from Government Social Media earlier this year as Social Media Advocate of the Year.

#### **FINANCE**

- The June 2016 edition of *Government Finance Review* included an article written by Katie Davis, budget/management analyst for the Department of Management & Budget, titled "Stretch Assignments Give Employees Room to Grow."
- The article is a result of field testing conducted by Katie, Management and Budget Director Amelia Merchant, and participants from other localities as part of their participation in a GFOA task force focused on resiliency.

#### **TOURISM**

- *Greensboro News & Record* recently published an article recognizing Roanoke as a travel destination.
- The article was written as a result of the Virginia's Blue Ridge media tour in March, and described Roanoke as the perfect destination for museums, performing-arts venues, and artists.
- Last year Visit Virginia's Blue Ridge hosted 4 media tours, which included 59 travel journalists from all over the country and Canada.
- Articles resulting from those tours yielded media coverage circulation of 66,199,299, with a total advertising equivalency of \$1,328.041.

- Hats off to Landon Howard and his staff at Visit Virginia's Blue Ridge who coordinate the media tours and help the region score promotional articles such as this one in newspapers, magazines and online around the country, including high-profile publications like *USA Today*, *Dallas Morning News* and *The Boston Globe*.

#### **West End Project Celebration Planned**

- A pot luck supper is planned for Thursday, July 7, at 6:30 p.m. at the Mountain View Recreation Center to celebrate the close-out of the five-year West End Revitalization project.
- As part of that event, there will also be an introduction of the artist who is installing the Public Art sculpture at the intersection of Campbell and Patterson Avenues.
- The sculpture installation is planned to take place over two days (July 6 and 7).

#### **Conservation Work Begins on Roanoke War Memorial**

- The Roanoke Arts Commission continues to implement the recommendations of the conservation study conducted in 2012 and funded through a grant from the National Endowment for the Arts. Conservation Solutions will be performing conservation work on the Roanoke Valley War Memorial beginning July 5.
- The War Memorial was listed as a priority in the study. The conservation will take a week and a half and will include removal of soil and corrosion, replacing missing letters and painting the plaques and applying a protective coating.
- The company will also conduct training for city staff on care and conservation for the future. Conservation Solutions was chosen through a competitive RFP process.
- The project cost is being equally shared by the Roanoke Arts Commission through Percent for Art funds and the Department of General Services. Total cost for the conservation work is \$18,110.

CITY ATTORNEY:

CITY CODE: The City Attorney submitted a written report recommending readoption and reenactment of the Code of the City of Roanoke (1979), as amended.

(For full text, see report on file in the City Clerk's Office.)

# 14

Council Member Bestpitch offered the following ordinance:

(#40583-070516) AN ORDINANCE to readopt and reenact the Code of the City of Roanoke (1979), as amended; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 380.)

Council Member Bestpitch moved the adoption of Ordinance No. 40583-070516. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

EASEMENTS-SCHOOLS-WATER AUTHORITY: The City Attorney submitted a written report recommending conveyance of 20-foot permanent water line easement and 10-foot temporary construction easement to Western Virginia Water Authority across property, designated as Official Tax Map No. 2250102 (Round Hill School), in connection with the extension of a waterline to increase water flow and install a fire hydrant.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Price offered the following ordinance:

(#40584-070516) AN ORDINANCE authorizing the conveyance of a permanent water line easement and a temporary construction easement across City-owned property located at 2020 Oakland Blvd., N. W., designated as Roanoke Official Tax Map No. 2250102, to the Western Virginia Water Authority, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 382.)

Vice-Mayor Price moved the adoption of Ordinance No. 40584-070516. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

#### INTRODUCTION AND CONSIDERATION OF ORDINANCE AND RESOLUTIONS:

CITY MANAGER: Council Member Bestpitch offered the following ordinance repealing Ordinance No. 40585-070516 adopted June 20, 2016, adjusting the salary of the City Manager:

(#40585-070516) AN ORDINANCE repealing Ordinance No. 40575-062016, adopted June 20, 2016; amending and reordaining Ordinance No. 40501-050916, adopted May 9, 2016, to adjust the City Manager's compensation by amending the salary of Christopher P. Morrill and amending the employer contribution paid by the City on behalf of the City Manager to the deferred compensation plan established pursuant to Internal Revenue Code Section 401(a); establishing an effective date of July 1, 2016; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 383.)

