



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

September 18, 2018

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS: James B. Buckner
L.G. "Larry" Campbell, Jr.
Gary P. Miller
Sherman M. Saunders

Fred O. Shanks, III
Adam J. Tomer
J. Lee Vogler, Jr., Vice Mayor
Madison J. Whittle

STAFF: Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. All meetings of the Council are open to the public.

Communications from Visitors

Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Citizens who desire to speak on agenda items will be heard when the agenda item is considered. Each speaker shall clearly state his or her name and address. Each individual speaker shall have five uninterrupted minutes. A representative of a group may have up to ten uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and

then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - Vice Mayor J. Lee Vogler, Jr.

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Certificate of Recognition to the Garden Club of Danville 100th Anniversary

Presented to: Bonnie Griffith, President

Proclamation: Constitution Week

Presented to: Anne Geyer, Regent

Dorothea Henry Chapter, Daughters of the American Revolution

COMMUNICATIONS FROM VISITORS

Citizens who desire to speak on matters not listed on the agenda will be heard at this time. Citizens who desire to speak on agenda items will be heard when the agenda item is considered.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine, have previously been discussed by City Council and/or introduced for First Reading. There will be no separate discussion on these items and they will be enacted by one motion. If discussion is desired by a Council Member or a citizen, the item(s) will be removed from the consent process and considered separately.

- A. Public Hearing on Budget Appropriation Items
- B. Consideration of Approval of Minutes from Regular Council Meeting held on August 21, 2018.
Council Letter Number CL - 1987.
- C. Consideration of Amending the FY 2019 Budget Appropriation Ordinance for VDOT State of Good Repair/Primary Extension Funds in the Amount of \$999,000.
Council Letter Number CL - 1963

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance for Roadway Maintenance Projects to be Undertaken within the City and to be Financed Anticipating Revenues from Virginia Department of Transportation (VDOT) State of Good Repair/Primary Extension Funds in the Amount of \$999,000.

FINAL ADOPTION

- D. Consideration of Amending the FY 2019 Budget Appropriation Ordinance for VDOT Highway Safety Improvement Program Funds in the Amount of \$70,830.
Council Letter Number CL - 1962

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance for Safety Projects to be Undertaken within the City and to be Financed Anticipating Revenues from Virginia Department of Transportation (VDOT) Highway Safety Improvement Program Funds in the Amount of \$70,830.

FINAL ADOPTION

- E. Consideration of Amending the FY 2019 Budget Appropriation Ordinance for Senior Citizen Programs.
Council Letter Number CL - 1490

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Increasing Certain Revenues to Provide for Title III-B Grant Funds and Local Share for Senior Citizen Programs and Appropriating Same.

FINAL ADOPTION

- F. Consideration of Amending the FY 2019 Budget Appropriation by Transferring \$3,000,000 from the Unreserved Fund Balance from the Wastewater Fund for an Economic Development Project.
Council Letter Number CL - 1988

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Transferring \$3,000,000 from the Unreserved Fund Balance of the Wastewater Fund for an Economic Development Project to Establish a Revolving Economic Development Loan Fund and Appropriating the Same.

FINAL ADOPTION

NEW BUSINESS

- A. Consideration of Vacating a Right of Way near Cherry Street.
Council Letter Number CL - 1960.

1. Public Hearing
2. An Ordinance Vacating Approximately 2,230 Square Feet of Public Right-of-Way on Cherry Street.

- B. Consideration of Transferring City Owned Surplus Properties to the DRHA.
Council Letter Number CL - 1967

1. Public Hearing
2. A Resolution Declaring Certain City-Owned Property to be Surplus to the Needs of the City and Authorizing the City Manager to Convey Such Property to the Danville Redevelopment and Housing Authority.

- C. Consideration of Entering into a Purchase Power Agreement with Turningpoint Energy for the Whitmell Solar Project.
Council Letter Number 1968.

A Resolution Authorizing and Approving the City of Danville, Virginia to Enter into a Purchase Power Agreement with Turningpoint Energy, for the Whitmell Solar Project, for Ten Megawatts of Renewable Solar Peaking Generation Power to be Constructed at 7480 Irish Road within the Danville Utilities Service Territory.

- D. Consideration of a Entering Into a Purchase Power Agreement with Strata Solar for the Ringgold Solar Project.
Council Letter Number CL - 1972

A Resolution Authorizing and Approving the City of Danville, Virginia to Enter into a Purchase Power Agreement with Strata Solar, for the Ringgold Solar Project, for Twelve Megawatts of Renewable Solar Peaking Generation Power to be Constructed at 1493 Ringgold Road within the Danville Utilities Service Territory.

- E. Consideration of Entering into a Shared Usage Agreement with PATHS, Inc., for the Stonewall Recreation Center.
Council Letter Number CL - 1966

A Resolution Approving and Authorizing the Execution of a Memorandum of Understanding by and Between the City Of Danville, Virginia and PATHS, Inc.

- F. Consideration of Amending Chapter 24, Parades and Other Assemblies, of the Danville City Code.
Council Letter Number 1974.

An Ordinance Repealing and Reordaining Chapter 24, Entitled "Parades and Other Assemblies" of the Code of the City of Danville, Virginia, 1986, as Amended, More Specifically Article 1, Entitled "In General", Section 24-1, Entitled "Permit for Assemblies, Demonstrations, etc., on City Property".

- G. Consideration of Amending the FY 2019 Budget Appropriation Ordinance for Virginia DMV Occupant Protection Grant Program Funds.
Council Letter Number CL - 1984

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement – Occupant Protection Grant Program in the Amount of \$5,250.00 and Appropriating Same.

FIRST READING

- H. Consideration of Amending the FY 2019 Budget Appropriation Ordinance for Virginia DMV Highway Safety Speed Grant Program Funds.
Council Letter Number CL - 1985

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement – Speed Grant Program in the Amount of \$9,100.00 and Appropriating Same.

FIRST READING

- I. Consideration of Amending the FY 2019 Budget Appropriation Ordinance for Virginia DMV Highway Safety Alcohol Grant Program Funds.
Council Letter Number CL - 1986

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Increasing Revenues from the Virginia Department of Motor Vehicles Highway Safety Selective Enforcement – Alcohol Grant Program in the Amount of \$19,285 and Appropriating Same.

FIRST READING

- J. Consideration of Approving a Moral Obligation with American National Bank.
Council Letter Number CL - 1969.

A Resolution Approving and Authorizing Execution of a Moral Obligation Agreement by and Between the City of Danville, Virginia and American National Bank and Trust Company.

- K. Consideration of Amending Chapter 37 of the Danville City Code to Add a New Section, Entitled "Data Centers and Data Center Tax Rate."
Council Letter Number CL - 2000

An Ordinance Amending and Reordaining Chapter 37, Entitled "Taxation", Article II, Entitled "Levy and Rate of Tax on Real Estate, Tangible Personal Property, Etc." of the Code of the City of Danville, 1986, as Amended, to Add a New Section 37-37, Entitled "Data Centers and Data Center Tax Rate".

COMMUNICATIONS FROM:

- A. City Manager
- B. Deputy City Manager
- C. City Attorney
- D. City Clerk
- E. Roll Call

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-1987

Consent Agenda Item #: B.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Consideration of Approval of Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on August 21, 2018.

Council Letter Number CL - 1987

Attachments

Meeting Minutes

August 21, 2018

The Second Regular August meeting of the Danville City Council was held on August 21, 2018, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (9).

Staff Members present were: City Manager Ken F. Larking, Deputy City Manager Earl B. Reynolds, Jr., City Attorney W. Clarke Whitfield Jr., and City Clerk Susan M. DeMasi.

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Sherman M. Saunders; the Pledge of Allegiance to the Flag followed.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing for the Budget Appropriation item. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 14, 2018. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption of the following Consent Agenda Items:

Minutes from the Regular Council Meeting held on July 17, 2018. Draft copies had been distributed prior to the Meeting.

Budget Amendment – Consideration of Amending the FY2019 BAO for Comprehensive Services Act Funds

An Ordinance entitled Ordinance No. 2018-08.01, presented by its First Reading on August 9, 2018, Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Appropriating Comprehensive Services Act Funds and Providing Local Matching Funds for a Total Amount of \$4,747,214.

The Motion was **seconded** by Council Member Whittle and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

APPOINTMENTS

Vice Mayor Vogler **moved** for adoption of the following Resolutions:

Resolution No. 2018-08.01- Reappointing Jeffrey L. Bond as a Member of the Commission of Architectural Review.

Resolution No. 2018-08.02 - Appointing Tyrell Payne as a Member of the Community Improvement Council.

August 21, 2018

Resolution No. 2018-08.03 - Appointing Natalie B. Whitlow as a Member of the Danville Community Policy and Management Team.

Resolution No. 2018-08.04 - Appointing Philip Hall as a Member of the Airport Commission.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

NEW BUSINESS

BUDGET APPROPRIATION - AMENDING THE FY 2019 BUDGET APPROPRIATION ORDINANCE FOR A VIRGINIA COMMISSION FOR THE ARTS GRANT IN THE AMOUNT OF \$4,500

Upon **Motion** by Council Member Campbell and **second** by Council Member Buckner, an Ordinance entitled:

ORDINANCE NO. 2018-08.07

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A VIRGINIA COMMISSION FOR THE ARTS GRANT IN THE AMOUNT OF \$4,500, AND TO PROVIDE FOR THE LOCAL SHARE IN THE AMOUNT OF \$5,000 FOR A TOTAL GRANT OF \$9,500

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

PUBLIC HEARING - APPROVAL OF A FULL SERVICE AMBULANCE OPERATOR'S PERMIT TO LIFECARE

Mayor Jones opened the floor for a Public Hearing regarding approval of an ambulance operator's permit to LifeCare. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 7, 2018 and August 14, 2018. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2018-08.08

GRANTING A FULL-SERVICE AMBULANCE OPERATOR'S PERMIT TO LIFECARE MEDICAL TRANSPORTS, INC.

The Motion was **seconded** by Council Member Whittle.

Council Member Miller noted several weeks ago there had been problems reported for delayed responses, but LifeCare has made a genuine effort to improve their service and noted Council should support this Ordinance. In response to Council Member Campbell, Dr. Miller

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noted the City Manager was looking into a common dispatch center with Pittsylvania County; he believed a regional 911 center would be an improvement. Council Member Shanks questioned if the City just revamped their E-911 center within the last few years and Mr. Larking noted they had. Mr. Larking stated he talked with the County recently to see if there was an interest in a joint dispatch, but the County is not interested in partnering with the City at this time; the possibility may exist in the future.

The **Motion** was carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

CITY CODE - AMENDING AND REORDAINING CHAPTER 32, ENTITLED "RETIREMENT SYSTEM" OF THE DANVILLE CITY CODE

Council Member Shanks **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2018-08.09

REPEALING AND REORDAINING CHAPTER 32, ENTITLED "RETIREMENT SYSTEM" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, IN ITS ENTIRETY IN ORDER TO UPDATE AND REFLECT THE CURRENT PENSION AND RETIREMENT SYSTEMS FOR THE CITY OFFICERS AND EMPLOYEES

The Motion was **seconded** by Council Member Saunders and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

AUTHORIZING THE CITY MANAGER TO ENTER INTO AMERICAN MUNICIPAL POWER'S AGENCY DESIGNATION AGREEMENT

Council Member Shanks **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-08.05

AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGENCY DESIGNATION SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC.

The Motion was **seconded** by Council Member Whittle.

Council Member Shanks explained this was an agreement to have AMP Ohio representatives read the meter at the Ringgold Solar farm, just as they do now at the Schoolfield Dam.

The **Motion** was carried by the following vote:

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VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

CITY CODE - RESCINDING ORDINANCE NUMBER 2005-09.12 PERTAINING TO THE APPROVAL PROCESS FOR MURALS IN DOWNTOWN DANVILLE

Vice Mayor Vogler **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2018-08.10

REPEALING ORDINANCE NO. 2005-09.12 ENTITLED COLLABORATION BETWEEN THE CITY OF DANVILLE AND THE DOWNTOWN DANVILLE ASSOCIATION TO IMPLEMENT A MURAL PROGRAM IN DOWNTOWN DANVILLE.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

APPROVING A PURCHASE AGREEMENT TO ACQUIRE THE DANIEL GROUP HANGAR AT DANVILLE REGIONAL AIRPORT

Council Member Miller **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-08.06

APPROVING A PURCHASE AGREEMENT TO ACQUIRE THE DANIEL GROUP HANGAR AT THE DANVILLE REGIONAL AIRPORT.

The Motion was **seconded** by Council Member Shanks.

Council Member Tomer noted his concern is with how this piggy-backs on the next Ordinance. The City is using \$140,000 in taxpayer dollars to purchase a hangar in which the sole occupant can only be Averett and the lease is only going up \$800 a month; that is a 14-15 year payback. He does not know if that is a good deal for Danville and will be voting no on this motion. Council Member Shanks noted he understood Mr. Tomer's concerns, particularly in the payback period, however, this is the only hangar at the Airport that is not owned by the City of Danville and Averett is an important member of the community at the Airport with the Aviation School. Mr. Shanks noted in this particular instance, the payback period is appropriate and he will be supporting it. Council Member Campbell noted his support as well.

The **Motion** was carried by the following vote:

VOTE: 7-2
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks and Vogler (7)
NAY: Tomer, Whittle (2)

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**PUBLIC HEARING - APPROVAL OF A FIVE YEAR LEASE RENEWAL AGREEMENT
WITH AVERETT UNIVERSITY AT DANVILLE REGIONAL AIRPORT**

Mayor Jones opened the floor for a Public Hearing regarding a lease renewal with Averett University. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 5, 2018 and August 15, 2018.

Mayor Jones recognized Elizabeth Rembold, 3616 Ringgold Church Road, Ringgold, VA, and General Aviation at the Danville Regional Airport. Ms. Rembold stated General Aviation is happy to support the City's decision to extend a five year lease to Averett University. They ask that the City extend the same courtesy to them and extend their lease for another five years so they can continue their operations at the Airport. No one further desired to be heard and the Public Hearing was closed.

Council Member Miller **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-08.07

APPROVING AN AGREEMENT LEASING HANGAR AND ADMINISTRATIVE SPACE AT THE DANVILLE REGIONAL AIRPORT TO AVERETT UNIVERSITY FOR IT'S FLIGHT CENTER.

The Motion was **seconded** by Council Member Saunders and carried by the following vote:

VOTE: 8-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Vogler and Whittle (8)
NAY: Tomer (1)

**APPROVING A RESOLUTION OF SUPPORT OF THE HISTORIC TAX CREDIT
ENHANCEMENT ACT OF 2018**

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-08.08

URGING THE CITY OF DANVILLE'S CONGRESSIONAL DELEGATION TO SUPPORT THE HISTORIC TAX CREDIT ENHANCEMENT ACT OF 2018.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

**BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FY 2019 BUDGET
APPROPRIATION ORDINANCE FOR A GRANT FROM THE VIRGINIA HOUSING
DEVELOPMENT AUTHORITY**

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Upon **Motion** by Council Member Campbell and **second** by Council Member Buckner, an Ordinance entitled:

ORDINANCE NO. 2018-08.11

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR GRANT FROM THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY IN THE AMOUNT OF \$125,000 AND LOCAL SHARE IN THE AMOUNT OF \$75,000 AND APPROPRIATING THE SAME.

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

Mayor Jones recognized Lawrence Meder, resident of Chestnut Street, Danville, and Vice Chair of the neighborhood organization, Friends of the Old West. Mr. Meder noted when he first heard about the rehabilitation of the Jefferson Court Apartments he was skeptical and so were members of the Board. After learning more details, visiting the property and hearing the plan for the building, they thought accepting the grant would be in the best interest for Danville. Mr. Meder discussed the Friends of the Old West End, their newsletter, *The Old West End Gazette*, and development in the OWE. Mr. Meder encouraged Council's support of this grant.

Council Member Shanks commended Mr. Meder's and the organization's efforts in the Old West End and questioned Mr. Meder if he knew how much it would cost to renovate 205 Jefferson. Mr. Meder noted believed it would cost about \$1M to make it livable. Council Member Miller noted his reservations about the building. Mayor Jones stated he grew up in the community and thanked Mr. Meder for all they are doing.

Mayor Jones recognized Stephen Wilson, resident of the Old West End; Mr. Wilson distributed copies of pages from the Buki study, which included a map of the City and pages on the Old West End Findings. Mr. Wilson thanked Council for considering and pushing this project forward at 205 Jefferson.

COMMUNICATIONS

There were no communications from City Manager, Deputy City Manager, or City Clerk. City Attorney Clarke Whitfield reminded citizens that Friday night at 7:00 p.m. GW kicks off with their home opener against Lynchburg Christian Academy.

ROLL CALL

Council Members welcomed the Tunstall High School students to the meeting.

Council Member Buckner thanked everyone that came out to VIR this weekend. It was an amazing event; all the hotels and restaurants were full, with all the people that showed up for a great time.

Council Member Campbell asked the City Manager to elaborate on the process of the City buying vehicles, he has heard complaints from car dealers in town that the City does more out of City buying than in city; he thought it used procurement. Mr. Larking noted typically the City takes the lowest price option within the scope of what they are looking for; he will get Mr. Campbell more details. Mr. Campbell questioned a business development center on Main

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Street and Assistant Director of Economic Development Corrie Bobe explained River City Coworking Space will be opening next month on Main Street. They are leasing the lower level of the Solex Architecture building.

