



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

August 16, 2022

REVISED

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

**CITY COUNCIL
MEMBERS:** James B. Buckner
L.G. "Larry" Campbell, Jr.
Bryant Hood
Barry P. Mayo

Dr. Gary P. Miller, Vice Mayor
Sherman M. Saunders
J. Lee Vogler, Jr.,
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 - Sherman M. Saunders

PLEDGE OF ALLEGIANCE TO THE FLAG

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

- A. Public Hearing
- B. Consideration of Approval of Minutes from the Regular Council Meeting held on July 19, 2022.
Council Letter Number CL - 2829.
- C. Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance for Funds from the U.S. Department of Housing and Urban Development in the Amount of \$990,667.
Council Letter Number CL - 2796.

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance for Projects to be or being Undertaken to Improve the Danville Community Financed with HOME-ARP Funds from the U.S. Department of Housing and Urban Development, for a Total Appropriation of \$990,667.

FINAL ADOPTION

APPOINTMENTS

- A. Consideration of Appointments to the following Boards and Commissions:
Council Letter Number CL - 2828.
 - 1. A Resolution Reappointing Tyrell Payne to the Community Improvement Council.
 - 2. A Resolution Reappointing Jackson Weller to the Commission of Architectural Review.
 - 3. A Resolution Reappointing Sonja Ingram to the Commission of Architectural Review.
 - 4. A Resolution Reappointing Robert Weir to the Commission of Architectural Review.
 - 5. A Resolution Appointing Karl Almquist to the Commission of Architectural Review.

NEW BUSINESS

- A. Review of the General Fund Financial Results for the Fiscal Year Ended June 30, 2022.
Council Letter Number CL - 2824.

- B. Consideration of Authorizing the Execution of a Permanent Utility Easement in Pittsylvania County.
Council Letter Number CL - 2802.

A Resolution of the City Council of Danville, Virginia Approving and Authorizing the Execution of a Permanent Utility Easement on Parcel Number 2308-72-3185 in Pittsylvania County, Virginia, for a price of \$5,000 plus Reasonable Recording Costs.

- C. Consideration of Approving the Purchase and Acquisition of the Page Road Water Pumping Station from Pittsylvania County.
Council Letter Number CL - 2804.

A Resolution of the City Council of Danville, Virginia Approving the Purchase and Acquisition of the Page Road Water Pumping Station Parcel Number 1388-51-3619, Owned by the Board of Supervisors of Pittsylvania County, for a Purchase Price not to Exceed \$64,270 and Recording Costs.

- D. Consideration of Approving and Authorizing the City Manager to Enter Into a Purchase Power Agreement for Twenty Megawatts of Solar Energy.
Council Letter Number CL - 2805.

A Resolution of the City Council of Danville, Virginia Approving and Authorizing the City Manager to Enter Into a Purchase Power Agreement for Twenty Megawatts of Solar Energy, Capacity, and Renewable Energy Credits from the 2022 American Municipal Power Solar Project for a Purchase Price not to Exceed \$50 per Megawatt Hour.

- E. Consideration of Authorizing the Issuance of Bonds of the City of Danville, Virginia.
Council Letter Number CL - 2815.

1. Public Hearing
2. An Ordinance Authorizing the Issuance of Bonds of the City of Danville, Virginia, in the Maximum Aggregate Principal Amount of \$16,000,000 to Finance the Acquisition, Construction and Equipping of Various Capital Projects.

FIRST READING

- F. Consideration of an Application to the Virginia Department of Housing Development for an Industrial Revitalization Grant.
Council Letter Number CL - 2832.

A Resolution Approving and Authorizing the Submission of a Grant Application by the Danville Office of Economic Development, to the Virginia Department of Housing and Community Development, Industrial Revitalization Fund and for the City to Fund the Balance of the "River District Project" to Eliminate Blight.

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-2829

Consent Agenda B.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 08/16/2022

SUMMARY

Consideration of Approval of Minutes from the Regular Council Meeting held on July 19, 2022.

Council Letter Number CL - 2829.

Attachments

Meeting Minutes

July 19, 2022

The Second Regular July meeting of the Danville City Council was held on July 19, 2022, 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., Bryant Hood, Mayor Alonzo L. Jones, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (8). Barry P. Mayo was absent (1).