Council Member Bestpitch moved the adoption of Ordinance No. 40585-070516. The motion was seconded by Vice-Mayor Price and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

# 16

## MOTIONS AND MISCELLANEOUS BUSINESS:

### INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF CITY COUNCIL:

CITY COUNCIL: Council Member Bestpitch welcomed Council Members Dykstra and Garland, noting appreciation to both for stepping forward to serve the City of Roanoke. Mayor Lea also expressed sentiments and his eagerness to work alongside of them.

Council Member Garland added it was an honor and pleasure to serve on City Council and invited citizens to contact him. He also acknowledged the City Manager's Office intern, Meredith Colonna.

At 3:11 p.m., the Mayor declared the Council meeting in recess for a Closed Meeting in the Council's Conference Room, Room 451, fourth floor, Noel C. Taylor Municipal Building.

At 3:55 p.m., the Council meeting reconvened in the Council Chamber, Mayor Lea presiding and all Members of the Council in attendance, with the exception of Council Member Ferris.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Dykstra and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

**OATHS OF OFFICE-DEFINED CONTRIBUTION BOARD:** Mayor Lea called attention to a communication from the Assistant City Manager for Operations advising that Section 2.2.3-78(a), Code of the City of Roanoke (1979) as amended; whereupon, Amelia Merchant, Director of Management and Budget, was appointed to fill the unexpired term of Sherman M. Stovall, Assistant City Manager for Operation, as the City Manager's designee ending June 30, 2017; and the Assistant City Manager for Operations to replace the City Manager as ex-officio on the Defined Contribution Board for a term of office ending June 30, 2017, by the following vote:

**FOR MS. MERCHANT AND MR. STOVALL:** Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

**NAYS:** None-0.

(Council Member Ferris was absent.)

**OATHS OF OFFICE-PENSION PLAN:** The Mayor called attention to an upcoming expiration of the two-year term of office of James Grisso as a City Retiree representative of the City of Roanoke Pension Plan, Board of Trustees, ending June 30, 2016, Inasmuch as Mr. Grisso having served three consecutive two year terms of office, he is not eligible for reappointment; whereupon, Mayor Lea opened the floor for nominations.

Vice-Mayor Price placed in nomination the name of Carolyn Glover.

There being no further nominations, Ms. Glover was appointed to replace Mr. Grisso as a City Retiree representative of City of Roanoke Pension Plan, Board of Trustees, for a two-year term of office ending June 30, 2018, by the following vote:

**FOR MS. GLOVER:** Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

**NAYS:** None-0.

(Council Member Ferris was absent.)

Vice-Mayor Price moved that the City residency requirement for Ms. Glover be waived in this instance. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

OATHS OF OFFICE-CITY PLANNING COMMISSION: The Mayor called attention to a vacancy created by the resignation of Chad A. Van Hying as a member of the City Planning Commission for a term ending December 31, 2016; whereupon, he opened the floor for nominations.

Vice-Mayor Price placed in nomination the name of Paula Williams.

There being no further nominations, Ms. Williams was appointed as a member of the City Planning Commission to fill the unexpired term of Chad A. Van Hying ending December 31, 2016, by the following vote:

FOR MS. WILLIAMS: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle, and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris was absent.)

There being no further business to come before the Council, Mayor Lea declared the Council meeting adjourned at 3:58 p.m.

APPROVED

ATTEST:

Stephanie M. Moon Reynolds, MMC  
City Clerk

Sherman P. Lea, Sr.  
Mayor

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## ROANOKE CITY COUNCIL-REGULAR SESSION

July 18, 2016

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, July 18, 2016, at 2:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Sherman P. Lea, Sr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 40579-070516 adopted by the Council on Tuesday, July 5, 2016.

**PRESENT:** Council Members Raphael E. Ferris, John A. Garland, Anita J. Price, and Mayor Sherman P. Lea, Sr.-4.

**ABSENT:** Council Members William D. Bestpitch, Michelle L. Dykstra and David B. Trinkle-3.

The Mayor declared the existence of a quorum.