Mayor Jones noted to all those that attended the Ruby Archie dedication at the Library, it was a great event; thanks to all the Council members and City staff that were there. Mayor Jones stated he had a meeting with the former Mayors of the City, it was encouraging and enlightening to listen to them. Mayor Jones thanked the citizens of the community that are helping move the City forward.

Dr. Miller noted the Ruby Archie dedication was a great event; the last Music on Main was tomorrow night and encouraged citizens to attend.

Council Member Saunders welcomed the former Chairman of the Board of Supervisors, Jessie Barksdale. The dedication of the Ruby Archie Library was a wonderful event, the AKA raised a lot of money and were in attendance as well. Special thanks to the City Manager and his 1,100 employees, and all the citizens for supporting the City's efforts.

Council Member Shanks noted he remembered his government class and the study of the Constitution, and encouraged the Tunstall students to become familiar with it. Mr. Shanks noted he missed Mr. Barksdale from the RIFA Board, and it was an honor to have him at the Council meeting.

Vice Mayor Vogler discussed the City's efforts to attract data centers and thanked Council for taking this issue on. Mr. Vogler noted he and the Mayor met with Senator Stanley last week when he was touring the schools, and Council Member Buckner and he spent time with Senator Kaine showing him the River District and the improvements that have been happening there. He enjoys opportunities to show the work they are doing in Danville, and what they can still use some help with.

Council Member Whittle noted VIR brought 10,000 people in this weekend with a huge impact on filling up the City's hotels. Mr. Whittle stated if citizens haven't seen it, it is a fabulous facility and an good economic driver for the City.

The meeting adjourned at 7:49 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-1963

Consent Agenda Item #: C.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Virginia Department of Transportation - FY 2019 State of Good Repair Program Funds

From: Brian Dunevant, Assistant Public Works Director & City Engineer

COUNCIL ACTION

First Reading: 09/04/2018

Final Adoption: 09/18/2018

SUMMARY

At their June 20th meeting, the Commonwealth Transportation Board approved the City of Danville to receive funding from the Virginia Department of Transportation's (VDOT) State of Good Repair/Primary Extensions Program in the total amount of \$999,000. These funds will be used for the resurfacing of various segments of streets identified by VDOT as being deficient:

Central Boulevard	\$ 312,000
Riverside Drive	\$ 395,000
Memorial Drive	\$ 292,000

BACKGROUND

The City submitted applications to VDOT for State of Good Repair/Primary Extension funding in January 2018. This program provides funding opportunities for repair of primary roadways that have a Combined Condition Index (CCI) of less than 60 (as determined by VDOT). The City typically uses VDOT maintenance funds to resurface a limited number of streets each year. The appropriation of these funds will increase the planned resurfacing of streets for FY 2019. There are no matching funds required by the City.

RECOMMENDATION

It is recommended that City Council adopt the accompanying Ordinance Appropriating State of Good Repair/Primary Extension program funds from the Virginia Department of Transportation totaling \$999,000.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR ROADWAY MAINTENANCE PROJECTS TO BE UNDERTAKEN WITHIN THE CITY AND TO BE FINANCED ANTICIPATING REVENUES FROM VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) STATE OF GOOD REPAIR / PRIMARY EXTENSION FUNDS IN THE AMOUNT OF \$999,000.

WHEREAS, the City of Danville requested VDOT to allocate State of Good Repair / Primary Extension program funds for resurfacing specific segments of Central Boulevard, Riverside Drive and Memorial Drive; and

WHEREAS, the City of Danville has received notification from the Commonwealth Transportation Board of total allocations in the amount of \$999,000 from the VDOT FY 2019 State of Good Repair / Primary Extension program; and

WHEREAS, these funds will be appropriated for use in FY2019.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and is hereby amended by using anticipated revenues from the Virginia Department of Transportation in the amount of \$999,000 from State of Good Repair / Primary Extension program funds, such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
VDOT SGR – Central Boulevard UPC 113484	61452000-47415	\$312,000
VDOT SGR – Riverside Drive UPC 113485	61453000-47415	\$395,000
VDOT SGR – Memorial Drive UPC 113512	61454000-47415	<u>\$292,000</u>

TOTAL \$999,000

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
VDOT SGR – Central Boulevard UPC 113484	61452999-50	\$312,000
VDOT SGR – Riverside Drive UPC 113485	61453999-50	\$395,000
VDOT SGR – Memorial Drive UPC 113512	61454999-50	\$292,000
	TOTAL	<u>\$999,000</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1962

Consent Agenda Item #: D.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Virginia Department of Transportation - Highway Safety Improvement Program

From: Brian Dunevant, Assistant Public Works Director & City Engineer

COUNCIL ACTION

First Reading: 09/04/2018

Final Adoption: 09/18/2018

SUMMARY

The Commonwealth Transportation Board approved the City of Danville to receive funding from the Virginia Department of Transportation's (VDOT) Highway Safety Improvement Program. The funding amount is \$70,830 and is to be used for the installation of high visibility traffic signal backplates. These funds need to be appropriated before the preliminary engineering can begin.

BACKGROUND

The City submitted an application to VDOT for Highway Safety Improvement Program funding in 2016. VDOT's Highway Safety Improvement Program provides funding opportunities for certain proposed safety improvements. The appropriation of the Highway Safety Improvement Program funds will provide funding for the installation of high visibility traffic signal backplates. These backplates have been used across the country and have been shown to improve safety by increasing the visibility of traffic signals. There are no matching funds required by the City.

RECOMMENDATION

It is recommended that City Council adopt the accompanying Ordinance Appropriating Highway Safety Improvement Program funds from the Virginia Department of Transportation in the amount of \$70,830.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR SAFETY PROJECTS TO BE UNDERTAKEN WITHIN THE CITY AND TO BE FINANCED ANTICIPATING REVENUES FROM VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS IN THE AMOUNT OF \$70,830.

WHEREAS the City of Danville requested VDOT to allocate Highway Safety Improvement Program funds for the installation of high visibility traffic signal backplates; and

WHEREAS the City of Danville has received notification from the Commonwealth Transportation Board of an allocation in the amount of \$70,830 from the Highway Safety Improvement Program; and

WHEREAS, these funds will be appropriated for the installation of high visibility traffic signal backplates.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and is hereby amended by using anticipated revenues from the Virginia Department of Transportation in the amount of \$70,830 from Highway Safety Improvement Program funds, such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
High Visibility Traffic Signal Backplates VDOT HSIP	61451000-47415	\$ 70,830
	TOTAL	<u>\$ 70,830</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
High Visibility Traffic Signal Backplates VDOT HSIP	61451999-50	\$ 70,830
	TOTAL	<u>\$ 70,830</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1490

Consent Agenda Item #: E.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Older Americans Act Grant FY2019

From: William Sgrinia, Director of Parks, Recreation & Tourism

COUNCIL ACTION

First Reading: 09/04/2018

Final Adoption: 09/18/2018

SUMMARY

Each year, the City applies for Older Americans Act funds and Virginia General Assembly funds from the Southern Area Agency on Aging to provide transportation services for senior citizens, age sixty and over, residing in the City of Danville. Last year, Danville Parks and Recreation's Senior Transportation Services provided 432 Danville seniors, 19,317 one-way trips, thanks to this grant funded by Southern Area Agency on Aging.

BACKGROUND

The Department of Parks and Recreation is requesting the appropriation of Title III-B Older Americans Act Grant funds for federal year October 1, 2018 through September 30, 2019, in the amounts of \$65,571 from Title III-B funds, \$23,281 from the Virginia General Assembly, and Program Income of \$2,000 for transportation services.

This Ordinance includes appropriations for in-kind services for Title III-B Older Americans Act Grant in the amount of \$522,297. This charge is appropriated in the General Fund as well. The appropriation for in-kind service is necessary for administrative and reporting purposes and includes in-kind revenues and equal in-kind expenditures in the Special Grants Fund.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance appropriating the Title III-B Older Americans Act Grant funds from the Southern Area Agency on Aging for FY 2019.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY INCREASING CERTAIN REVENUES TO PROVIDE FOR TITLE III-B GRANT FUNDS AND LOCAL SHARE FOR SENIOR CITIZEN PROGRAMS AND APPROPRIATING SAME.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and it is hereby, amended to provide for a grant from Title III-B Older Americans Act funds in the amount of \$65,571; Virginia General Fund monies in the amount of \$23,281, administered by the Southern Area Agency on Aging, to the Department of Parks and Recreation for Ballou Recreation Center (formerly Senior Citizens Center) Programs for the Federal Fiscal Year beginning October 1, 2018, and ending September 30, 2019; \$2,000 Program Income; and \$522,297 In-Kind Services for a total of \$613,149, and appropriating such funds within the Special Grants Fund, such revenue and appropriations to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid—Federal: Older Americans Act Title III-B Funds (18-19)	61444000-48142	\$ 88,852
Local Share: Older Americans Act Title III-B Program Income (18-19)	61446000-44650	2,000
Title III-B Older Americans Act In-Kind (18-19)	61445000-44890	<u>522,297</u>
	TOTAL	<u>\$613,149</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Older Americans Act Title III-B (18-19):		
P/T Salaries/Wages Regular	61444000-51200	\$ 23,838
FICA	61444000-51450	1,824
Mass Transit Services	61444000-52660	58,767
Postage	61444000-54050	300
Telephone/Internet	61444000-54100	903
Travel/Training Expense	61444000-54900	1,500
Office Supplies	61444000-55820	1,000
Gas/Lubricants	61444000-55975	500
Dues/Memberships	61444000-56242	220
	Subtotal	<u>\$ 88,852</u>

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Older Americans Act Title III-B Program Income (18-19):		
P/T Salaries/Wages Regular	61446000-51200	\$ 500
Outside Services	61446000-52349	500
Travel & Training Expense	61446000-54900	500
Materials & Supplies	61446000-55940	500
	Subtotal	<u>\$ 2,000</u>

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Older Americans Act Title III-B In-Kind (18-19):		
Labor	61445000-59500	\$406,791
FICA	61445000-59510	31,120
Retirement	61445000-59520	25,402
Group Hospital Insurance	61445000-59530	5,519
Workers' Compensation	61445000-59540	16,272
Janitorial	61445000-59605	3,000
Outside Services	61445000-59610	550
Print Shop	61445000-59620	3,000
Utilities	61445000-59625	18,000
Postal Services	61445000-59630	750
Telephone	61445000-59635	1,400
Travel Expense	61445000-59645	1,833
Office Supplies	61445000-59650	1,000
Materials & Supplies	61445000-59655	1,660
Lease/Rent Buildings	61445000-59670	6,000
	Subtotal	<u>\$522,297</u>
	GRAND TOTAL	<u>\$613,149</u>

AND BE IT FURTHER ORDAINED that this is a much needed program and provides transportation and other services for senior citizens; and

BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter amended or repealed; and

BE IT FINALLY ORDAINED that the City Manager, Ken F. Larking, be, and he is hereby, authorized to execute the necessary documents to accept such grants.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1988

Consent Agenda Item #: F.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Transfer from the Unreserved Fund Balance of the Wastewater Fund for an Economic Development Project

From: Telly D. Tucker, Economic Development Director

COUNCIL ACTION

First Reading: 09/04/2018

Final Adoption: 09/18/2018

SUMMARY

The Office of Economic Development is requesting a one-time investor dividend transfer in the amount of \$3,000,000 from the Unreserved Fund Balance of the Wastewater Fund in order to establish a unique financing tool called the Special Projects Loan Fund. The intent of the Special Projects Loan Fund is to provide short term (3-5 year) financing for significant and impactful historic redevelopment projects within the Tobacco Warehouse District or Central Business District. This program will target projects that are over 30,000 square feet in size, unique in concept and/or amenities, and further contribute to accomplishing the goals of the River District Revitalization Plan.

BACKGROUND

Over the past seven years, the City of Danville has seen significant growth and investment within the River District. Even with this growth, developers have expressed a need for bridge financing tools to accompany traditional financing methods to successfully redevelop certain catalyst or high impact projects. In order to assist developers in implementing these projects and continue the momentum within this district, the Office of Economic Development recommends establishment a Special Projects Loan Fund in which development teams can apply for a short term (3-5 year) financing through the Industrial Development Authority (IDA).

Prospective applicants will need to be creditworthy, have a proven track record of successfully redeveloping multiple projects of this scale, demonstrate evidence of market demand for the concept, and exhibit the financial sources of capital and reserves necessary to successfully complete a project of this magnitude. Projects must also be well-suited for traditional bank refinancing after operating successfully over a 3-5 year period. Underwriting assistance will be provided by Virginia Community Capital or a comparable federally insured banking institution.

RECOMMENDATION

City Staff recommends approval of the FY 2019 Budget Appropriation Ordinance for the transfer of \$3,000,000 from the Unreserved Fund Balance of the Wastewater Fund for an Economic Development Project to Establish a Special Projects Loan Fund and appropriating the same.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY TRANSFERRING \$3,000,000 FROM THE UNRESERVED FUND BALANCE OF THE WASTEWATER FUND FOR AN ECONOMIC DEVELOPMENT PROJECT TO ESTABLISH A REVOLVING ECONOMIC DEVELOPMENT LOAN FUND AND APPROPRIATING THE SAME.

WHEREAS, the Danville Office of Economic Development is proposing the transfer of funds from the Wastewater Fund Balance in the amount of \$3,000,000 for economic development projects that would provide for the creation of a loan fund to be called the “Revolving Economic Development Loan Fund” through the Industrial Development Authority (IDA).

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and the same is hereby, amended by a transfer from Wastewater Fund Balance to Support of Economic Development Projects (Revolving Economic Development Loan Fund), such transfer to be as follows:

REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Wastewater Fund Balance	XXXX	<u>\$3,000,000</u>

APPROPRIATION

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Wastewater Fund Transfer Out to General Fund	5140901-6101	<u>\$3,000,000</u>

AND BE IT FURTHER ORDAINED that these funds are to be appropriated to the General Fund for the Support of Economic Development, such appropriation to be as follows:

<u>REVENUE</u>		
<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
General Fund Transfer In from Wastewater	0100000-6151	<u>\$3,000,000</u>

<u>APPROPRIATION</u>		
<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
General Fund Transfer Out to Econ Dev Fund	0199525-6098	<u>\$3,000,000</u>

AND BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that the transfer to the Economic Development Fund will be held in the General Fund until such time as an entity is selected and meets all the requirements of the Revolving Economic Development Loan Fund including approval of the Loan Committee; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia that upon such approval the funds will be transferred to the Economic Development Fund and appropriated therein and forwarded to the IDA for the creation of the Revolving Economic Development Loan Fund; and

BE IT FURTHER ORDAINED that this appropriation shall be a continuing appropriation and carried forward from year to year until such time as an entity qualifies for a loan through the Revolving Economic Development Loan Fund; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1960

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Request to Vacate Right-Of-Way on Cherry Street

From: Brian Dunevant, Assistant Public Works Director & City Engineer

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

Ramon Massie is requesting the City of Danville vacate approximately 2,230 square feet of public right-of-way near Cherry Street. The right-of-way is adjacent to his property at 621 Cherry Street.

BACKGROUND

Ramon Massie is requesting the City of Danville vacate approximately 2,230 square feet of public right-of-way near Cherry Street. The right-of-way is adjacent to his property at 621 Cherry Street. When a right-of-way is vacated by City Council, the land is typically split evenly to the adjacent property owners.

The City has a Real Estate Disposition Policy which states that where an adjacent property owner requests the abandonment of unimproved, unopened and unused right-of-way that was dedicated to the City, City Council will consider transfer of the right of way at no cost. The Applicant is responsible for paying the actual cost incurred by the City for the public hearing advertisement plus a fee for processing the application and recording the Ordinance. All applicable departments have reviewed the request and have not indicated any concerns with the request.

RECOMMENDATION

It is recommended that City Council adopt the accompanying Ordinance vacating approximately 2,230 square feet of public right-of-way near Cherry Street.

Attachments

Ordinance

Exhibit A

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE VACATING APPROXIMATELY 2,230 SQUARE FEET OF PUBLIC RIGHT-OF-WAY ON CHERRY STREET.

WHEREAS, pursuant to Sections 15.2-2006 and 15.2-2008 of the Code of Virginia, 1950, as amended, the governing body intends to move to vacate a portion of the public right-of-way containing 2,230 square feet, more or less, to the abutting property owner at no cost other than the application fee and public hearing advertisement cost, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right of way; and

WHEREAS, Ramon Massie has requested in writing that a portion of the right-of-way be vacated adjacent to his property identified as Property Identification Number 04289; and

WHEREAS, Ramon Massie has agreed to pay the cost of the application fee and public hearing advertisement cost; and

WHEREAS, the City has agreed to vacate the aforementioned right-of-way at no cost other than the application fee and public hearing advertisement cost; and

WHEREAS, it appears to the City Council that due notice of the aforesaid vacation has been given as required by law, and that such vacation would be in the best public interest.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that a portion of the public right-of-way located on Cherry Street containing 2,230 square feet, more or less, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right-of-way, is hereby vacated and abandoned to the abutting property owner at no cost other than the application fee and public hearing advertisement cost; and

BE IT FURTHER ORDAINED, that the Council of the City of Danville, Virginia, hereby authorizes and directs the City Manager to execute on behalf of the City any required deeds and agreements related thereto; and

BE IT FINALLY ORDAINED that a certified copy of this Ordinance be recorded and indexed in the Deed book at the Clerk's Office of the Circuit Court of the City of Danville, Virginia.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Total Area
to be Abandoned
2230 SF +/-

Note: Tax Parcels and Dimensions are approximate
and for informational purposes only. They are not
not surveyed boundaries.