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

INVOCATION

The Invocation was given by J. Lee Vogler, Jr., followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Presentation on Danville Public Schools
By: Dr. Angela Hairston, Superintendent

Dr. Hairston began her presentation by reviewing non-bond projects which included the track at George Washington High School. They did find some major sinkholes that had to be addressed, and there will be an underground retention pond that will help keep water off the track; they expect this to be finished by the first of October. Another non-bond related project was the Langston track which was repaired with FEMA dollars; it was marked off and in use. There were some water retention issues on the right side of the field that they were working through, but it was in very good shape. They used their ARP funds for Taylor, to make sure they had room for teachers, renovated with new roofing, HVAC, paint and getting it in good shape for the Virtual Academy which continues to serve students. They also envision part of the school being used for swing space, if needed, with the GW renovations. The bleachers at OT Bonner gymnasium were unsafe and not handicapped accessible, so they finished painting all of Bonner, and the bleachers should be arriving within the month. Forest Hills Elementary had asked for a new paint job; they have been able to paint the school, as well as repair the roof near the auditorium.

Dr. Hairston noted relative to the 1% sales tax and bond, Dewberry was the architect approved to move forward with the design of Langston. They were moving along very well with some adjustments, and will be putting out the RFP for the contractor who will be handling that work. The lighting for the track will be moved off the field, and some work will be done to make that track ready for competition. The gymnasium and classrooms will be used for Galileo with the central office using the "F" building. Dr. Hairston explained they don't see a need to build a new administrative building, but maybe an attachment for some offices and board meeting space.

There were two major projects, Johnson PPEA and George Washington High School PPEA, in addition to Langston. With the Johnson PPEA, the School Board approved BranchBuilds Construction and Dewberry for the detailed design, and for George Washington High School, Blair/English Construction and RRM Architects with the detailed design. There will be a public hearing on August 4th and this will be for anyone to come and share ideas about the work going forward. They will continue to work with the proposer and begin to execute agreements, and contracts being assigned in September. For GLH Johnson, they knew the site work would be expedited because they already have the property. They also knew that going to the other projects, they definitely need swing space; Taylor can handle some so the quicker they can move on Johnson Elementary, the better they will be with swing space and having opportunities with other schools as well. With George Washington, they do plan on executing this project with

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children on site, with most of the demolition work in summer and moving that front office to the front area.

The next steps will be meeting with staff, parents and community members for in person sessions; they had the same process for GW, Langston, Galileo and Johnson. They will meet with the parents of the four elementary schools, Forest Hills, Woodberry, Gibson and Park Avenue, because the goal was to get the children out of mobile units and into classrooms. At Forest Hills they need to look at the cafeteria and external classrooms, at Park Avenue, cafeteria and external classrooms, and Woodberry needs an entire lift. In April they will come back with feedback on some possible design work, will put out bids for architects and begin the design work. They were also planning a ten year facilitated Program of Facilities; things that need to be renovated, maintained and new construction so it was well organized as they move forward.

Mayor Jones noted he wanted to share a concern, and how Council can help with the school system. Mayor Jones commended Dr. Hairston for addressing all the concerns that have been in the community and the miscommunication; he has received emails from employees who recently resigned from DPS, and every time he gets calls, he sends them to Tyrell Payne. In 2006 citizens decided they wanted to go to an elected school board, and he ran for the school board in 2006; those were elected officials on the school board and City Council supplied funding. Before 2004, City Council had all kinds of hands on/hands into the school system. He had been a member of the appointed school board and they reported everything to Council. What he wanted to figure out, as a Council, was how do they strategically plan together, and ways to shift the morale of the employees of Danville Public Schools. The new school year was rapidly approaching; it would be great hearing about the kick-off, that the teachers and other staff walked away excited and looking forward to the young people entering the buildings. This Council set their three strategic goals, to reduce violent crime, to support education and to grow Danville; it was his idea to move Education as their number one priority because crime was down to a thirty year low. Council asked several times what can they do, how can they help, how can they change the morale. Mayor Jones noted he respected the protocol of the board, but that had to change. They have to work together to change this, and it was changing on his part because he was going to become more engaged with Dr. Hairston, because she cannot do it all.