**OFFICERS PRESENT:** Sherman M. Stovall, Assistant City Manager for Operations; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Cecelia F. McCoy, Deputy City Clerk.

The Invocation was delivered by The Reverend Lyle Morton, Pastor, West End United Methodist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Sherman P. Lea, Sr.

**PRESENTATIONS AND ACKNOWLEDGEMENTS:** NONE.

**HEARING OF CITIZENS UPON PUBLIC MATTERS:** The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters would be referred to the City Manager for response, recommendation or report to Council, as he may deem appropriate.

**POLICY:** Michael Givens, 1915 Laura Road, N. W., appeared before the Council in opposition of the City of Roanoke becoming a sanctuary city; and alleged that each municipality that has become a sanctuary city experienced a slight increase in crime. He also pointed out that as guardians of the City; the Council was tasked to protect its prosperity.

## CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, the item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of the Council held on Monday, March 21, 2016, were before the body.

(See Minutes on file in the City Clerk's Office.)

Council Member Garland moved that the reading of the minutes be dispensed with and approved as recorded. The motion was seconded by Vice-Mayor Price adopted by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

ECONOMIC DEVELOPMENT AUTHORITY: A communication from the City Clerk advising of the resignation of Paula Page Williams as a Director of the Economic Development Authority, effective July 20, 2016, was before the Council.

(See communication on file in the City Clerk's Office.)

Council Member Garland moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Vice-Mayor Price and adopted by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

PERSONNEL AND EMPLOYMENT PRACTICES COMMISSION: A communication from the City Clerk advising of the resignation of Geraldo M. Correa, Jr., as a member of the Personnel and Employment Practices Commission, effective immediately, was before the Council.

(See communication on file in the City Clerk's Office.)

Council Member Garland moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Vice-Mayor Price and adopted by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

WESTERN VIRGINIA WATER AUTHORITY: A communication from Gayle Shrewsbury, Secretary to the Board of Directors, Western Virginia Water Authority, transmitting a resolution expressing appreciation to John Williamson, III, for his service as a Botetourt County representative of the Western Virginia Water Authority Board of Directors, was before the Council.

(See communication on file in the City Clerk's Office.)

Council Member Garland moved that the communication be received and filed. The motion was seconded by Vice-Mayor Price and adopted by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

ANNUAL REPORTS-ECONOMIC DEVELOPMENT AUTHORITY: Annual Report of the Economic Development Authority of the City of Roanoke for Fiscal Year ending June 30, 2016, was before the Council.

(See Annual Report on file in the City Clerk's Office.)

Council Member Garland moved that the Annual Report be received and filed. The motion was seconded by Vice-Mayor Price and adopted by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

OATHS OF OFFICE-VISIT VIRGINIA'S BLUE RIDGE BOARD OF DIRECTORS-CITY OF ROANOKE PENSION PLAN, BOARD OF TRUSTEES-YOUTH SERVICES CITIZEN BOARD: Reports of qualification of the following individuals were before the Council:

Thomas T. Cullen as a member of the Visit Virginia's Blue Ridge, Board of Director for a one-year term of office, commencing July 1, 2016 and ending June 30, 2017;

Carolyn H. Glover as a City Retiree representative of the City of Roanoke Pension Plan, Board of Trustees for a term ending June 30, 2018; and

Beatrice Schlepner as a member of the (Alternate Student) of the Youth Services Citizen Board, to replace Quentin Long, for a one-year term of office commencing July 1, 2016 and ending June 30, 2017.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Council Member Garland moved that the reports of qualification be received and filed. The motion was seconded by Vice-Mayor Price and adopted by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

## REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS: NONE.

## ITEMS RECOMMENDED FOR ACTION:

**BUDGET-GRANTS:** The City Manager submitted a written communication recommending acceptance and appropriation of the Foundation for Roanoke Valley grant funds to host the “Bridges out of Poverty Workshop”, which will provide key community members and service providers lessons in assisting and supporting individuals who live in poverty.

(For full text, see communication on file in the City Clerk’s Office.)

Vice-Mayor Price offered the following resolution:

(#40586-071816) A RESOLUTION authorizing the acceptance of a grant from the Foundation for Roanoke Valley to the City of Roanoke on behalf of the City’s Department of Social Services (DSS), to be used for expenses related to the Bridges Out of Poverty Workshop (“Workshop”), and authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant.