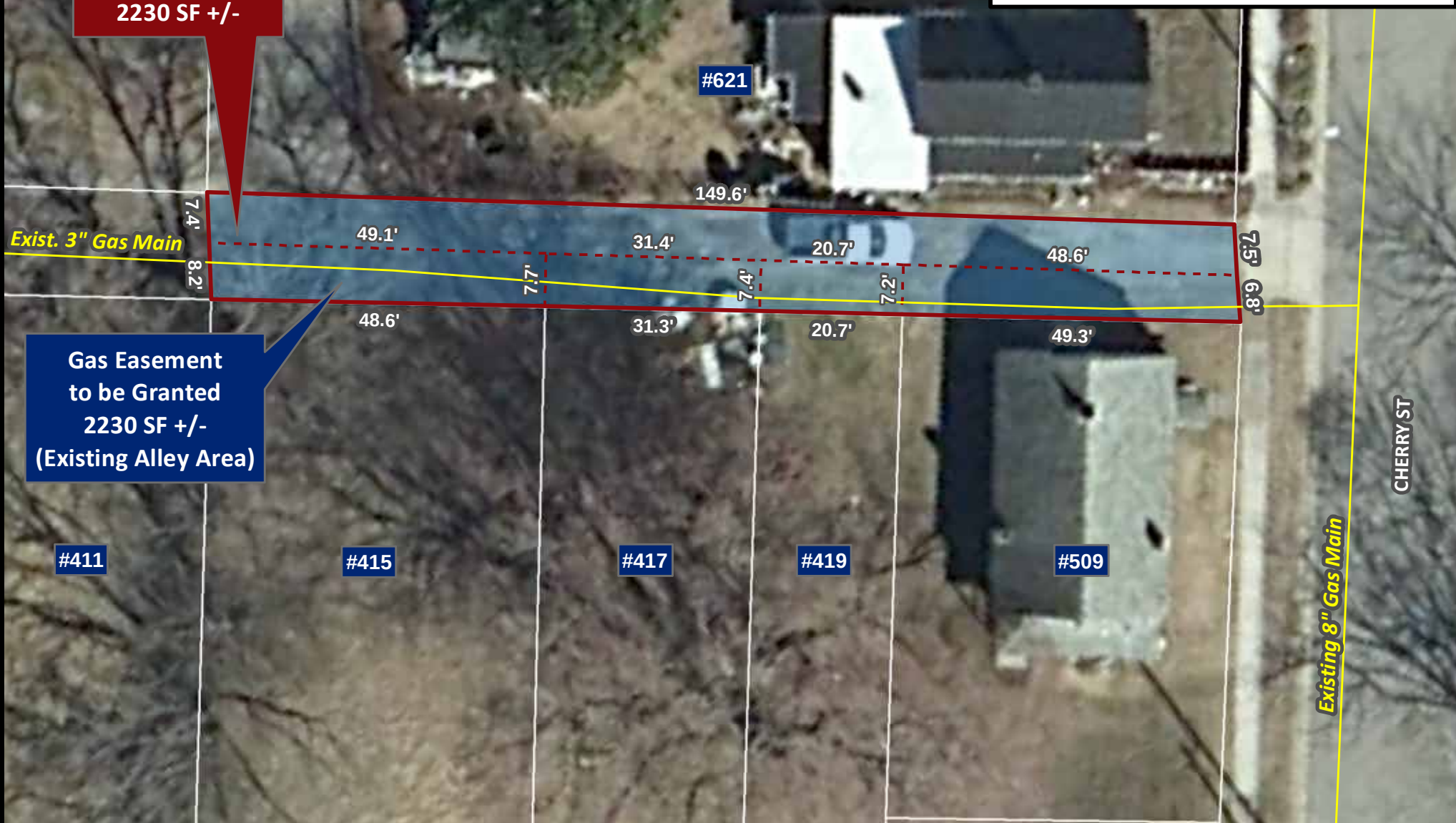
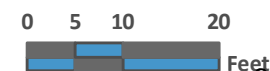


EXHIBIT A

Cherry Street

Proposed Right of Way Abandonment



32 of 105

Council Letter

City of Danville, Virginia



CL-1967

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Transferring Surplus Property to DRHA

From: W. Clarke Whitfield, Jr., City Attorney

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

Virginia Code Section 15.2-953 authorizes localities to transfer surplus property to non-profit organizations. Staff recommends that Council approve the transfer of 18 vacant lots which have no current or planned use from the City to the Danville Redevelopment and Housing Authority (DRHA) for future development and disposition.

BACKGROUND

In July 2018, the following properties were identified by staff as (1) being owned by the City, (2) having no current or planned future use, and (3) being ideal candidates for conveyance to the DRHA in anticipation of future development, consolidation, or disposition:

1. Parcel #20552 (Bethel St.)
2. Parcel #21272 (Bethel St.)
3. Parcel #73569 (Bradley Rd.)
4. Parcel #20636 (Broad Alley)
5. Parcel #24382 (Broad St.)
6. Parcel #24864 (Broad St.)
7. Parcel #02655 (Claiborne St.)
8. Parcel #02661 (Claiborne St.)
9. Parcel #23000 (Cleveland St.)
10. Parcel #25039 (Cleveland St.)
11. Parcel #25040 (Cleveland St.)
12. Parcel #21601 (Colquhoun St.)
13. Parcel #25926 (Grove St.)
14. Parcel #05002 (Locust Ln.)
15. Parcel #22114 (Pine St.)
16. Parcel #22233 (West End Ave.)
17. Parcel # 22235 (West End Ave.)
18. Parcel #03551 (Worsham St.)

Of these vacant lots, nine are directly adjacent to DRHA-owned lots, three more are very close to DRHA-owned lots, and the remaining six are lots in residential neighborhoods.

RECOMMENDATION

Staff recommends that City Council adopt the attached Resolution transferring certain surplus properties from the City of Danville to the Danville Redevelopment and Housing Authority.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018-____.____

A RESOLUTION DECLARING CERTAIN CITY-OWNED PROPERTY TO BE SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE CITY MANAGER TO CONVEY SUCH PROPERTY TO THE DANVILLE REVELOPMENT AND HOUSING AUTHORITY.

WHEREAS, the City owns eighteen certain parcels of real property, all of which are vacant, have no current or planned use, and are located within the City of Danville (the "Properties") and are more particularly identified as follows:

- 1) An unimproved lot on Bethel Street known as Parcel # 20552;
- 2) An unimproved lot on Bethel Street known as Parcel # 21272;
- 3) An unimproved lot on Bradley Road known as Parcel 73569;
- 4) An unimproved lot on Broad Alley known as Parcel # 20636;
- 5) An unimproved lot on Broad Street known as Parcel # 24382;
- 6) An unimproved lot on Broad Street known as Parcel # 24864;
- 7) An unimproved lot on Claiborne Street known as Parcel # 02655;
- 8) An unimproved lot on Claiborne Street known as Parcel # 02661;
- 9) An unimproved lot on Cleveland Street known as Parcel # 23000;
- 10) An unimproved lot on Cleveland Street known as Parcel # 25039;
- 11) An unimproved lot on Cleveland Street known as Parcel # 25040;
- 12) An unimproved lot on Colquhoun Street known as Parcel # 21601;
- 13) An unimproved lot on Grove Street known as Parcel # 25926;
- 14) An unimproved lot on Locust Lane known as Parcel # 05002;
- 15) An unimproved lot on Pine Street known as Parcel # 22114;
- 16) An unimproved lot on West End Avenue known as Parcel # 22233;
- 17) An unimproved lot on West End Avenue known as Parcel # 22235; and
- 18) An unimproved lot on Worsham Street known as Parcel # 03551;

AND WHEREAS, the City has an interest in promoting for the goal of safe, efficient, and affordable homeownership of its citizens; and

WHEREAS, the City is addressing property blight with a targeted revitalization initiative; and

WHEREAS, the City, through Ordinance No. 2007-01.03, has ordained that all real estate transactions addressing blight as part of the City's targeted revitalization initiative be conducted by the Danville Redevelopment and Housing Authority, acting as the agent for the City.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that the Properties are surplus to the City's needs, and that the City's targeted revitalization initiative is better served by the conveyance of the Properties to the Danville Redevelopment and Housing Authority; and

BE IT FURTHER RESOLVED, pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia 1950, as amended, and in consideration of the public hearing this day held by Council, that the City Manager, Ken F. Larking, be, and he is hereby, authorized and directed to convey ownership of the Properties to the Danville Redevelopment and Housing Authority; and

BE IT FINALLY RESOLVED that the City Manager, Ken F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such conveyance to the Danville Redevelopment and Housing Authority.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1968

New Business Item #: C.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Proposed Whitmell Solar Project

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

Danville Utilities has energy replacement needs starting in 2021 due to an expiring power supply contract. After extensive evaluation, staff recommends pursuing two solar peaking generation projects that would be beneficial to the ratepayers of Danville Utilities. These two projects will help reduce the City's rising transmission, capacity, and congestion charges. Staff proposes to enter into two 25-year purchase power agreements with two different solar developers, to build a total of twenty-two megawatts of solar generation within our service territory. The Whitmell solar project, located on Irish Road, would include a ten-megawatt solar array. The City would not be responsible for any of the upfront capital costs or the maintenance of the facility.

BACKGROUND

Staff evaluated approximately a dozen possible solutions for the 2021 power supply replacement needs. Several solar and natural gas responses were considered compared to current and forecasted market prices. Solar generation was the lowest cost solution, mainly due to the federal investment tax credits private developers can leverage. In order to take advantage of a 30% federal investment tax credit, a prospective solar developer would need to have a project under construction by December 31, 2019. The estimated generation for the two solar farms is approximately 50,000-megawatt hours per year. This equals to be approximately 5% of Danville's system load.

RECOMMENDATION

Staff recommends Danville City Council approve entering into a purchase power agreement for ten megawatts of renewable solar power to be constructed within the Danville Utilities service territory as recommended by the Danville Utility Commission.

Attachments

[Resolution](#)

[Solar Presentation](#)

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018-____.____

A RESOLUTION AUTHORIZING AND APPROVING THE CITY OF DANVILLE, VIRINGINA TO ENTER INTO A PURCHASE POWER AGREEMENT WITH TURNINGPOINT ENERGY, FOR THE WHITMELL SOLAR PROJECT, FOR TEN MEGAWATTS OF RENEWABLE SOLAR PEAKING GENERATION POWER TO BE CONSTRUCTED AT 7480 IRISH ROAD WITHIN THE DANVILLE UTILITIES SERVICE TERRITORY.

WHEREAS, the Utility Commission recommends approval of entering into a twenty-five year purchase power agreement with TurningPoint Energy, for the Whitmell Solar Project, for ten megawatts of solar generation which provides energy and capacity to be constructed at 7480 Irish Road within the Danville Utilities service territory; and

WHEREAS, the resource would benefit the ratepayers of Danville Utilities by providing local-behind-the-meter generation in an effort to save on rising transmission, capacity, and congestion charges; and

WHEREAS, entering into a solar purchase power agreement with TurningPoint Energy will assist Danville Utilities in expanding generation produced locally and diversifying the City's power supply resources.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that it does hereby authorize and approve Danville Utilities to enter into a twenty-five year purchase power agreement agreement with TurningPoint Energy, for the Whitmell Solar Project, for ten megawatts of solar generation which provides energy and capacity to be constructed at 7480 Irish Road within the Danville Utilities service territory; and

BE IT FURTHER RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager, be, and is hereby, authorized and directed to execute or

sign the purchase power agreement with TurningPoint Energy, for the Whitmell Solar Project, and the interconnection documents necessary to be executed or signed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