Dr. Hairston noted what she would say was their district, as was known, was the last performing district in the state, and that did not occur overnight, it occurred over five or six years. The district did not fall into disrepair overnight and it will not fall where they want it to be overnight. She was confident, and had put in the folders she gave to Council, their school climate survey because she wanted them to be really clear about how people were feeling. She attended a Responsive Classroom Training last week and there was excitement and energy. If anyone attended their graduation, the Valedictorian and Salutatorian both said two things, they were tired of people bad mouthing their school, and they love their school. Dr. Hairston noted she thinks what they have to do was take time to hear some voices that may not be so ready to get on Facebook and speak negatively; some of those people don't even live in the city and were commenting about their schools. She believed in looking at their staffing, and they did have people resign, but their expectations were now much higher. In the folder was the Corrective Action Plan; the Corrective Action Plan was significant, and it was a lot of work. At some point, they have to fight for the children. Northside Preschool, Grove Park, Forest Hills, Taylor, Park Avenue, Galileo and WW Moore were fully staffed. And the schools with greatest number of vacancies were Gibson and Schoolfield with four; the others have one or two vacancies. They fully expect energy this year that they have not seen before. With the passing of the referendum, there was belief out there for the children and wished everyone would believe in the children. The next time people go on and on about themselves, she has to ask what exactly were they doing for their children. She

had a great meeting with Parks & Recreation and the Library director looking at things and activities they need to do for children outside of school; there were great things going on in the district. When they see the test scores and how they have increased, she cannot share those right now, but when she shared them with the board members, they were amazed. Their kids performed this year. Unfortunately, they cannot share that information until it was time to share it; Council would see a significant gain from the children. At some point, the community has to come around to the children, because she could not imagine as a child listening to the negativity about the schools, when the children were working so hard. Mayor Jones stated if there was anything Dr. Hairston needed Council to do with regard to morale, they will be glad to help.

Council Member Campbell noted on behalf of Council Member Whittle and himself, they were in a session with Dr. Hairston for the first time, saw the capital improvements and noted to Mayor Jones that he appreciated his words, because those were the sentiments of the community, where the schools were and where they were going. He has made it one of his priorities to do all that they can. Reverend Campbell noted he cannot accept that Danville was 132, and sees them being number one. If they put their minds together, they can make a difference in the community, and Dr. Hairston noted her agreement.

Council Member Vogler noted he felt somewhat bad that Dr. Hairston came into a situation that was in some cases, years of built up frustration and concerns and she was inheriting that. One of the things that really hurt the schools over the last ten years was a lack of continuity; he believed Dr. Hairston was the fifth superintendent over the last ten years he has been on Council, and there were children who have had a different principal each year they have been in school. It was incredibly hard to build success with that much turnover, and was hopeful that the beginning of that continuity was underway. Mr. Vogler stated he thought it was important that they address the issues and how to work to improve them, and at the same time, talk about the successes and the good things; he was glad to hear that the students were tired of hearing about the bad things. Mr. Vogler noted the thing that has bothered him over the years was that sometimes in the past, the school system was almost afraid to talk about the successes of some of the schools; that if they talk about them, it will make the other schools feel bad. They should want all their schools to be extraordinary and the ones that were getting recognized, that should be the model for the others. Mr. Vogler stated Council has three strategic goals, and he thinks the frustration on Council's side was that of the three, the only one they haven't really been able to see significant improvement with was the school system. It was the only one that they were not really directly involved with, yet citizens asked them, can't they do something. Mr. Vogler noted he was paraphrasing: protocol be damned, Council had to get more involved, and he was dedicated and committed to doing that. It was time for Council to stop worrying about stepping on toes because it wasn't the traditional approach; these weren't traditional times, these were important times for the children. Council needed to be arm in arm with the school system, the superintendent and school board, and stop worrying about procedure. Council was ready to get in the trenches, do what they needed to do to help and thought the children deserved nothing less. Mr. Vogler noted to Dr. Hairston to please don't think this was directed at her, but Council was ready to help.

Vice Mayor Miller noted when Council set their priorities, they had three and at the bottom of the pyramid was education; the City's economic development was vitally dependent on the school system. There were so many businesses that come to look, and individual families, and the first thing they do when they come here was how was the school system. In the past, they have lost prospects who didn't come because of the school system. It was vitally important they have a good school system. It was wonderful to see all these projects making the schools look so much better; it was a better learning atmosphere when the facilities look new and were well taken care of. Dr. Miller noted one thing people were complaining about were all the teachers that were

leaving; Dr. Hairston showed Council a few months ago that it wasn't that many in relation to other years. Three or four years ago the number of teachers that left was a deluge; and the numbers he saw don't come close to that. Dr. Hairston noted they did have a significant migration out of the district, but they have been able to hire staff, and they feel good about the people they were hiring; they have hired Dr. Haynesworth to work on teacher retention. Speaking of principals, she had a great principal almost quit in July because of the negativity. What they have to do was to highlight the positive, provide support for children, highlight the children who were doing well, and talk about those things. If they want to keep good people, they need to show positivity about their work and support them. They need the parents in the schools supporting the teachers, it was not just the teacher's job to educate children; that would be what she would ask. Dr. Hairston noted in the folder was their five year strategic plan, their three year corrective action plan, and the school climate scores which tell a bit about how the teachers who may not speak up, were feeling.