(For full text of resolution, see Resolution Book No. 78, page 384.)

Vice-Mayor Price moved the adoption of Resolution No. 40586-071816. The motion was seconded by Council Member Ferris.

The Assistant City Manager for Operations advised that the purpose of the grant was to host an one-day workshop titled the “Bridges out of Poverty Workshop”, primarily for community members and service providers to increase their effectiveness in terms of assisting and supporting individuals who live in poverty.

There being no questions/comments by the Council Members, Resolution No. 40586-071816 was adopted by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

Vice-Mayor Price offered the following budget ordinance:

(#40587-071816) AN ORDINANCE appropriating funding from the Foundation for Roanoke Valley for a Bridges Out of Poverty workshop, amending and reordaining certain sections of the 2016 - 2017 Grant Fund Appropriations.

(For full text of ordinance, see Ordinance Book No. 78, page 385.)

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Vice-Mayor Price moved the adoption of Budget Ordinance No. 40587-071816. The motion was seconded by Council Member Ferris and adopted on its first reading by the following vote:

AYES: Council Members Ferris, Garland, Price, and Mayor Lea-4.

NAYS: None-0.

(Council Members Bestpitch, Dykstra and Trinkle were absent.)

## COMMENTS OF THE ASSISTANT CITY MANAGER OF OPERATIONS.

The Assistant City Manager for Operations shared the following comments:

### **National Night Out to Return in August**

- Tuesday, August 2, 2016.
- All neighborhood organizations and watch groups have been encouraged to participate.
- National Night Out events involve citizens, law enforcement agencies, Fire-EMS, neighborhood organizations, neighborhood crime watch groups, and local officials from all over the city.  
The events are designed to:
  - Heighten crime and drug prevention awareness;
  - Generate support for, and participation in, local anti-crime programs;
  - Strengthen neighborhood spirit; and
  - Send a message to criminals letting them know that neighborhoods are organized and fighting back.
- City neighborhoods have participated in a variety of events over the years including block parties, cook outs, ice cream socials, visits from local police, fire department and City officials, flashlight walks, contests, watermelon parties, youth programs and more.
- National Night Out is a unique crime and prevention annual event sponsored by the National Association of Town Watch on the first Tuesday in August. For additional information, visit [www.roanokeva.gov/nno](http://www.roanokeva.gov/nno).

### **Upcoming Events**

- Saturday, August 6, Parks & Arts at Mountain View Recreation Center, noon to 3:00 p.m.
- Sunday, August 7, Budweiser Summer Series: Lee Brice will perform in the Elmwood Park Amphitheater, 7:00 p.m.
- Saturday, August 27, Parks & Art in Elmwood Park, noon to 3:00 p.m.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCE AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF CITY COUNCIL:

VIOLENCE: Mayor Lea encouraged the public to attend a public forum hosted at Paradise Cathedral on Monday, July 18 at 7:00 p.m. The event is meant to help protect local communities from gun violence and to come up with solutions to such issues. The forum is free and open to the..

GUN SAFETY: Vice-Mayor Price invited the community to attend a dialog on violence prevention and gun safety for all age groups on Tuesday, July 19 at 6:00 p.m. at Williams Memorial Baptist Church located at 2105 Carroll Avenue, N. W.

YOUTH SUMMIT: Vice-Mayor Price also announced the Annual Roanoke Youth Summit on Saturday, August 2 from 9:00 a.m. to 2:00 p.m., at William Fleming High School. The event is open to 8th through 12th grade students who attend Roanoke City Public Schools. Topics will include:

- Internet safety
- How to take care of your friends/peers
- The power of “no”
- Health and nutrition

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL: NONE.

Inasmuch as there are no public hearings or official business to come before the Council at the 7:00 p.m. session, Mayor Lea announced that the session was cancelled; and there being no further business to come before the Council, he declared the Council meeting adjourned at 2:19 p.m.