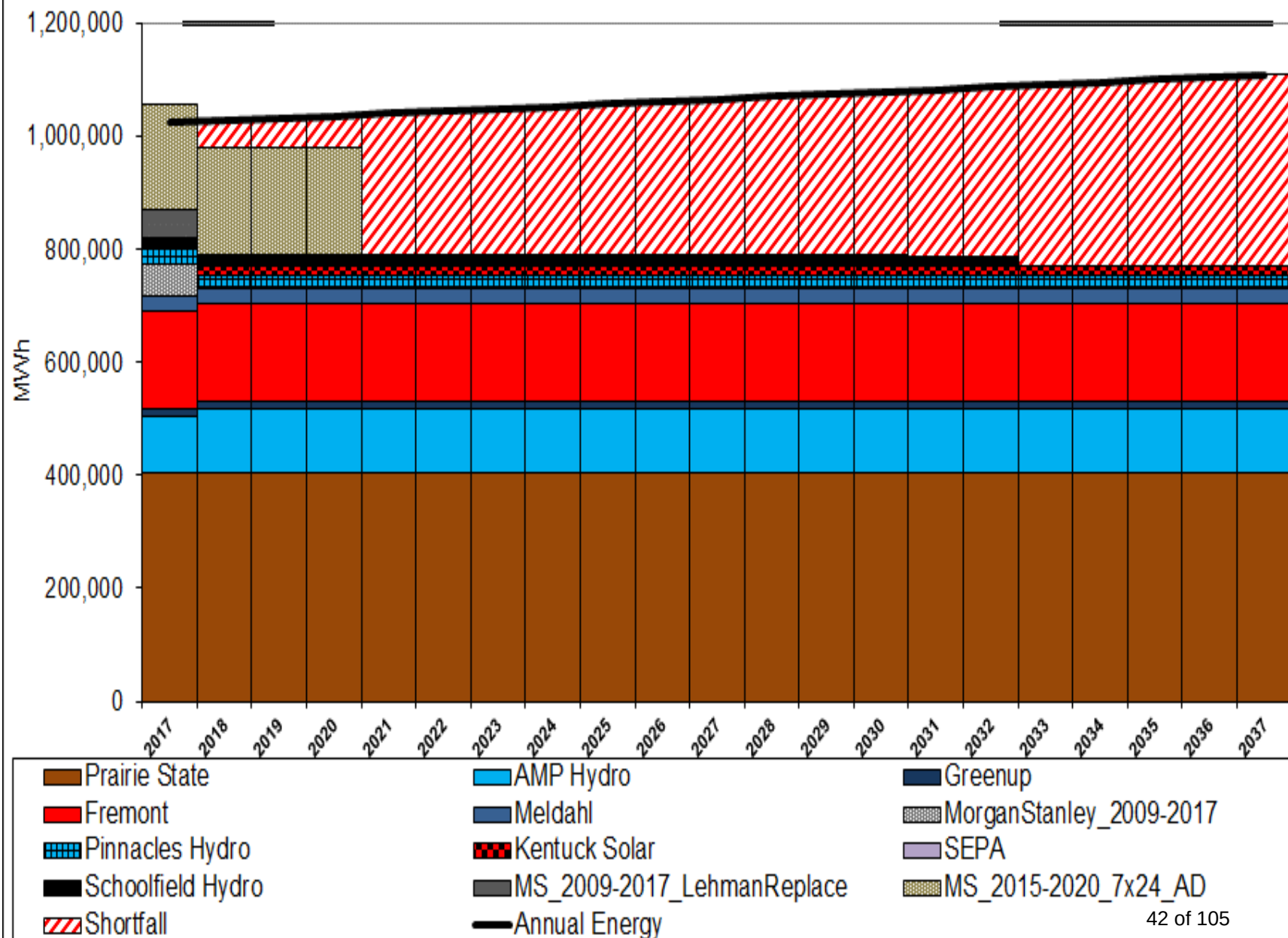
Behind the Meter Generation Projects

**Danville City Council
September 4, 2018**

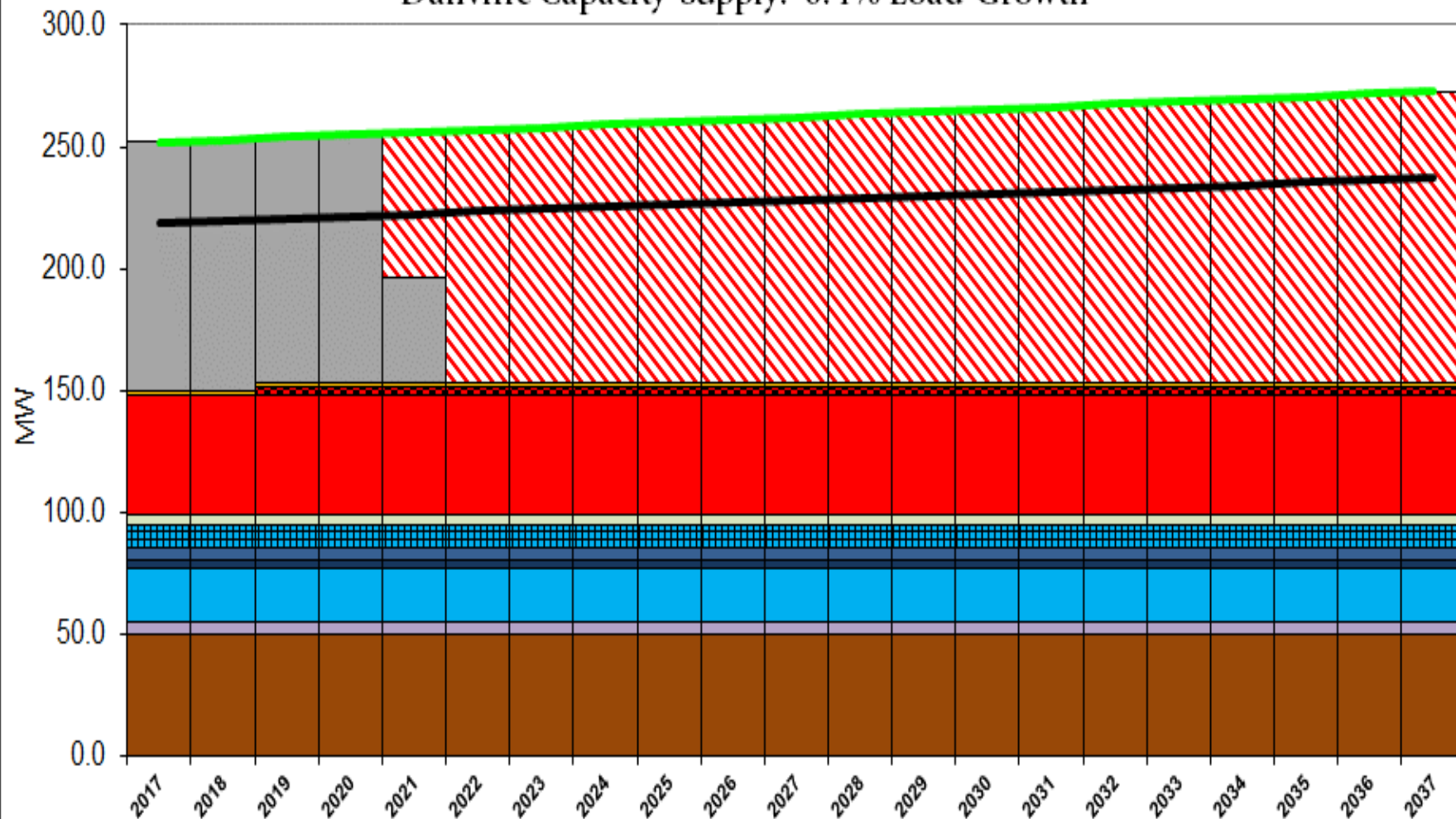
Intermediate/Peaking Capacity

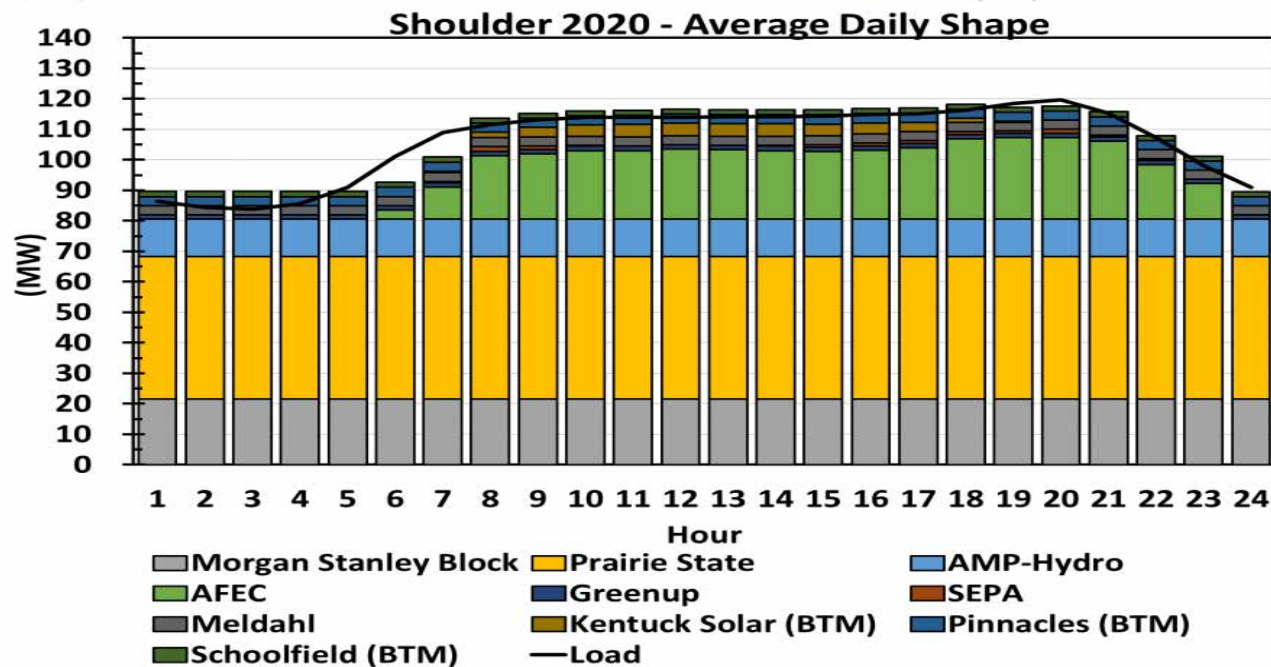
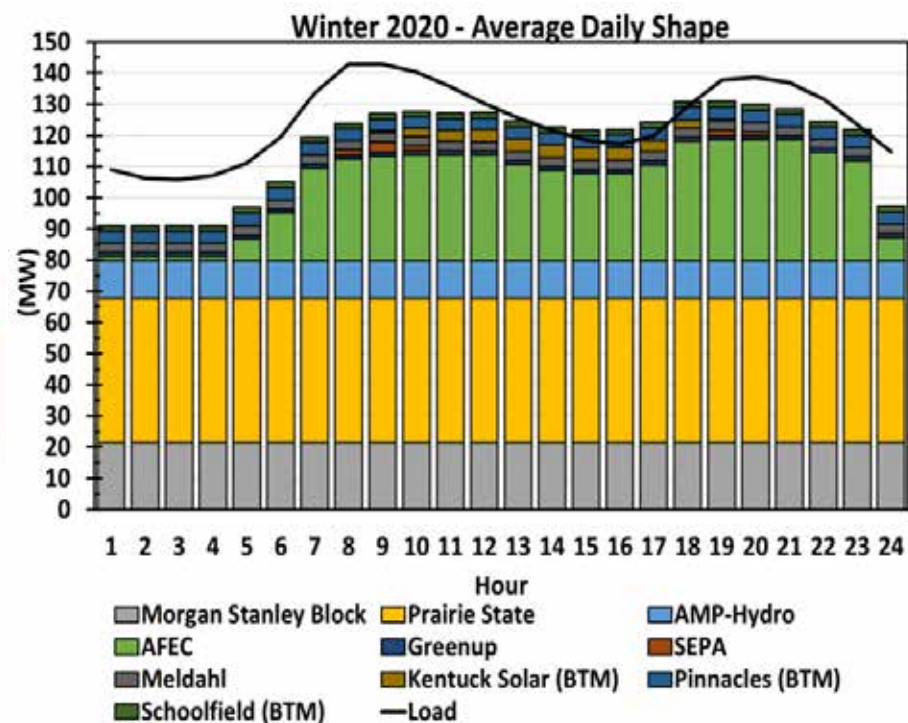
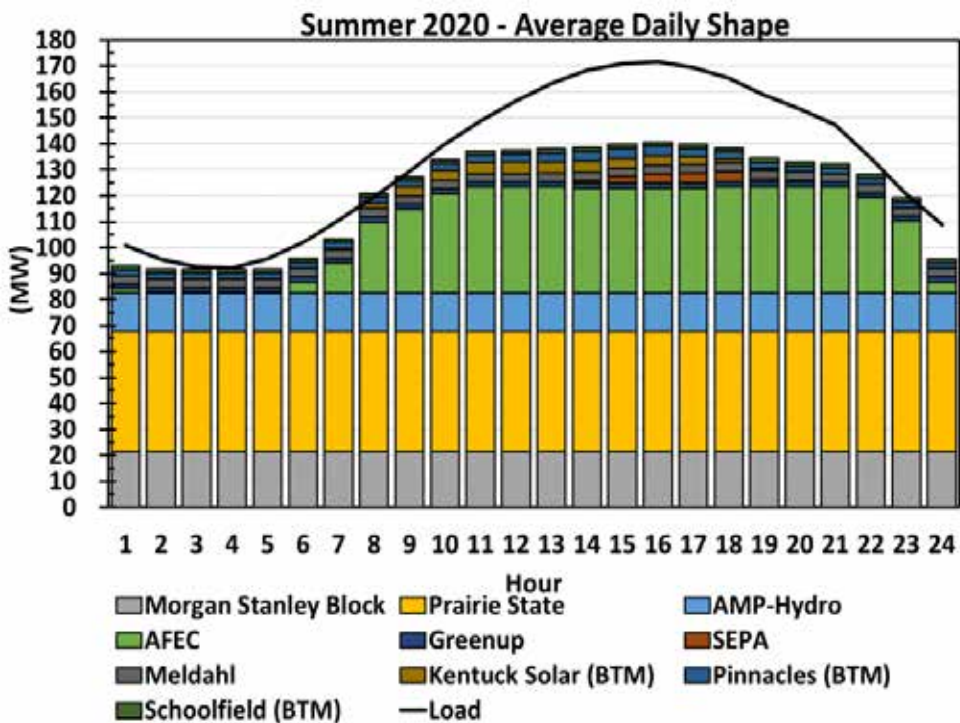
- Received solar responses and natural gas responses
- Federal Investment Tax Credit (“ITC”) for renewable generation
 - 30%-if project is under construction before Dec 31, 2019
 - 26%- 2020
 - 22%-2021

Danville Energy Supply: 0.4% Load Growth



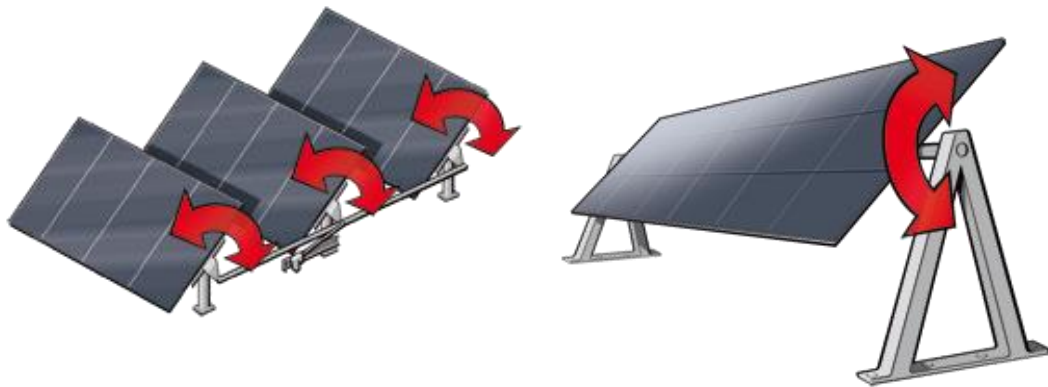
Danville Capacity Supply: 0.4% Load Growth





Solar Panel Technology

- Single-Axis Tracking
 - Single-Axis tracking panels follow the sun throughout the day using one axis powered by a separate motor
 - Middle to high capital cost, maintenance required
 - Typically 22 - 27% capacity factor



Project 1- 10 MW Solar

- TurningPoint Energy (Developer for Kentucky project)
- 25-year purchase power agreement
 - City would not be responsible for the capital costs or maintenance of the solar facility
- Estimated first year generation: ~ 24,000 mWh
 - ~ 27% capacity factor
- Fixed, non-escalating price proposal-Two Options
 - **\$46.97/mWh -10 megawatt Solar**
- Danville to realize all other behind-the-meter benefits
- **Net \$9/mWh Average Energy Rate** for 25 years-Solar Only
 - Subtract Transmission, Capacity, Ancillary credits

Project Site

- 7480 Irish Road, Chatham, VA
- Near Whitmell Substaion
- TPE has included all of the costs associated with the property in the PPA (taxes, permitting, lease of the property).



Project 2-12 MW Solar

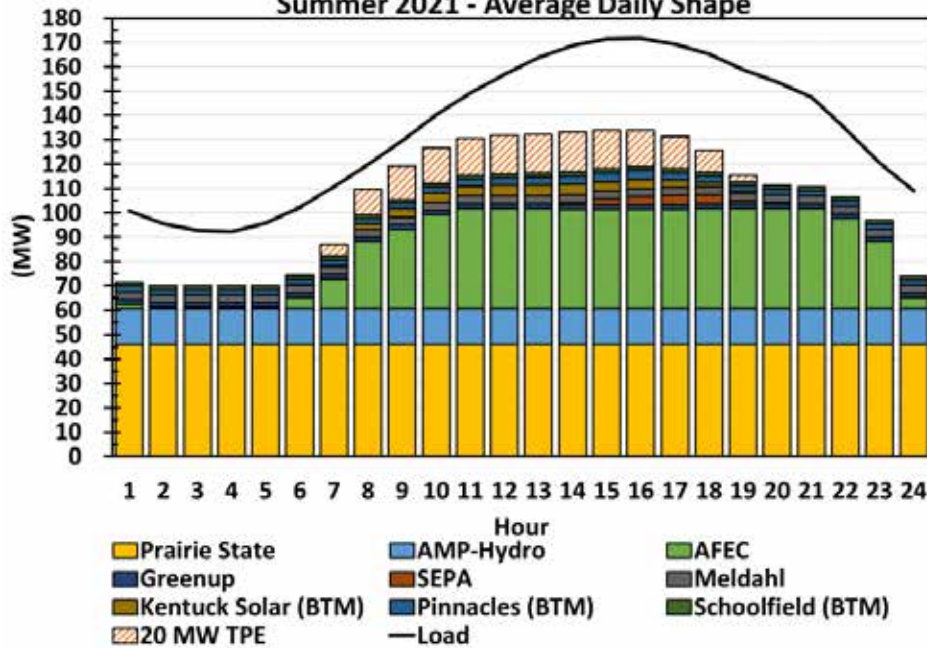
- Strata Solar
- 25-year purchase power agreement
 - City would not be responsible for the capital costs or maintenance of the solar facility
- Estimated first year generation: ~ 24,000 mWh
 - ~ 27% capacity factor
- Fixed, non-escalating price proposal-Two Options
 - **\$57.00/mWh-10 megawatt solar only (-2%) annual escalation**
 - (avg. \$46/mWh)
- Danville to realize all other behind-the-meter benefits
- **Net average \$8/mWh Average Energy Rate** for 25 years-Solar only - 2% escalation
 - Subtract Transmission, Capacity, Ancillary credits

Project Site

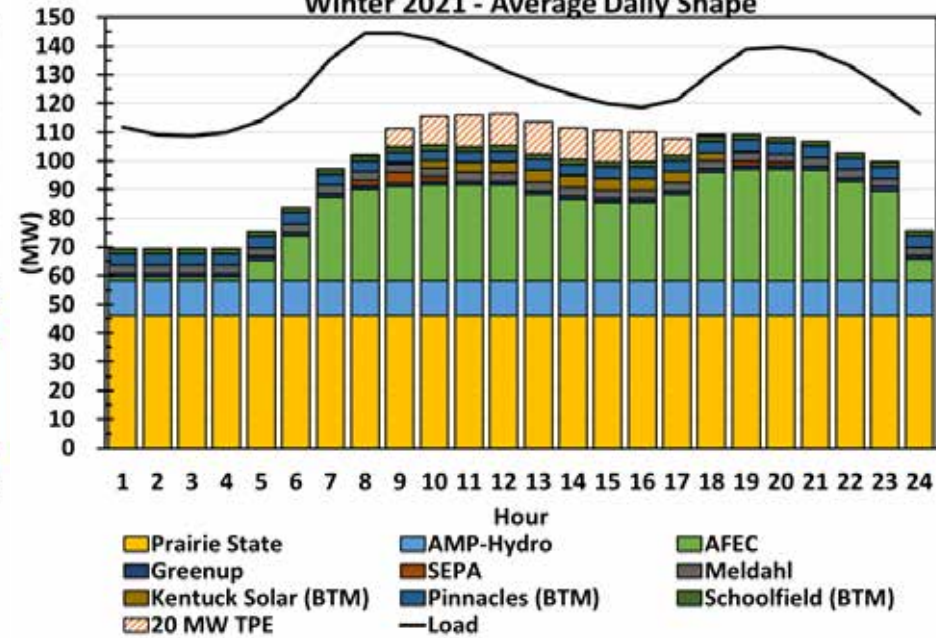
- Ringgold Golf Course
- Near two Danville substations/behind Cane Creek Industrial Park
- Strata has included all of the costs associated with the property in the PPA (taxes, permitting, purchase\lease of the property).



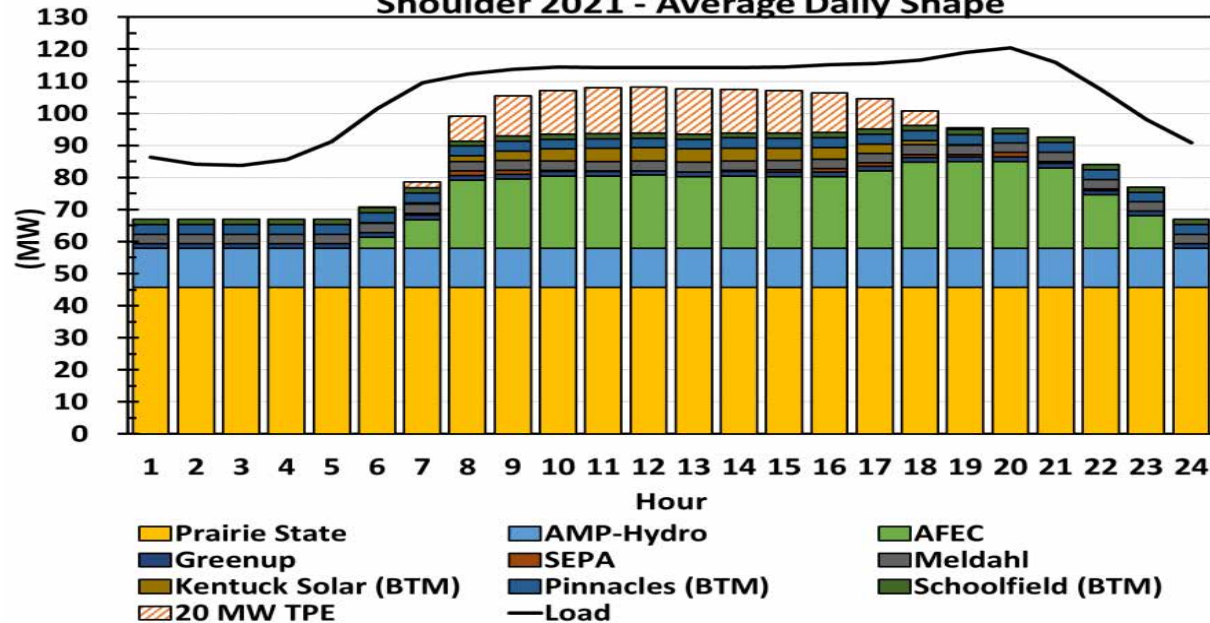
Summer 2021 - Average Daily Shape



Winter 2021 - Average Daily Shape



Shoulder 2021 - Average Daily Shape



Questions?