Council Member Saunders noted in terms of consistency, ten years with five superintendents, there was no consistency there. People talk about the City's demographics in terms of high poverty, crime and single households; while the numbers may be true that does not mean that the children cannot learn. Mr. Saunders noted his question was how can they best work together; he does not know the last time City Council and School Board met to talk about improvement. Communication has to improve; there were issues that needed to be addressed. They have to ask the tough questions, it doesn't mean they were arrogant. His last question would have been, before he and Dr. Miller were replaced, what can they do together. He kept asking for a plan so they could come together and wouldn't have to debate about where the money was going to go because it had been discussed. Mr. Saunders noted he supported the students, and their address does not determine whether they can learn.

Mayor Jones noted he and Council Member Saunders attended an event with Senator Kaine and asked Mr. Saunders to elaborate on what was said. Mr. Saunders noted people were talking about Danville, about how Danville was going through a renaissance. They were the lowest in the state in terms of economic development, education, housing and others, but they have turned around. The population was growing because people were working together and listening, and he hears this all the time, from the two senators in Washington, from Governors, of Danville being an example because City Council works closely together. Mr. Saunders noted he was very proud of Council.

Mayor Jones asked Council Member Vogler to repeat something he said earlier, and Mr. Vogler stated, protocol be damned, Council was ready to help, to do whatever they had to do. Council Member Whittle questioned the Strategic Plan for 2021-2026, was that what Mr. Saunders had been looking for, and Dr. Hairston stated before she came to the district, she contacted DRF to fund a strategic plan. They spent about four months developing a plan involving the community, that plan was published and has been out in the community. Council Member Hood noted the retreat with everyone focused on education was exciting, to be able to observe what was said, putting education first. He was very optimistic of them working and progressing together, and putting in support. Council Member Buckner noted every Council Member was dedicated to the education of the children of the city of Danville and moving the Danville Public School system forward; Council was there for her and encouraged her to use the them.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Sean Barker, speaking on behalf of the Save the Vacs movement, 312 Marshall Terrace. Mr. Barker spoke about the relationship between healthcare, medical experimentation and social justice. Council Member Saunders questioned Mr. Barker about the

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vaccine for Covid, and asked if Mr. Barker was speaking in favor of it or against it; Mr. Barker noted he was speaking against it, would like to see it banned, and noted he does not believe they help Covid in any way.

Mayor Jones recognized Reverend George H. Lovelace, Danville, VA who noted the school system was not doing well, stating there were students reading on the 1st and 2nd grade level, in the 5th and 6th grade, talked about teachers quitting and what was Council doing to help them. Mayor Jones reminded Mr. Lovelace the School Board was a separate elected body, they give the same opportunities for citizens to speak as Council. Mayor suggested he go to the School Board, that should have been his first move.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding the Budget Items on the Consent Agenda. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 12 2022. No one present desired to be heard and the Public Hearing was closed.

Council Member Campbell **moved** for approval of the Consent Agenda:

Minutes from the Regular Council Meeting held on June 21, 2022 and Regular Work Session Minutes held on June 21, 2022. Draft copies of the minutes had been distributed prior to the meeting.

Budget Appropriation – Amending the Fiscal Year 2023 Budget Appropriation Ordinance for Tobacco Revitalization Funds for Construction of a Shell Building in the Cyber Park

An Ordinance entitled, Ordinance No. 2022-07.04 Amending the Fiscal Year 2023 Budget Appropriation Ordinance for One Southern Virginia Program Grant #3360 in the Amount of \$1,000,000 from the Virginia Tobacco Region Revitalization Commission and Appropriating the Same.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

NEW BUSINESS

CONSIDERATION OF AUTHORIZING THE US DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA TO CONDUCT HEARINGS AND TRIALS AT THE JAMES F. INGRAM JUSTICE CENTER

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

RESOLUTION NO. 2022-07.04

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE AUTHORIZING AND APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF DANVILLE AND THE