A P P R O V E D

ATTEST:

Cecelia F. McCoy  
Deputy City Clerk

Sherman P. Lea, Sr.  
Mayor

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**PRICE**  
**40615-090616**

**ROANOKE CITY COUNCIL  
INFORMAL SESSION**

**SEPTEMBER 6, 2016  
9:00 A.M.**

**CITY COUNCIL CHAMBER  
ROOM 450**

**AGENDA**

**Call to Order -- Roll Call. All present.**

Welcome. Mayor Sherman P. Lea, Sr.

**NOTICE**

This morning meeting and briefings will be televised live and replayed on RVTV Channel 3 on Thursday, September 8 immediately following the 2:00 p.m. session at 7:00 p.m.; and Saturday, September 10 at 4:00 p.m.; and video streamed by Internet through Rev.Net Technologies, Inc., at <http://www.wrev.net>. Council Meetings are offered with closed captioning for the hearing impaired.

**ITEMS FOR ACTION:**

A communication from Mayor Sherman P. Lea, Sr., requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. A list of current vacancies is included with the agenda for this meeting.

**(7-0)**

ITEMS LISTED ON THE 2:00 P.M. COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION AND ADDITIONS/DELETIONS TO THE 2:00 P.M. AGENDA. **NONE.**

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL. **NONE.**

**AT 9:03 A.M., THE INFORMAL SESSION WAS RECESSED FOR THE LEGISLATIVE COMMITTEE MEETING.**

**AT 11:00 A.M., THE INFORMAL SESSION RECONVENED AND THE FOLLOWING BRIEFINGS WERE HELD.**

BRIEFINGS:

- Parks and Recreation Master Plan Update - 30 minutes
- City Property Disposition Process - 30 minutes
- Colonial Avenue Improvement Project - 30 minutes

**AT 1:12 P.M., THE COUNCIL MEETING WAS RECESSED FOR A CLOSED MEETING IN THE COUNCIL'S CONFERENCE ROOM, ROOM 451, NOEL C. TAYLOR MUNICIPAL BUILDING; AND RECONVENED AT 2:00 P.M., IN THE COUNCIL CHAMBER.**



**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**SEPTEMBER 6, 2016  
2:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**1. Call to Order--Roll Call. All present.**

The Invocation was delivered by The Reverend Kathy O’Keeffe, Pastor, Kingdom Life Ministries International.

**Mayor Sherman P. Lea, Sr. called for a moment of silence in memory of the late Gus Pappas, Roanoke’s Hot Dog King and former owner of the Roanoke Weiner Stand, who passed on Friday, August 26. He instructed the City Attorney to prepare the appropriate resolution memorializing Mr. Pappas at a future Council Meeting.**

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Sherman P. Lea, Sr.

Welcome. Mayor Lea.

**NOTICE:**

Today’s Council meeting will be televised live and replayed on RVTV Channel 3 on Thursday, September 8 at 7:00 p.m., and Saturday, September 10 at 4:00 p.m.; and video streamed by Internet through CivicPlus, at [roanokeva.gov/councilmeetings](http://roanokeva.gov/councilmeetings). Council meetings are offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT. SPECIAL ASSISTANCE IS AVAILABLE FOR DISABLED PERSONS ADDRESSING CITY COUNCIL. EFFORTS WILL BE MADE TO PROVIDE ADAPTATIONS OR ACCOMMODATIONS BASED ON INDIVIDUAL NEEDS OF QUALIFIED INDIVIDUALS WITH DISABILITIES, PROVIDED THAT REASONABLE ADVANCE NOTIFICATION HAS BEEN RECEIVED BY THE CITY CLERK'S OFFICE.**

**PERSONS WISHING TO ADDRESS COUNCIL WILL BE REQUIRED TO CONTACT THE CITY CLERK'S OFFICE PRIOR TO THE MONDAY COUNCIL MEETING, OR REGISTER WITH THE STAFF ASSISTANT AT THE ENTRANCE TO THE COUNCIL CHAMBER PRIOR TO COMMENCEMENT OF THE COUNCIL MEETING. ONCE THE COUNCIL MEETING HAS CONVENED, THERE WILL BE NO FURTHER REGISTRATION OF SPEAKERS, EXCEPT FOR PUBLIC HEARING MATTERS. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH; HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL-APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE MAY CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE TO COMPLETE AN ONLINE APPLICATION.**