Council Letter

City of Danville, Virginia



CL-1972

New Business Item #: D.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Proposed Ringgold Solar Project

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

Danville Utilities has energy replacement needs starting in 2021 due to an expiring power supply contract. After extensive evaluation, staff recommends pursuing two solar peaking generation projects that would be beneficial to the ratepayers of Danville Utilities. These two projects will help reduce the City's rising transmission, capacity, and congestion charges. The Ringgold solar project would be located on what is now known as the Ringgold Golf Course. The site would generate up to twelve megawatts of solar energy and capacity. The City would not be responsible for any of the upfront capital costs or the maintenance of the facility.

BACKGROUND

Staff evaluated approximately a dozen possible solutions for the 2021 power supply replacement needs. Several solar and natural gas responses were considered and compared to current and forecasted market prices. Solar generation was the lowest cost solution mainly due to the federal investment tax credits private developers can leverage. In order to take advantage of a 30% federal investment tax credit, a prospective solar developer would need to have a project under construction by December 31, 2019. The estimated generation for the Whitmell and Ringgold solar farms is approximately 50,000-megawatt hours per year. This equals to be approximately 5% of Danville's system load.

RECOMMENDATION

Staff recommends Danville City Council approve entering into a purchase power agreement for twelve megawatts of renewable solar power to be constructed within the Danville Utilities service territory as recommended by the Danville Utility Commission.

Attachments

[Resolution](#)

[Solar Presentation](#)

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018-____.____

A RESOLUTION AUTHORIZING AND APPROVING THE CITY OF DANVILLE, VIRINGINA TO ENTER INTO A PURCHASE POWER AGREEMENT WITH STRATA SOLAR, FOR THE RINGGOLD SOLAR PROJECT, FOR TWELVE MEGAWATTS OF RENEWABLE SOLAR PEAKING GENERATION POWER TO BE CONSTRUCTED AT 1493 RINGGOLD ROAD WITHIN THE DANVILLE UTILITIES SERVICE TERRITORY.

WHEREAS, the Utility Commission recommends approval of entering into a twenty-five year purchase power agreement with Strata Solar, for the Ringgold Solar Project, for twelve megawatts of solar generation which provides energy capacity, and solar renewable credits to be constructed at 1493 Ringgold Road within the Danville Utilities service territory; and

WHEREAS, the resource would benefit the ratepayers of Danville Utilities by providing local-behind-the-meter generation in an effort to save on rising transmission, capacity, and congestion charges; and

WHEREAS, entering into a solar purchase power agreement with Strata Solar will assist Danville Utilities in expanding generation produced locally and diversifying the City's power supply resources.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that it does hereby authorize and approve Danville Utilities to enter into a twenty-five year purchase power agreement with Strata Solar for the Ringgold Solar Project for twelve megawatts of solar generation which provides energy and capacity to be constructed at 1493 Ringgold Road within the Danville Utilities service territory; and

BE IT FURTHER RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager, be, and is hereby, authorized and directed to execute or

sign the purchase power agreement with Strata Solar, for the Ringgold Solar Project, and the interconnection documents necessary to be executed or signed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



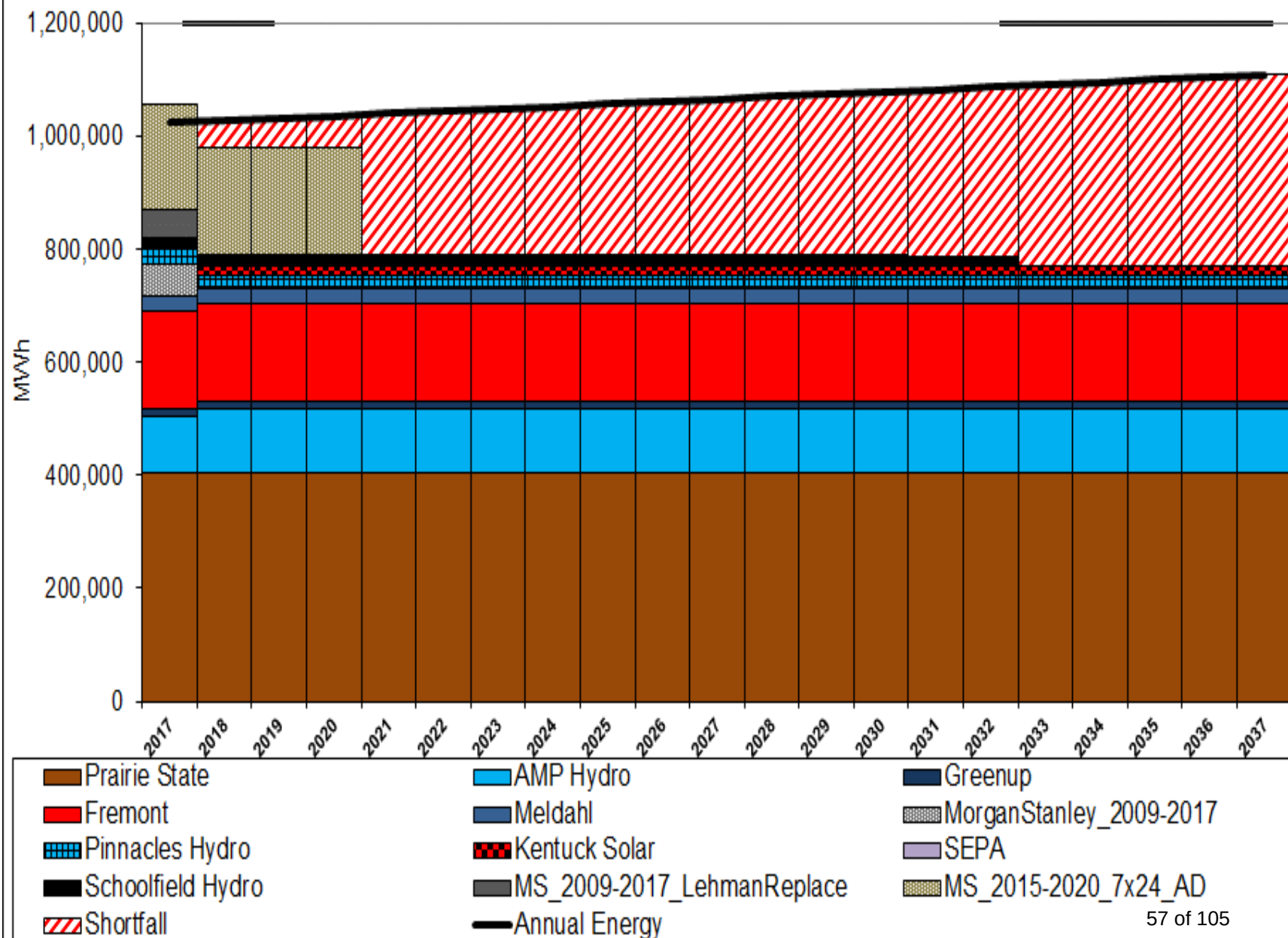
Behind the Meter Generation Projects

**Danville City Council
September 4, 2018**

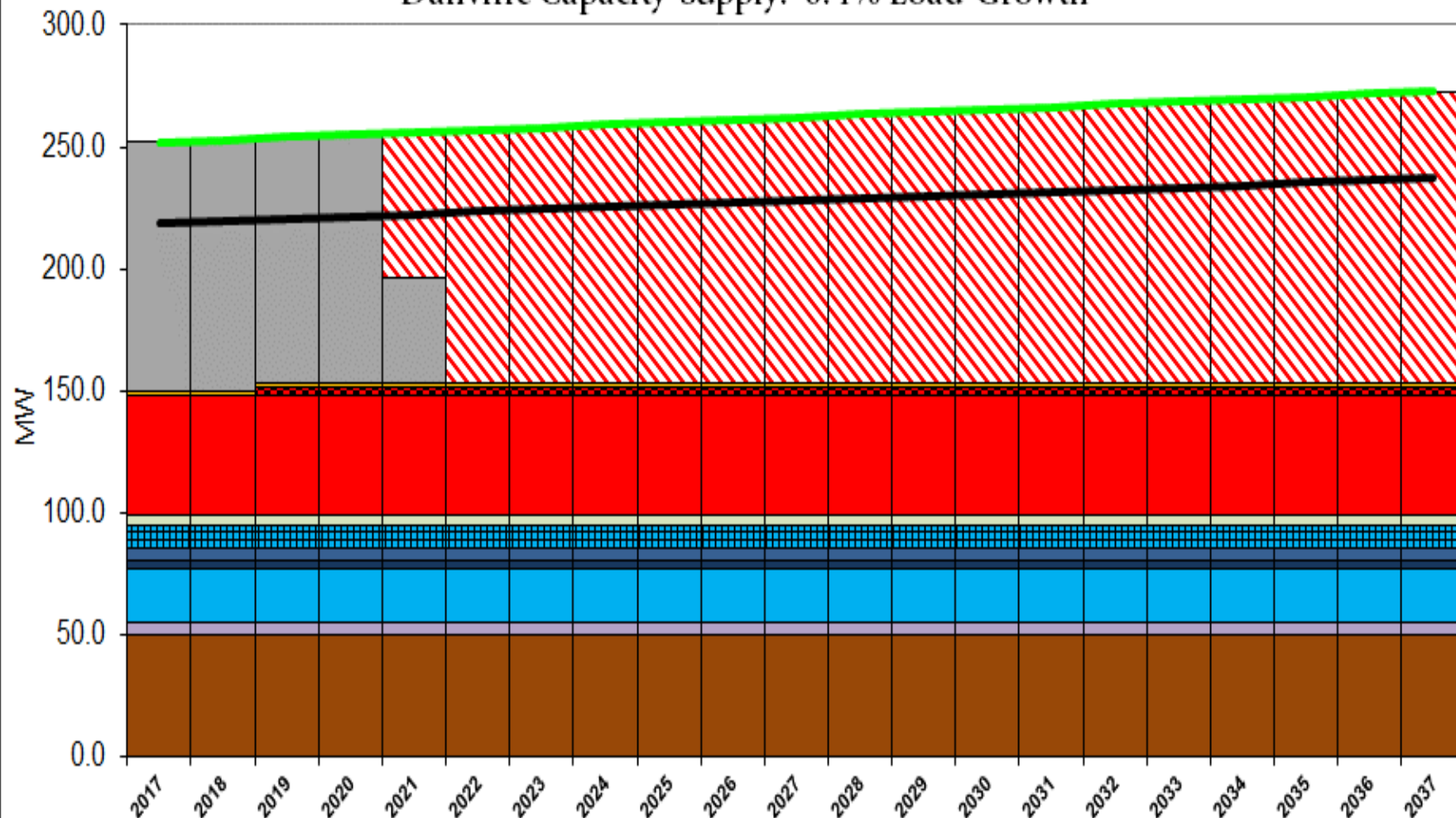
Intermediate/Peaking Capacity

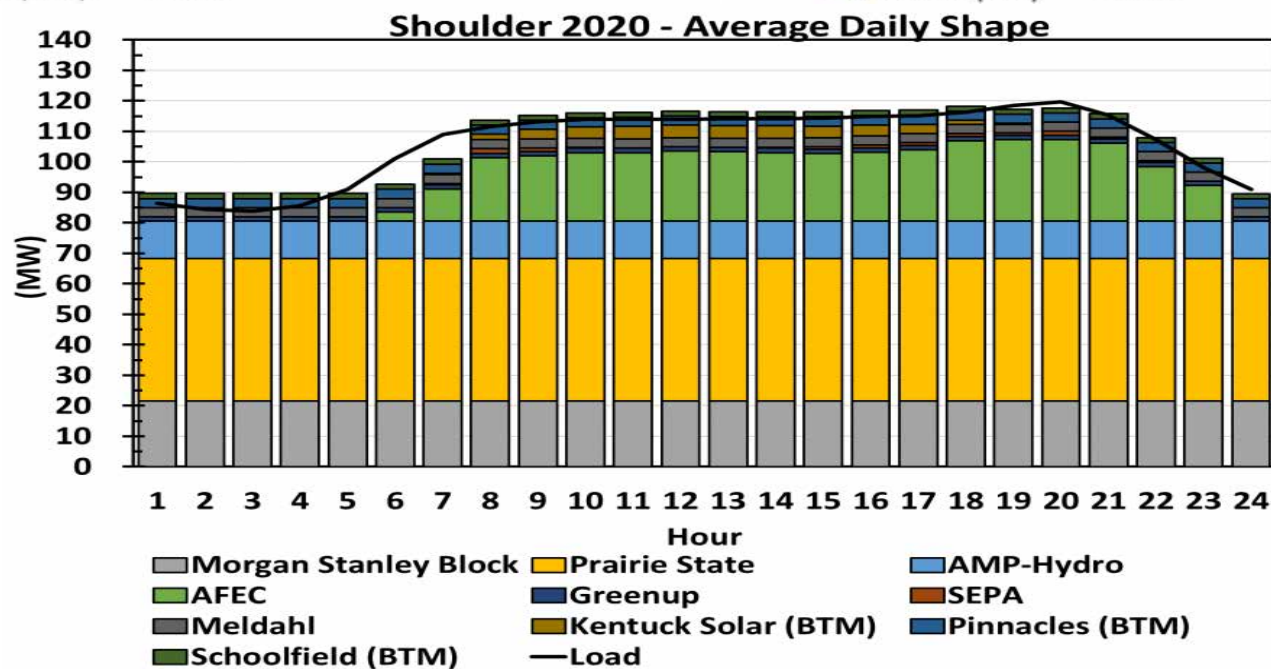
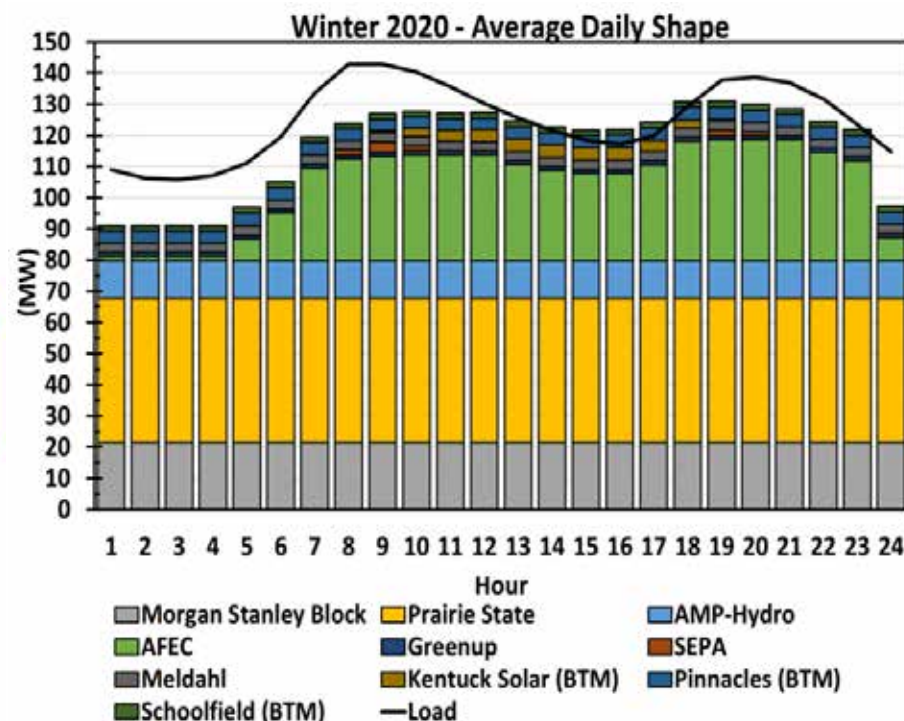
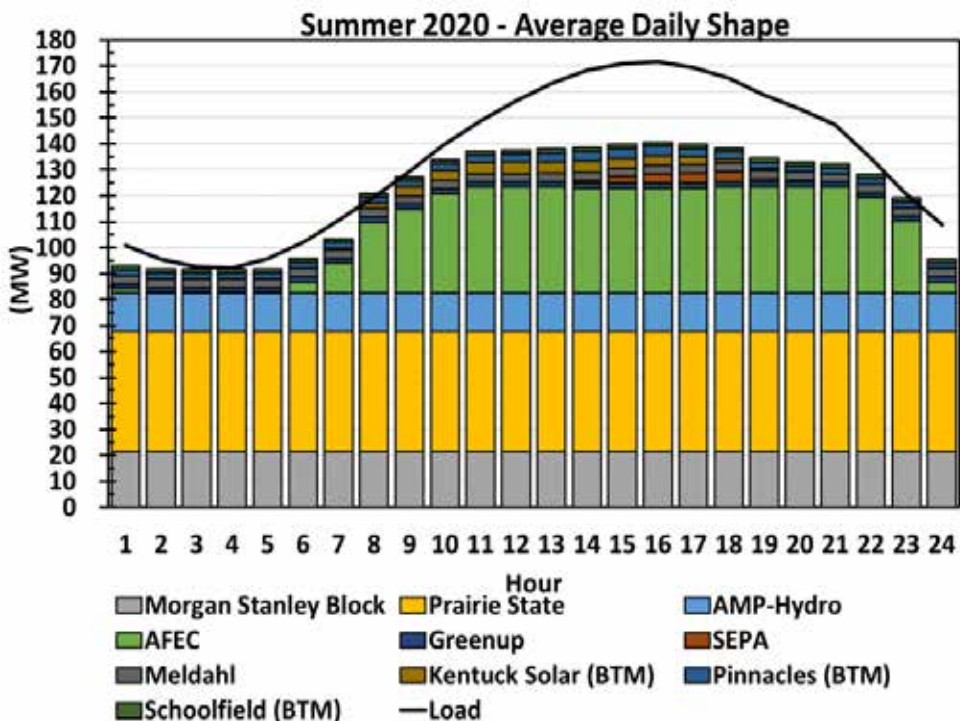
- Received solar responses and natural gas responses
- Federal Investment Tax Credit (“ITC”) for renewable generation
 - 30%-if project is under construction before Dec 31, 2019
 - 26%- 2020
 - 22%-2021