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UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, DANVILLE DIVISION, TO CONDUCT HEARINGS AND TRIALS AT THE JAMES F. INGRAM JUSTICE CENTER.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

CONSIDERATION OF VDOT SMART SCALE PROJECT APPLICATIONS

CONSIDERATION OF APPROVING AND AUTHORIZING A SMART SCALE APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROPOSED RIVERSIDE DRIVE IMPROVEMENTS FROM PINEY FOREST ROAD TO AUDUBON DRIVE

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

RESOLUTION NO. 2022-07.05

A RESOLUTION APPROVING AND AUTHORIZING THE ENDORSING OF A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF RIVERSIDE DRIVE IMPROVEMENTS FROM PINEY FOREST ROAD TO AUDUBON DRIVE

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

CONSIDERATION OF APPROVING A SMART SCALE APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROPOSED CONSTRUCTION OF RIVERSIDE DRIVE IMPROVEMENTS FROM AUDUBON DRIVE TO ARNETT BOULEVARD

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

RESOLUTION NO. 2022-07.06

A RESOLUTION APPROVING AND AUTHORIZING THE ENDORSING OF A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF RIVERSIDE DRIVE IMPROVEMENTS FROM AUDUBON DRIVE TO ARNETT BOULEVARD.

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

VOTE: 8-0-1

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AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

CONSIDERATION OF APPROVING AND AUTHORIZING A SMART SCALE APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROPOSED RIVERSIDE DRIVE IMPROVEMENTS FROM ARNETT BOULEVARD TO MAIN STREET

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

RESOLUTION NO. 2022-07.07

A RESOLUTION APPROVING AND AUTHORIZING THE ENDORSING OF A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF RIVERSIDE DRIVE IMPROVEMENTS FROM ARNETT BOULEVARD TO MAIN STREET.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

CONSIDERATION OF APPROVING AND AUTHORIZING A SMART SCALE APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROPOSED IMPROVEMENTS ALONG PINEY FOREST ROAD FROM NOR DAN DRIVE TO BEAVERS MILL ROAD

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

RESOLUTION NO. 2022-07.08

A RESOLUTION APPROVING AND AUTHORIZING THE ENDORSING OF A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED IMPROVEMENTS ALONG PINEY FOREST ROAD FROM NOR DAN DRIVE TO BEAVERS MILL ROAD.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

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CONSIDERATION OF APPROVING AND AUTHORIZING A SMART SCALE APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROPOSED CONSTRUCTION OF PIEDMONT DRIVE PEDESTRIAN ACCOMMODATIONS

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

RESOLUTION NO. 2022-07.09

A RESOLUTION APPROVING AND AUTHORIZING THE ENDORSING OF A SMART SCALE APPLICATION BY THE DANVILLE METROPOLITAN PLANNING ORGANIZATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF PIEDMONT DRIVE PEDESTRIAN ACCOMMODATIONS.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

CONSIDERATION OF APPROVING AND AUTHORIZING A SMART SCALE APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF A CONNECTOR ROAD EXPANSION AT BERRY HILL MEGA SITE

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

RESOLUTION NO. 2022-07.10

A RESOLUTION APPROVING AND AUTHORIZING THE ENDORSING OF A SMART SCALE APPLICATION BY THE DANVILLE METROPOLITAN PLANNING ORGANIZATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF A CONNECTOR ROAD EXPANSION AT BERRY HILL MEGASITE

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

Mr. Saunders noted Council just approved several resolutions with regard to transportation, and his question was, did the City have funds allocated already for all these projects, or were these a procedure the City has to follow and the funds may come in over a period of time. Assistant Director of Public Works and Chief Engineer Brian Dunevant noted these were applications applying for funding; the City currently did not have funding for any of these projects.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSENT: Mayo (1)

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**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2023
BUDGET APPROPRIATION ORDINANCE FOR A GRANT FROM THE DEPARTMENT OF
CRIMINAL JUSTICE SERVICES IN THE AMOUNT OF \$150,000**

Upon **Motion** by Council Member Buckner and **second** by Vice Mayor Miller, an Ordinance entitled:

ORDINANCE NO. 2022-07.05

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FOR A DEPARTMENT OF CRIMINAL JUSTICE SERVICES GRANT TO SUPPORT THE PROJECT IMAGINE SPORTS BASED YOUTH DEVELOPMENT PROGRAM IN THE AMOUNT OF \$150,000.