**THE COUNCIL OF THE CITY OF ROANOKE IS SEEKING APPLICATIONS FOR THE FOLLOWING CURRENT VACANCIES AND/OR UPCOMING EXPIRATIONS OF TERMS OF OFFICE:**

**BUILDING AND FIRE CODE OF APPEALS – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2017**

**PERSONNEL AND EMPLOYMENT PRACTICES COMMISSION  
TWO VACANCIES  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2018  
TERM OF OFFICE ENDING JUNE 30, 2019**

**VISIT VIRGINIA'S BLUE RIDGE, BOARD OF DIRECTORS – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2017**

THE CITY OF ROANOKE ALSO IS ACCEPTING NOMINATIONS FOR THE 2016 CITIZEN OF THE YEAR. TO OBTAIN INFORMATION TO SUBMIT A NOMINATION, CONTACT THE CITY CLERK'S OFFICE AT (540) 853-2541 OR ACCESS THE FORM AT EACH CITY LIBRARY BRANCH. DEADLINE FOR RECEIPT OF NOMINATIONS IS WEDNESDAY, SEPTEMBER 28, 2016.

REPLAY DATES OF THE MAYOR'S STATE OF CITY ADDRESS ON RVTV CHANNEL 3:

- THURSDAY, SEPTEMBER 8 AT 11: 00 A.M. AND 6:00 P.M.;
- SATURDAY, SEPTEMBER 10 AT 10:30 A.M. AND 2:30 P.M.;
- THURSDAY, SEPTEMBER 15 AT 11:00 A.M. AND 6:00 P.M.;
- AND SATURDAY, SEPTEMBER 17 AT 10:30 A.M. AND 2:30 P.M.

## **2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

A resolution expressing City Council's deepest regret and sorrow at the passing of Joel Willis Richert.

**Adopted Resolution No. 40615-090616. (7-0)**

Mayor Lea presented a ceremonial copy of the resolution to Bob Richert, husband.

## **3. HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.**

## **4. CONSENT AGENDA: (APPROVED 7-0)**

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY. The Mayor called attention to one request for public hearing from the City Manager.

- C-1 Minutes of the regular meetings of City Council held on Monday, June 6, 2016 and Monday, June 20, 2016; Tuesday, July 5, 2016; and Monday, July 18, 2016.  
**RECOMMENDED ACTION: Dispensed with the reading of the minutes and approved as recorded.**
- C-2 A communication from the City Manager requesting that City Council schedule a public hearing for October 3, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard, or as such later date and time as the City Manager may determine, to consider issuing general obligation support of financing by the Western Virginia Regional Industrial Facility Authority.  
**RECOMMENDED ACTION: Concurred in the request.**
- C-3 A communication from the City Clerk advising of the resignation of James T. Weber as a member of the Human Services Advisory Board, effective immediately.  
**RECOMMENDED ACTION: Accepted the resignation and received and filed the communication.**
- C-4 A communication from the Assistant City Manager for Community Development transmitting a report the Library System Statistics for Fiscal Year 2016.  
**RECOMMENDED ACTION: Received and filed.**
- C-5 Annual Report of the Roanoke Redevelopment and Housing Authority for the Fiscal Year July 1, 2015 to June 30, 2016.  
**RECOMMENDED ACTION: Received and filed.**
- C-6 Reports of qualification of the following individuals:
- John Missell as a member of the Architectural Review Board ending October 1, 2016; and for an additional four-year term of office ending October 1, 2020;
- Duane R. Smith and Edward Garner as Commissioners of the Roanoke Redevelopment and Housing Authority for four-year terms of office, each, ending August 31, 2020;
- David Perry as a member of the Mill Mountain Advisory Board for a three-year term of office ending June 30, 2019;
- Lorena Wilson as a Citizen at Large representative of the Youth Services Citizen Board for a three-year term of office ending June 30, 2019; and

Stephen Grammer as a member of the Fair Housing Board for a term of office ending March 31, 2019.

**RECOMMENDED ACTION:** Received and filed.

**REGULAR AGENDA:**

**5. PUBLIC HEARINGS: NONE.**

**6. PETITIONS AND COMMUNICATIONS:**

- a. A communication from the Commonwealth's Attorney recommending acceptance of the Victim/Witness Program Grant for Fiscal Year 2016 – 2017; and a communication from the City Manager concurring in the recommendation.