Danville Energy Supply: 0.4% Load Growth



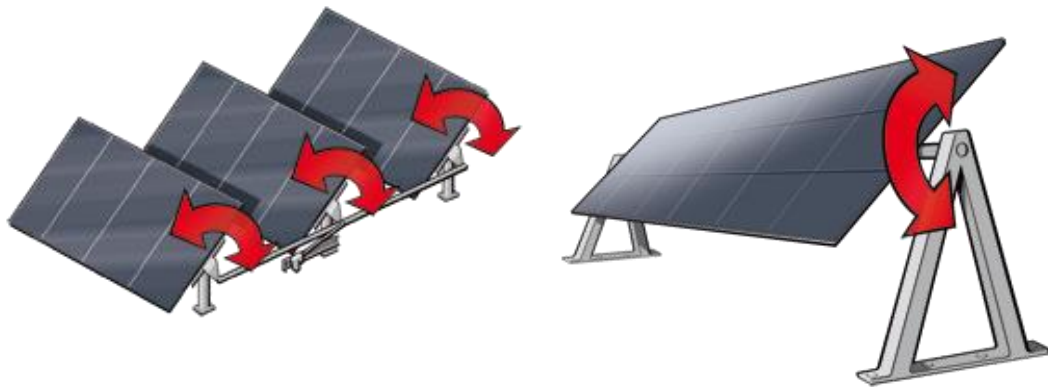
Danville Capacity Supply: 0.4% Load Growth





Solar Panel Technology

- Single-Axis Tracking
 - Single-Axis tracking panels follow the sun throughout the day using one axis powered by a separate motor
 - Middle to high capital cost, maintenance required
 - Typically 22 - 27% capacity factor



Project 1- 10 MW Solar

- TurningPoint Energy (Developer for Kentucky project)
- 25-year purchase power agreement
 - City would not be responsible for the capital costs or maintenance of the solar facility
- Estimated first year generation: ~ 24,000 mWh
 - ~ 27% capacity factor
- Fixed, non-escalating price proposal-Two Options
 - **\$46.97/mWh -10 megawatt Solar**
- Danville to realize all other behind-the-meter benefits
- **Net \$9/mWh Average Energy Rate** for 25 years-Solar Only
 - Subtract Transmission, Capacity, Ancillary credits

Project Site

- 7480 Irish Road, Chatham, VA
- Near Whitmell Substaion
- TPE has included all of the costs associated with the property in the PPA (taxes, permitting, lease of the property).



Project 2-12 MW Solar

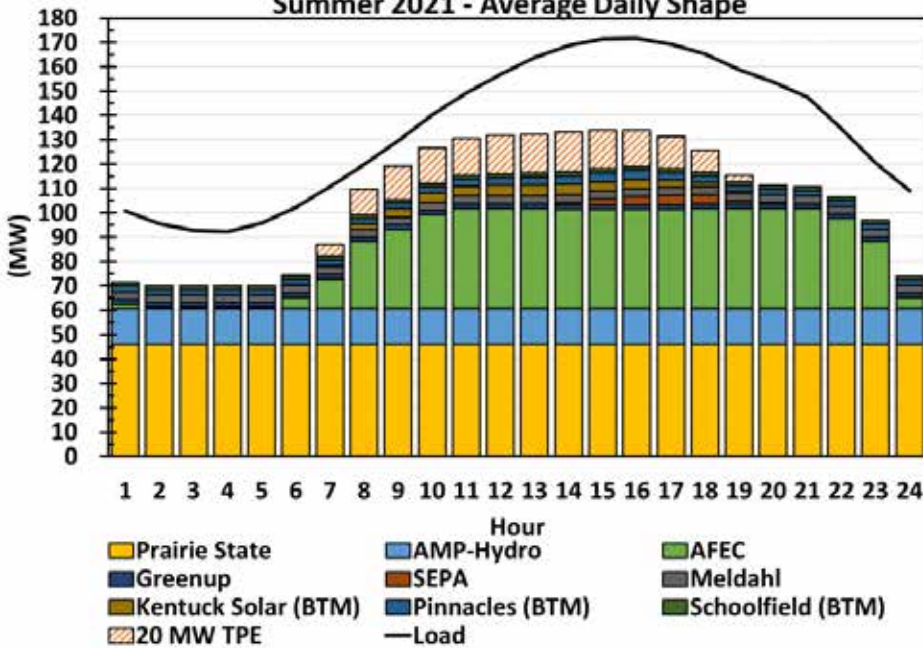
- Strata Solar
- 25-year purchase power agreement
 - City would not be responsible for the capital costs or maintenance of the solar facility
- Estimated first year generation: ~ 24,000 mWh
 - ~ 27% capacity factor
- Fixed, non-escalating price proposal-Two Options
 - **\$57.00/mWh-10 megawatt solar only (-2%) annual escalation**
 - (avg. \$46/mWh)
- Danville to realize all other behind-the-meter benefits
- **Net average \$8/mWh Average Energy Rate** for 25 years-Solar only - 2% escalation
 - Subtract Transmission, Capacity, Ancillary credits

Project Site

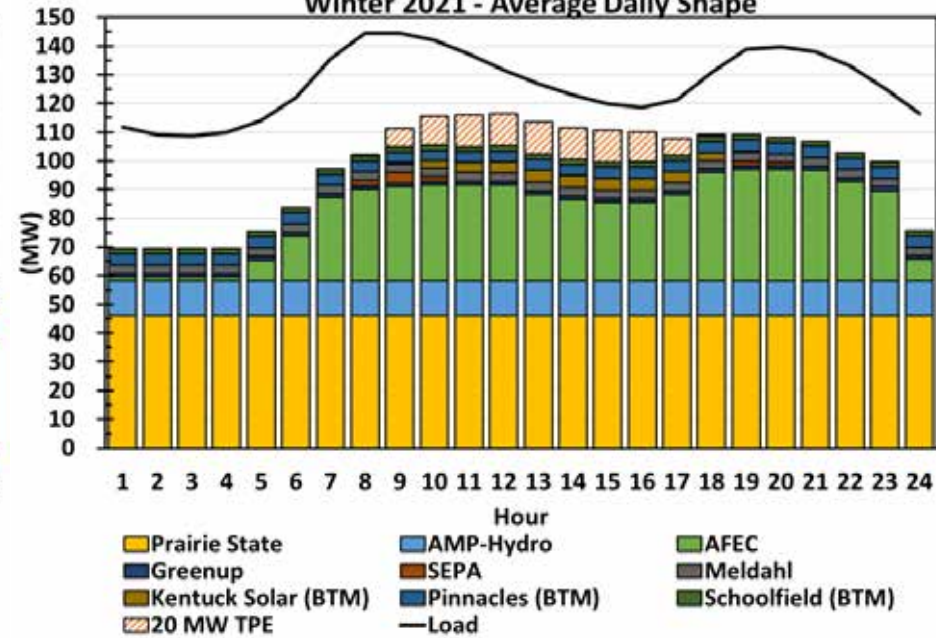
- Ringgold Golf Course
- Near two Danville substations/behind Cane Creek Industrial Park
- Strata has included all of the costs associated with the property in the PPA (taxes, permitting, purchase\lease of the property).



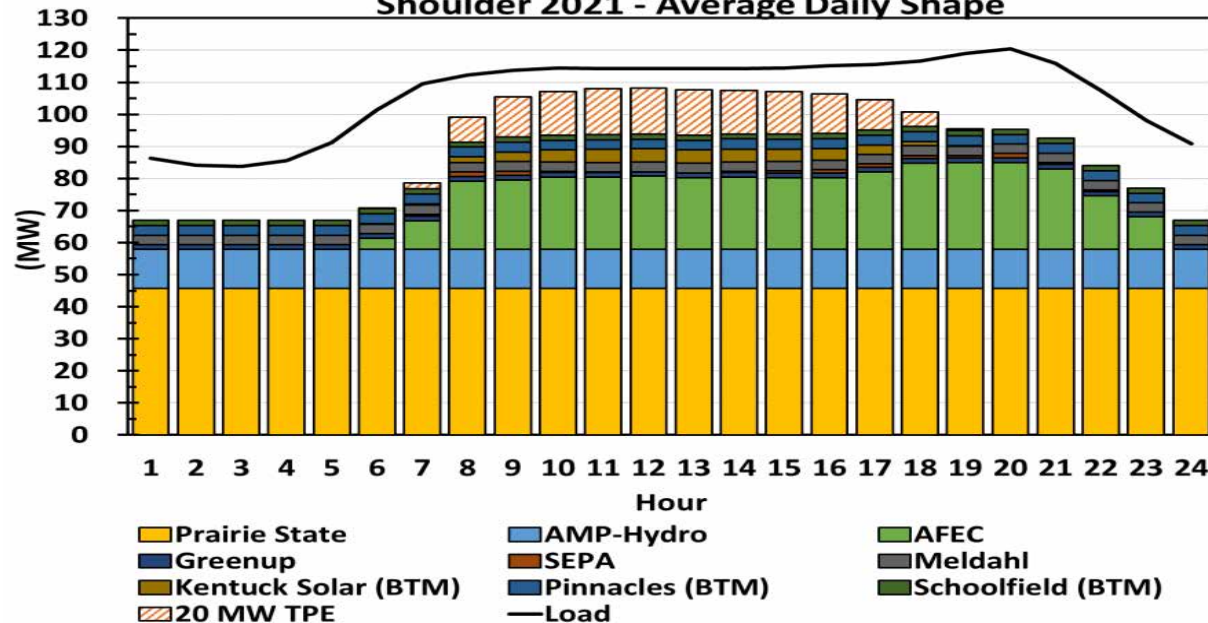
Summer 2021 - Average Daily Shape



Winter 2021 - Average Daily Shape



Shoulder 2021 - Average Daily Shape



Questions?

Council Letter

City of Danville, Virginia



CL-1966

New Business Item #: E.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Community Healthcare Worker at Stonewall Recreation Center

From: William Sgrinia, Director of Parks, Recreation & Tourism

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

The Parks and Recreation Department has worked alongside the Community Healthcare Worker project and PATHS, INC., to impact health in the region. The CHW project has impacted numerous neighborhoods and communities throughout Danville for the past two years and has identified the North Main community as an area where further attention is needed. The department, along with PATHS, INC., would like to enter into a shared usage agreement to allow CHW staff, access to the downstairs of Stonewall Recreation Center during hours when programming is not occurring. The department will establish an annual Memorandum of Understanding with PATHS to allow usage of the facility and provide a much-needed service to the community without any fiscal impact to the City of Danville.

BACKGROUND

Stonewall Recreation Center is currently used for providing Therapeutic and Youth Services to the community. The youth center downstairs currently is open to children during out of school times as follows: during the school year, Monday – Friday, 3:00 p.m.- 8:00 p.m., and during the summer, Monday – Friday 8:30 a.m. - 5:30 p.m. During the school year, the facility downstairs is not used from 8:00 a.m. - 3:00 p.m., except for occasional use by Therapeutic services. Currently, staff provides supervision year round to the facility and manages all services and operations. The proposed usage with the CHW project would have no additional fiscal impact, staffing requirements or facility needs. The proposal includes CHW staff access to the lower level of Stonewall during non-programed times during the school year. The initial schedule would allow CHW's usage Monday – Friday between the hours of 8:30 a.m - 2:30 p.m. Due to summer camp programming, the facility would not be available for use during the summer break. The CHW staff will use the space on an as needed basis, typically through appointments with their clients and would not require usage of the space each day of the week.

PATHS is looking for a space where community members feel comfortable, and a known space in the community. Usage of Stonewall would allow community members to access free healthcare and a much needed outlet to live a healthier lifestyle. The City of Danville would provide shared usage of space and facility at no cost to PATHS during this project.

Please see the attached documents that further define the role of CHW's in the community as well as the 2017 annual report outlining their impact in the community.

RECOMMENDATION

It is recommended that City Council adopt the recommendation to provide shared space to PATHS, INC., and the Community Healthcare Worker project at Stonewall Recreation Center based on agreed upon terms.

Attachments

Resolution

Paths MOU Attachment

2017 CHW Report

CHW Brochure

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. - _____. ____

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF
A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF
DANVILLE, VIRGINIA AND PATHS, INC.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of
Danville, Virginia that the Parks and Recreation Department is hereby authorized to enter
into an agreement with PATHS, INC for usage of Stonewall Recreation center during non-
program hours as agreed upon according to the signed Memorandum of Understanding
between both parties, attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that all other provision of services, as
amended, not hereby amended, shall continue in full force and effect unless and until
hereafter further amended or repealed; and

BE IT FINALLY RESOLVED that the City Manager, Kenneth F. Larking, be,
and is hereby, approved and authorized to execute the Memorandum of Understanding
and to execute any other documents necessary to complete this transaction.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

MEMORANDUM OF UNDERSTANDING BETWEEN

Piedmont Access to Health Services Inc. - PATHS

AND

CITY OF DANVILLE, VIRGINIA

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the Piedmont Access to Health Services, referred to as PATHS and the CITY OF DANVILLE, VIRGINIA

PURPOSE

The Purpose of this MOU is to develop the framework of cooperation between PATHS and CITY OF DANVILLE, VIRGINIA to develop a mutual agreement for the use of City owned athletic facilities.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES CONTAINED HEREIN, IT IS AGREED BETWEEN PATHS and CITY OF DANVILLE, VIRGINIA THAT:

1. **CITY OF DANVILLE, VIRGINIA agrees** to allow **PATHS** to use the downstairs of Stonewall Recreation Center during agreed upon hours and terms. It is understood by **PATHS** and **CITY OF DANVILLE, VIRGINIA** that this MOU confers no special rights or benefits to **PATHS** as to use of said facilities, and that such facility shall be open and available for use by the public on a nondiscriminatory basis when not scheduled for use. This agreement covers only Stonewall Recreation Center.
2. This MOU in no way restricts **CITY OF DANVILLE, VIRGINIA** from participating in similar activities or arrangements with other public or private agencies, organizations, or individuals.
3. **PATHS** shall only be permitted to make installations or improvements to the designated property and facilities with the consent of **CITY OF DANVILLE, VIRGINIA**. All installations or improvements must be approved by **CITY OF DANVILLE, VIRGINIA**.
4. **CITY OF DANVILLE, VIRGINIA** will be recognized by **PATHS** as a supporter of **PATHS** Community Health Worker project.
5. Either party may terminate and cancel this agreement upon written notice to the other party specifying the date of termination and cancellation. The proposed date of termination must be later than any previously scheduled events. However, termination by **PATHS** may result in the discontinuation of the use of facilities. In addition, **CITY OF DANVILLE, VIRGINIA** shall have the option to terminate and cancel this agreement at any time **PATHS** ceases to adhere to conditions.
6. **PATHS** Agrees to be responsible for its negligence which may result in any personal injury or loss sustained as the result of engaging in any activity relating to this project or program whether caused by negligence, breach of contract or otherwise. Further, **PATHS** expressly agrees and covenants not to sue on any claim **PATHS**, its agents, volunteers, participants or employees, have against the **CITY OF DANVILLE, VIRGINIA** or any officer, agent, volunteer, or employee of the **CITY OF DANVILLE, VIRGINIA**.
7. Prior to the second anniversary from the date of this MOU, **CITY OF DANVILLE, VIRGINIA** will review the terms of this MOU with **PATHS**. At this time, either party may request that a new agreement be established **CITY OF DANVILLE, VIRGINIA** agrees to negotiate with **PATHS** in good faith.
8. The programs and services of **CITY OF DANVILLE, VIRGINIA** have priority in scheduling of all **CITY OF DANVILLE, VIRGINIA** managed facilities.