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

COMMUNICATIONS

There were no communications from the Deputy City Manager, City Attorney or City Clerk.

Council Member Buckner thanked the Danville Police Department for the invitation to the memorial for Officer Bonnie Jones that took place this morning; it was a group from Washington State that came to Danville, riding motorcycles the entire way. It was a very beautiful tribute to 608 fallen officers in 2021 and was very honored to be a part of it.

Council Member Campbell noted it was a great conversation this evening and believed every Council Member here believed that education was their top priority, and that it will take the entire community to come together. Smart Beginnings program was for Pre-K to third grade, Stayhood Empowerment Apprenticeship Program and Kenny Lewis' program of a Six Book Summer Reading program were programs already in place. These programs can make a big difference when schools start back up and keeping the children on track.

Council Member Hood noted they were in their third week of the ACE Academy and using poetry as lyrics to build a song about Danville, that will be the ending part of the program. They were watching youth that were able to express themselves creatively, speaking out loud in front of a group for the first time. Mr. Hood congratulated KaZelle & Co for their youth talk show which was very informative, and noted he supports that whole movement. Tomorrow, at OT Bonner Middle School from 4:00 to 7:00 p.m. God's Final Call and Warning will have a free food giveaway; it was amazing the amount of items they give away to the entire community. DPS Parent and Student Community engagement event was today and he had the opportunity to attend.

Vice Mayor Miller noted he does not think any member of Council was happy with the school system's performance over the last several years, and they all want to work together to improve it. It was important to have good facilities, but there were many programs going on as well. The School Board has been working very hard to improve children's education; they want all children to get a good education. For years there have been children that have made it to the eighth grade and were reading at the second grade level; this was not unique to Danville. Council knows there were problems and they want to help, but the School Board was at the forefront. Dr. Miller recognized Charlene Pressley from Parks & Rec; there was a concert at the Community Market when an emergency occurred in the ladies' room, Ms. Pressley took charge and got the woman help; there were so many good people that work for the City and bend over backwards to help others. Dr.

July 19, 2022

Miller also spoke about Joe Mantiply a relief pitcher for the Arizona Diamondbacks who made it to the All Star Team; he used to pitch for Tunstall.

Council Member Saunders noted people have the opportunity every two years to serve on the Danville School Board, it was an elected body; it was a very important job, and thanked all those that have served, were serving and will serve. Mr. Saunders asked all citizens to say encouraging words to the students and teachers, to be supportive of them, thanked Mr. Whittle for his questions about the school plans, and Mr. Vogler's statement about consistency. The City Council and School Board working together was important and does not remember the last time Council and School Board met jointly. Danville has some great students, they were the present and the future, economic development was thriving in the City and will continue to need trained, educated workers for those jobs. Mr. Saunders encouraged students to stay in school, learn all they can and asked citizens to encourage students, teachers, and everyone involved in moving the City forward.

Council Member Vogler thanked the Mayor for tonight's meeting noting he started the night with a prayer talking about the City's young people and Council all spoke about the young people. Council often gets asked what things were there for the young people to do, and there were many and some were free. The Dan River Church has a free indoor playground that was available to anyone, Parks & Rec does a number of programs throughout the year and had some free programs at the Library, a lot of people don't realize they were there. Youth football and Youth cheerleading sign ups were going on right now and encouraged citizens to sign their children up. Mr. Vogler noted this City Council was ready to get in the trenches to help the schools; protocol be damned, they were going to do whatever it takes to get it right.

Mayor Jones thanked Mr. Vogler for his prayer, praying for the youth was a very affirming and effective prayer. Today was the graduation for the police officers, they had nine candidates graduate and congratulated them. Mayor Jones recognized Tyrell Payne from the Danville School Board, noting that being on the school board was not easy. Dr. Hairston had talked about negativity; he wanted the school board members to be encouraged and thanked them for what they were doing for the students. Mayor Jones asked the Deputy City Manager to speak with the City Manager to bring back the Youth Council; he wanted to get more partners involved and have it grow. Also, what can Council do to help the morale of Danville Public Schools; if Council has to lead the way on telling about the great things teachers and staff were doing in the Danville Public Schools, they will do that. Mayor Jones noted there were appreciation days for Danville City staff and questioned if Danville Public Schools could partner with the City for appreciation days; anything they can do to let the school staff members know that Council was going to help change the morale in Danville Public Schools.