**Adopted Resolution No. 40616-090616 and Budget Ordinance No. 40617-090616. (7-0)**

**7. REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:**

- a. CITY MANAGER:

BRIEFINGS:

- Roanoke Arts Commission Annual Work Plan - 15 minutes  
**Concurred in the recommendation.**
- Roanoke Innovation Corridor - 10 minutes  
**Received and filed.**

ITEMS RECOMMENDED FOR ACTION:

- 1. Acceptance and appropriation of funds received from the United States Department of Justice for the FY 2017 Bulletproof Vest Partnership Grant Award for use by the Police and Sheriff's Departments.

**Adopted Resolution No. 40618-090616 and Budget Ordinance No. 40619-090616. (7-0)**

2. Acceptance and appropriation of funds from the United States Department of Justice for the FY 2016 Edward Byrne Memorial Justice Assistance Grant to support the Roanoke City Police Department bicycle patrol program.  
**Adopted Resolution No. 40620-090616 and Budget Ordinance No. 40621-090616. (7-0)**
3. Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Alcohol) Grant to be used for traffic enforcement targeting alcohol impaired drivers.  
**Adopted Resolution No. 40622-090616 and Budget Ordinance No. 40623-090616. (7-0)**
4. Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Speed) Grant to be used for traffic enforcement targeting drivers who are speeding.  
**Adopted Resolution No. 40624-090616 and Budget Ordinance No. 40625-090616. (7-0)**
5. Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Pedestrian Bicycle Safety) Grant to be used for traffic enforcement targeting pedestrian bicycle safety.  
**Adopted Resolution No. 40626-090616 and Budget Ordinance No. 40627-090616. (7-0)**
6. Acceptance and appropriation of funds from the Virginia Department of Motor Vehicles for the 2017 Traffic Safety (Selective Enforcement - Occupant Protection) Grant to be used for traffic enforcement targeting occupant protection.  
**Adopted Resolution No. 40628-090616 and Budget Ordinance No. 40629-090616. (7-0)**
7. Acceptance and appropriation of funds from the United States National Highway Traffic Safety Administration through the Virginia Department of Motor Vehicles for a 2016 multi-jurisdictional Driving Under the Influence Taskforce Grant, with the County of Roanoke and the City of Salem to deter, detect and apprehend intoxicated and impaired drivers.  
**WITHDRAWN.**

8. Appropriation of funds from the United States Department of Justice for the Office of the Attorney General Asset Forfeiture Grant awarded to the Roanoke City Police Department for enhancing law enforcement operations.  
**Adopted Ordinance No. 40630-090616. (7-0)**
9. Execution of an Agreement to Contribute to the Costs of Construction and Installation of Curb and Gutters with Cambridge Condominium Unit Owners Association, Inc.; and acceptance of a contribution for \$25,000.00.  
**Adopted Resolution No. 40631-090616 and Budget Ordinance No. 40632-090616. (7-0)**
10. Execution of a First Amended and Restated Agreement creating the Western Virginia Regional Industrial Facility Authority to conform language more closely to State Code sections and to reflect changes made since 2013.  
**Adopted Ordinance No. 40633-090616. (7-0)**
11. Acceptance and appropriation of funds from the Virginia Department of Transportation for the FY2017 Revenue Sharing Program Award for seven infrastructure improvement projects.  
**Adopted Resolution No. 40634-090616 and Budget Ordinance No. 40635-090616. (7-0)**
12. Approval of a one-time payment to all full-time and permanent part-time employees in the classified service of the City who, as of July 1, 2016, were unable to receive the full benefits of the salary increase approved by City Council on May 9, 2016.  
**Adopted Ordinance No. 40636-090616. (7-0)**

#### **COMMENTS OF CITY MANAGER.**

The City Manager offered the following comments:

##### **Melrose-Orange Target Area Survey**

- The city is seeking public input on how to best direct HUD funds in the Melrose-Orange Target Area.
- Residents, both homeowners and renters, property owners, businesses and other stakeholders in the target area, as well as the general public, are encouraged to complete a brief survey to inform the city as to what eligible activities are most in need.
- This area, in Northwest Roanoke, incorporates 10th Street to 24th Street, and Loudon Avenue to Hanover Avenue.