9. This Memorandum of Understanding and the performance thereof shall be governed by and enforced under the laws of the Commonwealth of Virginia, and if legal action by either party is necessary for or with respect to the enforcement of any or all of the terms and conditions hereof, then exclusive venue therefore shall lie in the City of Danville, Virginia.
10. Usage shall include:
- a. Access and usage of the downstairs of Stonewall Recreation Center Monday thru Friday during the hours of 8:30a.m-1:30p.m or as agreed upon between **CITY OF DANVILLE, VIRGINIA** and **PATHS**.
 - b. **CITY OF DANVILLE, VIRGINIA** will provide regular and routine maintenance at Stonewall Recreation Center.
 - c. **PATHS** agrees to keep facility clean and return, as is condition before leaving each day.
 - d. **PATHS** agrees to use office located downstairs as needed and use space as agreed upon for working.
 - e. **PATHS** agrees to report all maintenance needs for the facility immediately to **CITY OF DANVILLE, VIRGINIA** staff representative.
 - f. **CITY OF DANVILLE, VIRGINIA** will provide **PATHS** usage of equipment on site as agreed upon.
 - g. No fees will be charged to **PATHS**, **PATHS** agrees to not charge any fees or generate any revenue or financial gain while using **CITY OF DANVILLE, VIRGINIA** facilities unless agreed upon.
 - h. **PATHS** agrees that the facility will NOT be available for use during the period of June through August each year due to summer programming schedule unless agreed upon by both parties.
 - i. **PATHS** agrees that hours of operation may change or be unavailable due to school schedule changes, teacher work days, school breaks or inclement weather and the **CITY OF DANVILLE, VIRGINIA** agrees to provide written notice as soon as possible in these situations.

Danville Parks, Recreation & Tourism:

Bill Sgrinia
sgrinwo@danvilleva.gov
434-799-5200

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed in their respective names by their duly authorized officers.

CITY OF DANVILLE, VIRGINIA
Department of Parks, Recreation & Tourism

Bill Sgrinia, Director of Parks and Recreation

Date _____

CITY OF DANVILLE, VIRGINIA, City Manager's office

City Manager

Date _____

Piedmont Access to Health Services INC.

Date _____



Program Updates for January 1 – December 31, 2017

Client Status:

402 referrals to the CHW Program
 229 enrolled clients
 121 graduates of the CHW Program

Top Chronic Illnesses for Enrolled Clients:

Hypertension - 41%
 Diabetes - 28%
 Mental Illnesses (including depression, anxiety, etc.) – 21%
 Asthma – 14%
 Congestive Heart Failure – 14%
 COPD – 10%
 Other (Neurological, Chronic Pain, Multiple Sclerosis, etc.) – 28%

Connections and Referrals:

53% of enrolled clients were connected to a PCP (127 referrals)
 20% of enrolled clients were connected to a transportation resource (68 referrals)
 34% of enrolled clients were connected to social determinates resource such as housing, job placement, education, etc. (175 referrals)
 35% of enrolled clients were connected to an insurance or medication resource (149 referrals)
 41% of enrolled clients were connected to other health related resource such as a specialty doctor, dental, home health aide, mental health, etc. (177 referrals)
 24% of enrolled clients were connected to a food resource (81 referrals)

Readmissions Data:

Figures based off enrolled clients considered “super-users” of the ER (5+ times over 12 months) from 2016-2017. Clients were referred by SOVAH or seen by SOVAH and signed consent forms to participate with the Project.

Total Number of Super-user Clients	97
Total Admits (2016 & 2017)	2,059
Admits Prior to Enrollment	1,305
Admits After Enrollment	754
Decrease in Admits	551
% Decrease in Admits after Enrollment	42.22%
% Decrease of Super-users after Enrollment	48.45%

TESTIMONY

“For a long time going to the emergency room for my health concerns was my only option. I soon realized going to the ER was getting me nowhere because there were no treatment plans for my condition, only testing to ensure that I was not in an emergency. Although I was thankful to be seen and to be reassured that I wasn't dying, which I absolutely felt that I was on many occasions, my condition remained and even worsened due to lack of proper treatment.

Luckily, I stumbled upon the **Community Health Worker Program** and was connected to **very caring workers**, who saw that I needed help and pointed me in all the right directions to resources to help me.



I truly feel as though these people rescued me

because they helped me end my vicious cycle of unnecessary ER visits and helped get me access to proper treatment for my health condition.”

Lori, CHW Program Graduate



PARTNERS

The Health Collaborative

Centra

The Institute for Advanced
Learning and Research

Caswell County Emergency
Medical Services

PATHS Community
Medical Center

Caswell Family Medical
Center

Gateway Health

Danville Life Saving Crew

DRHA

EPIC Health Partners, LLC

Sovah Health- Danville

Focus Point Mental Health,
LLC



COMMUNITY
Health Worker

WHO?

A Community Health Worker (CHW) is a public health worker who is a trusted member of the community. This relationship allows CHWs to serve as a link between healthcare, social services and community members, increasing clients' access to services and improving their health management.

CHWs improve clients' ability to manage their health through a series of activities including:



Outreach



Community Education



Informal Counseling



Social Support



Advocacy

WHAT?

A CHW will work with you to:

- Provide personalized assistance in developing a health management plan
- Make sure that getting treatment goes smoothly
- Help you better understand your health
- Educate providers about your health needs
- Provide health education and information in a way that is easily understood
- Find the answers to your questions, helping you make decisions which positively impact your health
- Provide informal counseling and social support
- Help you build your skills to better manage your health

HOW?

After your hospital stay or emergency room visit, the Care Coordinator will call you to ask if you are interested in program participation. If so, a CHW will set up an appointment to meet with you. The CHW will share various resources to help ensure you receive the services and support needed to improve your well-being.

CHWs do not provide medical coverage, clinical advice or replace the need to follow up with your doctor. To see if you qualify for the program, the Community Care Coordinator must review your medical records. If you would like to participate in this free program, contact your Community Care Coordinator, Kenya Elliot.



Kenya Elliot, LPN
Community Care Coordinator
434-791-4122, Ext. 1027



Your CHW will help you:

Connect to a primary care provider



Communicate with doctors



Learn about and engage with resources in the community



Better manage your medical condition and set personal wellness goals



Participation in the CHW is **free**.
There is no charge to you or your insurance.

Council Letter

City of Danville, Virginia



CL-1974

New Business Item #: F.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Amending Chapter 24 of the Danville City Code

From: Scott Booth, Police Chief

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

The Danville Police Department is seeking to amend Chapter 24 of the Danville City Code, regarding Parades and Other Assemblies.

BACKGROUND

Due to recent events in the United States regarding violent confrontations of permitted assemblers and protestors, this Ordinance will now allow the City of Danville Police Department to restrict property that may be used to injure participants and citizens attending the assembly. The overarching goal is not to restrict freedom of speech, nor the freedom to assemble, but as best possible make sure all participants conduct themselves in a safe and orderly manner.

RECOMMENDATION

Staff recommends Council adopt the attached Ordinance Amending Chapter 24 of the Danville City Code regarding Parades and Other Assemblies.

Attachments

[Ordinance](#)

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018 - _____. _____

AN ORDINANCE REPEALING AND REORDAINING CHAPTER 24, ENTITLED "PARADES AND OTHER ASSEMBLIES" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY ARTICLE 1, ENTITLED "IN GENERAL", SECTION 24-1, ENTITLED "PERMIT FOR ASSEMBLIES, DEMONSTRATIONS, ETC., ON CITY PROPERTY".

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that Section 24-1, entitled "Permit for assemblies, demonstrations, etc., on City property" of Article I, entitled "In General", of Chapter 24, entitled "Parades and other assemblies", of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same hereby is, repealed and reordained to read as follows:

CHAPTER 24 PARADES AND OTHER ASSEMBLIES

ARTICLE 1. IN GENERAL

Sec. 24-1. Permit for assemblies, demonstrations, etc., on City property.

~~(a) No gathering of persons for the holding of any assembly or demonstration or for other purposes shall be held on the public property of the City, including all streets, parks, alleys, bridges and other public property, unless there shall have first been obtained from the City Manager a permit in writing permitting the same to be held. Any person desiring to hold such assembly, demonstration or other gathering shall make application to the City Manager, at~~

~~least twelve (12) hours in advance of the time for holding the same. The City Manager may grant or refuse such permit as, in his judgment, is best for the public interest, good or welfare of the City. It shall be unlawful and a Class 1 misdemeanor for any person to hold such an assembly, demonstration or other gathering without the required permit.~~

(a) **No gathering of persons for the holding of any assembly, demonstration, advocacy event or other similar purpose (hereinafter called "assembly") shall be held on the public property of the City, including all streets, parks, alleys, bridges and other public property, unless there shall have first been obtained from the City Manager a permit in writing authorizing the assembly to be held. The permit shall designate the place of the assembly for the gathering of the authorized persons and a security perimeter around the place of assembly. The City Manager may in addition to the public safety restrictions required in this section impose additional restrictions as may be necessary at the place of the assembly and within the security perimeter of the assembly to protect City property, traffic safety, public safety and good order. Any person desiring to hold such assembly shall make application to the City Manager on the required form at least seventy-two (72) hours in advance of the start time of the assembly so that necessary notifications and safety preparations may be made. Any such assembly permit granted automatically includes permission for the simultaneous assembly of other persons within the security perimeter who may support or oppose the purpose of the permitted assembly. The City**

Manager may refuse to grant more than one permit for an assembly for the same date or time when to do so would compromise public safety and good order.

The City Manager or his designee may revoke or suspend any permit previously granted by him: For violation of any provisions of this section or of any condition of the permit:

(1) For any material misrepresentation, intentional or otherwise, made in connection with the application or has become since the submission of the application misrepresented, intentional or otherwise:

(2) When weather conditions render the subject activity unsafe:

(3) The proposed assembly would be inconsistent or incompatible with the purpose(s) for which the area sought to be reserved is normally used:

(4) The applicant proposes activities contrary to one or more of the conditions or limits specified in this ordinance:

(5) No person is authorized or willing to assume and sign the application for permit on behalf of the sponsor to accept responsibility for and perform the sponsor's obligations set forth in this ordinance, including, without limitations, any indemnification requirement(s):

(6) The proposed assembly cannot be accommodated within a reasonable allocation of City funds and/or resources based on the assembly's anticipated public appeal or participation by the general public:

(7) When otherwise required in the interest of public health, safety and welfare or environmental considerations.

Prohibited items are not allowed at assemblies and an assembly permit will be denied or revoked if at any time it appears that prohibited items will be used, or are being used, during an assembly and the City has not granted special permission in the permit covering such use. If any prohibited item for which special permission has been granted is held or used during the demonstration in an intimidating, threatening, dangerous or harmful manner, such use will be unlawful and the permits allowance of such use shall be automatically revoked. The person responsible for the unlawful use of the item will be directed by law enforcement to leave the demonstration area, and any person refusing to do so shall be subject to arrest for trespassing.

No person attending, observing or participating in any assembly on the public property of the City at the place of any assembly or within any designated security perimeter shall possess, carry, or otherwise maintain control of:

(1) Any sign or placard except those made of cardboard, poster board or cloth having dimensions no greater than three feet in width, twenty feet in length and one quarter inch in thickness. No supports shall be permitted for signs or placards except those made of wood having cross-sectional dimensions no greater than three-quarters of an inch by three quarters of an inch not to exceed 24 inches in length. All signs and

placards shall be attended at all times they remain on City property. Signs or placards shall be considered to be attended only when they are in physical contact with a person. No signs or placards shall be fastened, tied or otherwise attached to or leaned against lamp posts, street signs or other structure that is public property of the City. Any unattended sign or placard shall be removed and discarded;

(2) Any flag staff except those made of wood having cross-sectional dimensions no greater than three-quarters of an inch by three quarters of an inch not to exceed six feet in length. All flag staffs shall be attended at all times they remain on City property and are considered attended only when they are in physical contact with a person. No flag staffs shall be fastened, tied or otherwise attached to or leaned against lamp posts, street signs or other structure that is public property of the City;

(3) Any of the following items or any item of like kind: an open flame; a container of any type or size holding hazardous materials, flammable materials, or biological material not intended for human ingestion; rocks; bricks; billiard balls; metal balls; brick, concrete or metal fragments; water balloons; aerosol or pressurized containers; cans, metal or glass containers; chemical irritants; fireworks, bicycles, scooters or skateboards; laser pointers; mechanical and electrical devices designed to amplify sound for multiple persons; drones or other unmanned aircraft systems; animals (except ADA service animals); wagons or pull carts;

coolers; chains, padlocks or bicycle locks; simulated firearms; pellet guns; paintball guns; electrical discharge devices; knives, machetes, sharp objects; slingshots; metal knucks; nun chucks; throwing stars; blackjacks, masks of any kind; goggles, bandanas, balaclavas, scarfs, neck gaiters; full face coverage motorcycle helmets; and tinted helmet visors:

(4) A back pack, satchel, bag, container or similar item unless it is constructed of a mesh or clear material wherein the contents are always visible;

(5) A crowbar, umbrella, cane, club, stick, baton, cudgel, or any athletic equipment of like shape or size, or any like item, or shield of any kind capable of protecting the body from assault.

(6) Nothing in this section shall prohibit a disabled person from carrying, possessing or using a wheelchair, cane, walker, or similar device necessary for providing mobility so that the person may participate in the permitted assembly.

(7) Any person violating the prohibitive provisions of this ordinance shall be asked to leave the place of the permitted assembly or within any designated security perimeter, or any of the public safety restrictions enumerated in this section. It shall be unlawful and a Class 1 misdemeanor for any person to remain after having been told leave.

No person shall organize, attend or participate in any assembly that has not been approved by the City Manager with the required assembly permit, or continue to organize, attend or participate in any assembly if the

City Manager has revoked or suspended the permit for the event. Violation of this requirement shall be a Class 1 misdemeanor.

It shall be unlawful and a Class 1 misdemeanor for any person to violate, at the place of any permitted assembly or within any designated security perimeter, any of the public safety restrictions enumerated in this section or any additional restrictions specified by the City Manager in the assembly permit.

During the conduct of an assembly, the sponsor of that assembly shall comply immediately with the lawful request of any police officer, firefighter, rescue service person, or city employee, made for public safety or other emergency reasons, to move any structure or persons from a street, which has been closed in connection with the permitted assembly.

Nothing in this ordinance shall prohibit certified law enforcement officers or other public safety officials acting in their official capacity from carrying or possessing materials, weapons and/or devices used in the performance of law enforcement duties.

Sponsors of assemblies for which a permit is required shall be required to indemnify and hold harmless the City, its officials, employees and agents from any personal injury, death and damage to property, and any other loss, cost and/or damage occurring as a result of the actions or inactions of the assembly's sponsor or the sponsor's failure to comply with this ordinance. The assembly's sponsor(s) shall be solely responsible for any damages or injuries resulting to any person or property arising out of

the sponsor's use of City property for the assembly and the sponsor(s) will accept the reserved area as-is, and the City does not warrant that any public area(s) are suitable for the activities to be conducted as part of the assembly.

The City Manager, following consultation with the Police Chief, the Fire Chief, or other appropriate City officials may place additional duration and time of day limitations when such assemblies are requested during periods that the requested public space is closed to the public or such assemblies are likely to interfere with the operation of religious services or businesses.

The City Manager may impose such conditions or limits on demonstration (i) during the permitting approval process, or (ii) during the occurrence of a permitted demonstration if necessary: (A) to ensure that the demonstration meets the stated terms and purposes of this ordinance (B) due to the occurrence of circumstances unrelated to the demonstration that were not anticipated at the time of the approval of the permit and that were not caused by the demonstration attendees, counter-protestors, or City officials, or (C) due to a determination by the Police Chief, the Fire Chief or other appropriate public safety official during the demonstration that there exists an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage.

A permit may contain additional conditions and limits, consistent with this ordinance, as may be warranted by the nature of a particular assembly, in the interest of protecting parks or other city resources, the use of nearby areas by other persons, and other legitimate property and/or public safety concerns.

The following would be listed on the assembly permit issued by the City Manager as additional directions and instructions.

Pursuant to §18.2-282 of the Code of Virginia, no person shall point, hold or brandish any firearm, whether capable of being fired or not, in such manner as to reasonably induce fear in the mind of another or hold a firearm in a public place in such a manner as to reasonably induce fear in the mind of another of being shot or injured. Violation of this statute is a Class 1 Misdemeanor. Possession of a firearm at a permitted assembly is best accomplished by keeping all handguns in a holster and all rifles and shotguns behind the back on a sling.

Pursuant to §18.2-422 of the Code of Virginia, no person over 16 years of age, with the intent to conceal their identity, wear any mask, hood or other device whereby a substantial portion of the face is hidden or covered so as to conceal the identity of the wearer. Violation of this statute is a Class 6 Felony. Wearing any type of clothing in this manner may be considered as such a device.

Pursuant to §18.2-404 of the Code of Virginia, any person or persons who in any public place or on any private property open to the public

unreasonably or unnecessarily obstructs the free passage of other persons to and from or within such place or property and who shall fail or refuse to cease such obstruction or move on when requested to do so by the owner or lessee or agent or employee of such owner or lessee or by a duly authorized law-enforcement officer shall be guilty of a Class 1 misdemeanor.

(b) This section shall not apply to parades conducted pursuant to the provisions of article II of this chapter.

(Code 1962, § 17-7)

BE IT FURTHER ORDAINED that all other provisions and Sections of said Article, Chapter and Code be, and the same are hereby, continued in full force and effect unless and until the same are hereafter amended or repealed; and

BE IT FINALLY ORDAINED that this Ordinance shall be and become immediately.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1984

New Business Item #: G.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: FY 2019 Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement
- Occupant Protection Grant Program

From: Scott Booth, Police Chief

COUNCIL ACTION

First Reading: 09/18/2018

Final Adoption: 10/04/2018

SUMMARY

The Danville Police Department received a Highway Safety Grant under the FY 2019 Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement - Occupant Protection Grant Program in the amount of \$5,250. This funding will provide overtime pay for police officers for the enforcement of safety belt and child safety seat violations. Matching funds are in-kind and will not require any additional funding from the City.

RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance Amending the FY 2019 Budget Appropriation Ordinance by Anticipating Revenues in the amount of \$5,250 from the Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement - Occupant Protection Grant Program and appropriating the same.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES HIGHWAY SAFETY OFFICE SELECTIVE ENFORCEMENT – OCCUPANT PROTECTION GRANT PROGRAM IN THE AMOUNT OF \$5,250 AND APPROPRIATING SAME.

WHEREAS the City of Danville has been awarded a grant from the Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement – Occupant Protection Grant Program in the amount of \$5,250; and

WHEREAS the funding will provide overtime pay for police officers for the enforcement of safety belt and child safety seat violations; and

WHEREAS the grant requires in-kind matching funds.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues to anticipate the receipt of funds in the amount of \$5,250 from the Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement – Occupant Protection Grant Program, such revenue and appropriation to be as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2019 VA DMV Highway Safety Office Selective Enforcement – Occupant Protection Grant Revenue	61458000-48230	<u>\$5,250</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2019 VA DMV Highway Safety Office Selective Enforcement - Occupant Protection Grant Program	61458999-50	<u>\$5,250</u>

AND BE IT FURTHER ORDAINED that this appropriation shall be a continuing appropriation and shall carry forward from year to year until expended for the purpose for which appropriated; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1985

New Business Item #: H.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: FY 2019 Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement - Speed Grant Program

From: Scott Booth, Police Chief

COUNCIL ACTION

First Reading: 09/18/2018

Final Adoption: 10/04/2018

SUMMARY

The Danville Police Department received a Highway Safety Grant under the FY 2019 Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement - Speed Grant Program in the amount of \$9,100. This funding will provide overtime pay for police officers for the enforcement of speeding ordinances. Matching funds are in-kind and will not require any additional funding from the City.

RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance Amending the FY 2019 Budget Appropriation Ordinance by Anticipating Revenues in the amount of \$9,100 from the Virginia Department of Motor Vehicles Highway Safety Selective Office Enforcement - Speed Grant Program and appropriating the same.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES HIGHWAY SAFETY OFFICE SELECTIVE ENFORCEMENT – SPEED GRANT PROGRAM IN THE AMOUNT OF \$9,100 AND APPROPRIATING SAME.

WHEREAS the City of Danville has been awarded a grant from the Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement - Speed Grant Program in the amount of \$9,100; and

WHEREAS the funding will provide overtime pay for police officers for the enforcement of speeding ordinances; and

WHEREAS the grant requires in-kind matching funds.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues to anticipate the receipt of funds in the amount of \$9,100 from the Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement – Speed Grant Program, such revenues and appropriation to be as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2019 VA DMV Highway Safety Office Selective Enforcement - Speed Grant Revenue	61459000-48230	<u>\$9,100</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2019 VA DMV Highway Safety Office Selective Enforcement - Speed Grant Program	61459999-50	<u>\$9,100</u>

AND BE IT FURTHER ORDAINED that this appropriation shall be a continuing appropriation and shall carry forward from year to year until expended for the purpose for which appropriated; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

Council Letter

City of Danville, Virginia



CL-1986

New Business Item #: I.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: FY 2019 Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement - Alcohol Grant Program

From: Scott Booth, Police Chief

COUNCIL ACTION

First Reading: 09/18/2018

Final Adoption: 10/04/2018

SUMMARY

The Danville Police Department received a Highway Safety Grant under the FY 2019 Virginia Department of Motor Vehicles Highway Safety Office Selective Enforcement - Alcohol Grant Program in the amount of \$19,285. This funding will be used to pay for overtime personnel for enforcement at driving under the influence, license checkpoints and saturation patrols. It will also be used to purchase field breath testing units for saturation patrol and checkpoint safety equipment. Matching funds are in-kind and will not require any additional funding from the City.

RECOMMENDATION

It is recommended that City Council adopt the attached Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Anticipating Revenues in the amount of \$19,285 from the Virginia Department of Motor Vehicle Highway Safety Selective Enforcement - Alcohol Grant Program and appropriating the same.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES HIGHWAY SAFETY SELECTIVE ENFORCEMENT – ALCOHOL GRANT PROGRAM IN THE AMOUNT OF \$19,285 AND APPROPRIATING SAME.

WHEREAS the City of Danville has been awarded a grant from the Virginia Department of Motor Vehicles Highway Safety Selective Enforcement - Alcohol Grant Program in the amount of \$19,285; and

WHEREAS the funding will provide pay for extra duty personnel for enforcement at driving under the influence and license checkpoints, saturation patrols, and to purchase equipment to be used for these enforcement activities; and

WHEREAS the grant requires in-kind matching funds.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues to anticipate the receipt of funds in the amount of \$19,285 from the Virginia Department of Motor Vehicles Highway Safety Selective Enforcement - Alcohol Grant Program, such revenues and appropriation to be as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2019 VA DMV Highway Safety Selective Enforcement – Alcohol Grant Revenue	61460000-48230	<u>\$19,285</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2019 VA DMV Highway Safety Selective Enforcement - Alcohol Grant Program	61460999-50	<u>\$19,285</u>

AND BE IT FURTHER ORDAINED that this appropriation shall be a continuing appropriation and shall carry forward from year to year until expended for the purpose for which appropriated; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

Council Letter

City of Danville, Virginia



CL-1969

New Business Item #: J.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Moral Obligation - American National Bank

From: Michael Adkins, Director of Finance

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

In June 2013, City Council approved a moral obligation with American National Bank for the Industrial Development Authority (IDA). The moral obligation relates to a borrowing for sewer infrastructure and improvements to 1000 Locket Drive. This borrowing was structured as a 20-year loan with 5-year maturities - the first maturity occurring on October 10, 2018. The IDA has completed the process of renewing this loan for another 5-year period with American National Bank. As is customary, American National Bank has requested a moral obligation from the City.

BACKGROUND

In 2013, the IDA secured a loan for \$1,500,000 from American National Bank in order to improve and add sewer infrastructure to 1000 Lockett Drive. The loan was structured for payback over 20 years, but with 5-year maturities. The loan will reach its first scheduled maturity on October 10, 2018. The IDA has worked with American National Bank to renew the loan for another 5-year period.

The IDA has been making the required debt service payments on the borrowing since inception of about \$10,000 per month. The original borrowing of \$1.5 million has been paid down to approximately \$1.28 million. The structure at 1000 Lockett Drive is currently leased to Morrisette Paper and lease revenue helps to cover the debt service on this loan.

RECOMMENDATION

It is recommended that City Council approve the Moral Obligation with American National Bank.

Attachments

Moral Obligation

Resolution

MORAL OBLIGATION AGREEMENT OF CITY OF DANVILLE

THIS MORAL OBLIGATION AGREEMENT made as of the _____ day of _____, 2018, by and between the **CITY OF DANVILLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “**City**”), and **AMERICAN NATIONAL BANK AND TRUST COMPANY**, a national banking association (“**American National**”), to-wit:

Background

A. The Industrial Development Authority of Danville, Virginia (the “**Authority**”) was created under the Industrial Development and Revenue Bond Act (§15.2-4900 et seq.) of the Code of Virginia to promote development, industry and trade.

B. The Authority previously borrowed funds from American National for the purposes of purchasing and/or making improvements to real estate located to 1000 Lockett Drive, Danville, Virginia (the “**Property**”), in an effort to induce key tenants to locate particular aspects of their operations in the City’s warehouse district, thereby promoting development and the economy of the City. The previous loan associated with the Property is set to mature and the Authority seeks to renew the loan with American National.

C. In furtherance of the foregoing, the Authority has obtained a commitment from American National to renew the Property loan for a term of sixty (60) months in an amount not to exceed One Million Two Hundred Eighty Six Thousand and 00/100 Dollars (\$1,286,000.00) (the “**Loan**”), and, as part of that commitment, American National requires the Moral Obligation of the City to repay the Loan with American National in the event that the Authority fails to do so.

Agreement

NOW, THEREFORE, for and in consideration of the foregoing promises and the mutual benefit to be derived therefrom and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. In the event the Authority fails to repay the indebtedness created by the Loan provided by American National in accordance with the terms of repayment stated therein, the City hereby acknowledges that, to the extent permitted by law, it has a moral obligation to pay American National such amounts otherwise due from and payable by the Authority. In the event of nonpayment by the Authority, American National, by its duly authorized representative, shall submit an appropriation request to the City in the amount sufficient to make current payments on the Loan then due American National by the Authority and to protect and maintain the Authority’s ownership interest in the Property (the “**Deficiency Amount**”). Subject to the making of an appropriation pursuant to the provisions of this Paragraph 1, the City shall pay American National the amount of such appropriation as soon as practicable.

2. American National shall apply any funds so appropriated and paid to it by the City pursuant to this Agreement toward the Authority's obligations under the Loan provided by American National pursuant to this Agreement.

3. Continuing until such time as there is no longer a Deficiency Amount, the City Manager of the City (the "**City Manager**") shall include the Deficiency Amount due American National with respect to the Loan in his budget submitted to the City Council for the following fiscal year as an amount to be appropriated to or in respect of the Property Loan. The City Manager shall deliver to American National, within fifteen (15) days after the adoption of the City's budget for each fiscal year in which a Deficiency Amount was requested as provided herein, but not later than July 15 of each year, a letter, on letterhead of the City Manager's Office, stating whether the City Council has appropriated for payment to American National an amount equal to the Deficiency Amount.

4. If at any time American National believes there is a Deficiency Amount or that amounts appropriated by City Council are insufficient to fulfill the Authority's Loan obligations, American National shall notify the City Manager of the Deficiency Amount or such insufficiency and the City Manager shall request a supplemental appropriation from City Council in the amount necessary to make such payment.

5. The City Manager shall present each request for appropriation pursuant to Paragraph 4 above to City Council and City Council shall consider such request at City Council's next regularly scheduled meeting at which it is possible to satisfy any applicable notification and all other legal requirements. Not later than five (5) business days after such meeting, the City Manager shall notify American National as to whether the amount so requested was appropriated. If City Council shall fail to make any such appropriation, the City Manager shall add the amount of such requested appropriation to the amount to be requested in the next fiscal year.

6. City Council hereby undertakes a non-binding obligation to appropriate such amounts as may be requested from time to time pursuant to Paragraphs 3, 4 and 5 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The City Council, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations.

7. Nothing herein contained is or shall be deemed to be a lending of the credit of the City to American National, the Authority, the Property or to any other person or entity (unless specifically set forth otherwise), and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the City, nor shall anything herein contained legally bind or obligate the City Council to appropriate funds for the purposes described herein.

8. Any notices or requests required to be given hereunder shall be deemed given if hand-delivered or sent by registered or certified mail, postage prepaid, addressed as follows:

If to the City: City of Danville, Virginia
Municipal Building, Patton Street
P. O. Box 3300
Danville, VA 24543
Attention: City Manager

With a copy to: The City Attorney's Office
Municipal Building, Patton Street
P.O. Box 3300
Danville, VA 24543

If to American National: American National Bank and Trust Company
628 Main Street
P. O. Box 191
Danville, VA 24543
Attention: President

9. If any clause, provision, or paragraph of this Agreement shall be held illegal or invalid by a court, the illegality or invalidity of such clause, provision, or paragraph shall not affect any of the remaining clauses, provisions, or paragraphs hereof, and this Agreement shall be construed and enforced as if such illegal or invalid clause, provision, or paragraph had not been contained herein. In the event that any question should arise as to whether any provision contained herein shall be in violation of law, then such provision shall be construed as the agreement of the parties hereto to the full extent permitted by law.

10. The parties agree that this Moral Obligation Agreement shall supersede and replace that Moral Obligation Agreement between the parties dated October 10, 2013, made in connection with a 2013 loan to the IDA for initial acquisition and renovation of the Property (the “**2013 Moral Obligation Agreement**”), and upon the approval and execution of this Agreement and closing of the Loan referenced herein the 2013 Moral Obligation Agreement shall terminate and be of no further force and effect.

IN WITNESS WHEREOF, the City of Danville, Virginia has caused its name to be subscribed hereunto by its City Manager, as authorized and directed by the City Council, City of Danville, and its seal to be hereto affixed and attested by the City Clerk, and American National has caused its name to be subscribed hereunto by Ted R. Laws, its duly authorized representative, and its seal to be affixed and attested, all as of the date first above written.

[SIGNATURE PAGE FOLLOWS]

CITY COUNCIL, CITY OF DANVILLE

By: _____
Name: Ken Larking
Title: City Manager

(SEAL)
Attest:

City Clerk

AMERICAN NATIONAL BANK AND TRUST COMPANY

By: _____
Name: Ted R. Laws
Title: Danville Region Market President

(SEAL)
Attest:

Title: _____

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF
A MORAL OBLIGATION AGREEMENT BY AND BETWEEN THE CITY OF DANVILLE,
VIRGINIA AND AMERICAN NATIONAL BANK AND TRUST COMPANY.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of
Danville, Virginia, that a Moral Obligation Agreement, substantially in the form attached
hereto and made a part hereof, between the City of Danville, Virginia and American
National Bank and Trust Company be, and the same hereby is, approved; and

BE IT FURTHER RESOLVED that the City Manager, Kenneth F. Larking,
be, and is hereby, authorized and directed to execute such Moral Obligation Agreement
on behalf of the City.

APPROVED:

MAYOR

ATTEST:

Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2000

New Business Item #: K.

City Council Regular Meeting

Meeting Date: 09/18/2018

Subject: Data Center Tax Rate

From: Telly D. Tucker, Economic Development Director

COUNCIL ACTION

Business Meeting: 09/18/2018

SUMMARY

City Council is considering lowering the personal property tax rate for computer equipment in order to attract large data centers to the City of Danville. During the 9/4/2018 City Council Work Session, the majority of City Council voiced their support for creating a new, special tangible personal property tax rate specific to data centers of \$.25 per \$100 of assessed value (which is determined by applying a depreciation schedule to arrive at the fair market value). The data center facility must house equipment used for the transformation, transmission, distribution, or management of at least twenty megawatts of electrical power capacity.

BACKGROUND

Last year, Vice Mayor Vogler requested that City Council consider lowering the business personal property tax rate for computer equipment in order to attract large data centers.

Data Centers typically look at a number of factors when deciding to locate in a particular area. This includes cost of power, cost of construction, access to high speed internet, and tax rates, among others. During previous work sessions, Council Members have discussed setting the business personal property tax rate to the lowest in the State of Virginia. A rate below 40 cents, when combined with Danville's low real estate rates, would make Danville the most competitive location in the state. The following is the estimated business personal property tax revenue that would be generated over five years by a 20 megawatt data center with \$200 million in computer equipment at various tax rates:

- Current rate: \$15,260,000 (average of \$3,052,000 annually)
- 40 cents: \$1,744,000 (average of \$348,800 annually)
- 35 cents: \$1,526,000 (average of \$305,200 annually)
- 30 cents: \$1,308,000 (average of \$261,600 annually)
- 25 cents: \$1,090,000 (average of \$218,000 annually)

RECOMMENDATION

Staff recommends that the City Council set a minimum size of 20 megawatts for data centers to qualify for a reduced rate for the tax for computer equipment.

Attachments

Ordinance

City Code Language

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 37, ENTITLED "TAXATION", ARTICLE II, ENTITLED "LEVY AND RATE OF TAX ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY, ECT." OF THE CODE OF THE CITY OF DANVILLE, 1986, AS AMENDED, TO ADD A NEW SECTION 37-37, ENTITLED "DATA CENTERS AND DATA CENTER TAX RATE".

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Code of the City of Danville, Virginia, 1986, as amended, is hereby amended and reordained to add a new Section 37-37, entitled "Data Centers and Data Center Tax Rate", to Article II, entitled "Levy and Rate of Tax on Real Estate, Tangible Personal Property, Etc." as attached hereto and made a part hereof, as if fully set forth herein; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that it does hereby reserve sections 37-38 – 37-44 for future code additions; and.

BE IT FINALLY ORDAINED that all other provisions and Paragraphs, Subparagraphs, and Sections of said Article, Chapter, and Code be, and the same are hereby, continued in full force and effect unless and until the same are hereafter amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Sec. 37-37. – Data Centers and Data Center Tax Rate.

- (a) Computer equipment and peripherals used in a data center. For purposes of this subdivision, "data center" means a facility whose primary services are the storage, management, and processing of digital data and is used to house (i) computer and network systems, including associated components such as servers, network equipment and appliances, telecommunications, and data storage systems; (ii) systems for monitoring and managing infrastructure performance; (iii) equipment used for the transformation, transmission, distribution, or management of at least one megawatt of capacity of electrical power and cooling, including substations, uninterruptible power supply systems, all electrical plant equipment, and associated air handlers; (iv) Internet-related equipment and services; (v) data communications connections; (vi) environmental controls; (vii) fire protection systems; and (viii) security systems and services;
- (b) A separate tax rate is levied on the computer equipment and peripherals used in a Data Center. A Data Center is a facility whose primary services are the storage, management, and processing of digital data as defined in subsection (a) above. The facility must also house equipment used for the transformation, transmission, distribution, or management of at least twenty (20) megawatts of electrical power capacity. The Data Center tax rate is \$.25 per \$100 of assessed value (which is determined by applying a depreciation schedule to arrive at the fair market value).

State Law reference— Similar provisions, Code of Virginia, § 58.1-3506