ADJOURNED: 8:30 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2796

Consent Agenda C.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: Amendment to Fiscal Year 2021-22 Annual Action Plan for Supplemental HUD HOME-ARP Funding

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

First Reading: 08/02/2022

Final Adoption: 08/16/2022

SUMMARY

The City of Danville is a participating jurisdiction under the U.S. Department of Housing and Urban Development (HUD). Under this designation, the City receives Community Development Block Grant (CDBG) and HOME Investments Partnership Program (HOME) funds annually. The City has received a supplemental funding agreement from HUD in the amount of \$990,667, and needs to appropriate the money to be used for providing housing and shelter related programs.

BACKGROUND

The City has been notified that it will receive \$990,667 in Fiscal Year 2021 HOME Investment Partnerships Program - American Rescue Plan (HOME_ARP) funding for use in homeless assistance. This funding must be used to assist qualifying populations at risk of homelessness, fleeing or attempting to flee domestic violence, dating violence sexual assault, stalking or human trafficking. This is allowed to be accomplished via four eligible activities including preservation of affordable housing, tenant-based rental assistance; supportive services and the purchase or development of non-congregate shelter for individuals and families experiencing homelessness.

In order to comply with these limited use of funds, the City has partnered with the House of Hope to expand their facilities to provide space for families experiencing homelessness. Their current facility does not allow for the housing of families which has been an issue. Additional funding is being used to offset operating expenses associated with the expansion. The City will use the remainder of the funds to continue Housing Division programs, and to restart the tenant based rental assistance (TBRA) program it operated during COVID with previous ARP funds that were only allowed to be used for TBRA activities.

RECOMMENDATION

It is recommended that City Council adopt the attached Budget Appropriation Ordinance appropriating \$990,667 from HUD for Fiscal Year 2021-22 for use in reducing homelessness and eviction prevention related programs.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2022-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE FOR PROJECTS TO BE OR BEING UNDERTAKEN TO IMPROVE THE DANVILLE COMMUNITY FINANCED WITH HOME-ARP FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FOR A TOTAL APPROPRIATION OF \$990,667.

WHEREAS, the United States Department of Housing and Urban Development has made available for Federal Fiscal Year 2021, \$990,667 in HOME-ARP funds to be used for projects to serve and prevent homelessness in the Danville community.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2023 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenue from HOME - ARP and appropriating the same as follows:

ESTIMATED/ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
HOME House of Hope Federal Aid CARES/ARP	61752000-48060	<u>\$ 990,667</u>

ESTIMATED/ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
HOME House of Hope	61752999-50	<u>\$ 990,667</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 2022 Budget Appropriations Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2828

Appointments A.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: Consideration of Appointments to Boards and Commissions

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 08/16/2022

SUMMARY

Consideration of Appointments to the following Boards and Commissions:
Council Letter Number CL - 2828.

1. Community Improvement Council
2. Commission of Architectural Review

Attachments

Resolutions

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022 – 08. ____

**A RESOLUTION REAPPOINTING TYRELL PAYNE AS A MEMBER OF THE
COMMUNITY IMPROVEMENT COUNCIL.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Tyrell Payne be, and he is hereby reappointed as a member of the Community Improvement Council for a two-year term commencing September 1, 2022 and ending August 31, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022 – 08 . ____

**A RESOLUTION REAPPOINTING JACKSON WELLER AS A MEMBER OF
THE COMMISSION OF ARCHITECTURAL REVIEW.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Jackson Weller be, and he is hereby reappointed as a member of the Commission of Architectural Review for a five year term commencing September 1, 2022 and ending August 31, 2027.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022 – 08 . ____

**A RESOLUTION REAPPOINTING SONJA INGRAM AS A MEMBER OF THE
COMMISSION OF ARCHITECTURAL REVIEW.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Sonja Ingram be, and she is hereby reappointed as a member of the Commission of Architectural Review for a five year term commencing September 1, 2022 and ending August 31, 2027.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022 – 08 . ____

A RESOLUTION REAPPOINTING ROBERT WEIR AS A MEMBER OF THE COMMISSION OF ARCHITECTURAL REVIEW.