- To complete the survey, visit the city’s website, and look for the link under the “Read About” section. The deadline for submissions is September 9.
- For more information, contact Keith Holland, community resources program administrator for Planning, Building, and Development, at 853-6404.

**Bicycle Friendliness Survey**

- The city recently applied to the League of American Bicyclists for continued designation as a Bicycle Friendly Community. The city received a Bronze designation from the League in 2012.
- As part of the evaluation process, the League has developed a brief survey to get independent input from Roanokers on how well our community is accommodating bicyclists and where improvement is needed.
- The public is invited to take the survey by visiting the city’s website, and look for the link under the “Read About” section.
- For more information, contact Chris Chittum, Director of Planning, Building, & Development, at 853-2356.

**Upcoming Events:**

**Pride in the Park**

- Elmwood Park
- Saturday-Sunday, September 10-11
- Parade: Saturday, 4:00 p.m.
- Activities: Sunday, 11:00 a.m. to 8:00 p.m.

**27th Annual Henry Street Festival**

- Elmwood Park
- Saturday, September 17, noon to 10:00 p.m.
- website: [harrisonmuseum.com/henry-street-heritage-festival](http://harrisonmuseum.com/henry-street-heritage-festival)

**CityWorks Xpo**

- Thursday-Saturday, October 6-8
- Grandin Theatre
- website: [cityworksxpo.com](http://cityworksxpo.com)

b. CITY ATTORNEY:

1. Amendment of the City Code to repeal Section 21-44.1, Offenses Miscellaneous, in connection with panhandling and solicitation of charitable contributions.  
**Adopted Ordinance No. 40637-090616. (7-0)**

- 8. REPORTS OF COMMITTEES: NONE.**
- 9. UNFINISHED BUSINESS: NONE.**
- 10. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**
- 11. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Vice-Mayor Price announced the Henry Street Heritage Festival which is the premier event of the Harrison Museum of African American Culture on Saturday, September 17. Gates open at 10:30 a.m. Festival begins at 11:00 a.m. Advance tickets are \$20.00 and \$25.00 at the gate; children 13-15 years old - \$15.00; under 12 years old – free.**

**Council Member Trinkle applauded Mark Jamison, Manager of the Transportation Department, City staff, and the many volunteers for their efforts during the Deschutes Street Pub event held on August 27 at Elmwood Park and the “Starcropolis” theatre event held on Sunday, September 4.**

**Council Member Besptich thanked the City Manager and the Parks and Recreation staff for their contribution to the recent festivals and events and a special thanks to Patrick Boas, Parks and Recreation Coordinator, for his efforts despite personal and work related circumstances.**

**Council Member Ferris announced the upcoming Roanoke Greek Festival to be held on Friday, September 16 through Sunday, September 18 at the Holy Trinity Greek Orthodox Church located at 30 Huntington Boulevard, N.E. The event begins Friday and Saturday at 11:00 a.m. to 10:00 p.m., and on Sunday at 12:00 noon to 7:00 p.m. The admission is free.**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

**CERTIFICATION OF CLOSED MEETING. (7-0)**

**Reappointed Paula Prince, Cheryl W. Hartman and Marion Vaughn-Howard as members of the Human Services Advisory Board for terms of four years, each, ending November 30, 2020.**

**Appointed Corbin Prydwen to replace Justina Megginson as a Property Management representative of the Building and Fire Code Board of Appeals for a term ending June 30, 2019.**

**Appointed Fatimah Foster to replace Trista S. Wallace and Capital Chester Smith to fill unexpired term of Deputy Chief Samuel Roman as Law Enforcement representatives of the Towing Advisory Board for terms ending October 31, 2018, respectively.**

**Reappointed James O'Hare to replace Kristine Safford as a Citizen at Large representative of the Youth Services Citizen Board to fill his term ending June 30, 2018.**

**Appointed William Poe to replace Charles E. Hunter, III, for a four-year term of office ending October 20, 2020; and Duke Baldrige to fill the unexpired term of Paula Page Williams ending October 20, 2017, as Directors of the Economic Development Authority.**

**12. ADJOURNED – 3:57 P.M.**