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Robert Weir be, and he is hereby reappointed as a member of the Commission of Architectural Review for a five year term commencing September 1, 2022 and ending August 31, 2027.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022 – 08 . ____

**A RESOLUTION APPOINTING KARL ALMQUIST AS A MEMBER OF THE
COMMISSION OF ARCHITECTURAL REVIEW.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Karl
Almquist be, and he is hereby appointed as a member of the Commission of Architectural
Review for a five year term commencing September 1, 2022 and ending August 31, 2027.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2824

New Business A.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: General Fund Monthly Financial Report

From: Michael Adkins, Director of Finance

COUNCIL ACTION

Business Meeting: 08/16/2022

SUMMARY

A summary of the preliminary, unaudited financial results for the fiscal year ended June 30, 2022, will be given. Preliminary financial statements are included.

Attachments

Financial Statements



To: Ken F. Larking, City Manager

From: Michael L. Adkins, Director of Finance

Date: August 5, 2022

Subject: Summary of Preliminary General Fund Financial Results for June 30, 2022

The accompanying June 30, 2022, financial statements are preliminary and unaudited. Many of the year-end closing entries are dependent upon third-party reports from actuaries, insurance administrators, and others. We still have several outstanding items to prepare and post, but we believe all material items are recorded at this time. As you review the financial statements, please be mindful that some balances will change. Despite the outstanding items, the financial statements presented here should give a good indication of General Fund financial performance for FY 2022.

Unaudited results for the fiscal year ended June 30, 2022, show revenues at budget at 99.7%, reflecting a 2.6% increase or \$3 million over the prior year. Revenue exceeded budgeted collections in property taxes, other local taxes, recovered cost, and shared expenses (categorical state aid) revenue. Expenditures show a positive budget variance, with actual expenditures totaling \$117.2 million compared to the original budget of \$126.3 million. The primary source of this positive variance relates to unexpended support to Danville Public Schools; these funds will be earmarked for the Schools and carried over to the next fiscal year as part of the restricted fund balance. Vacancy savings in all departments was the significant contributor to the remainder of the positive expenditure variance. Although we have positive budget variances, actual expenditures exceeded revenue by \$282,817. Further, due to an overall decrease in items comprising restricted, assigned and otherwise committed fund balance, approximately \$397,000 will be added to our unassigned fund balance.

Current real estate tax revenue amounted to approximately \$18.6 million through June 30, which represents 100.2% of the FY 2022 budget and essentially identical to the prior fiscal year revenue. Delinquent real estate collections exceeded budget with \$1.1 million (105%) realized for FY 2022. Current personal property tax collections were ahead of budget with collections through June 30 amounting to \$12.7 million or 110.5% of budget. Collection of delinquent personal property totaled \$1.3 million surpassing the budget of \$976,000. Assessed values of personal property exceeded budgeted expectations, and the continued use of our outside collection agency produced very good results in the collection of delinquent accounts – both in real estate and personal property.

The decrease of \$1.4 million seen in Revenue from Use of Money relates primarily to the year-end market value adjustment on investments. These investments are held to maturity, so this loss from adjusting to market value is temporary and will reverse over time. Charges for Services shows a decrease of \$427,574 from decreased charges for the Jail, Juvenile Detention, and Adult Detention services. A lower than usual census at the facilities resulted in lower costs in these areas as well.

Local taxes collected through June 30 were \$32,703,085 or 107.7% of budget and ahead of prior year-to-date collections of \$30,105,742. Sales tax collections through June amounted to \$10,884,581 or 118% of budget, an increase of \$706,092 from last year, reflecting the capture of online commerce and some inflationary effects. Meals taxes collected for the fiscal year amounted to \$10,076,387 or 106.3% of budget, an increase of \$1.2 million from last year. The lifting of COVID-19 safety mandates in the final months of the prior fiscal year allowed restaurants to continue to operate closer to full capacity. Business Licenses realized at the end of June were \$5,928,912 an increase of \$55,718 from the prior year. Lodging taxes received as of June 30 were \$2,092,661 an increase of \$579,954 from the prior year and ahead of budget at 115.5%. Bank Stock tax revenues are ahead of both budget and the prior year at \$1,022,661. With the exception of utility taxes, vehicles license and DMV fees all other consumer-driven taxes ended the fiscal year at or ahead of the prior year and budget.

Unaudited expenditures at June 30 were \$117,163,327 or 92.8% of budget. This is an increase of \$7 million compared to June 2021, primarily due to budgeted carry-over transfers for schools along with increased costs associated with health insurance benefits. Departmental spending for the year was 92% of budget and shows an increase of \$3.1 million from last year. The most significant increase is attributed to covering one month of public safety salaries with CARES Act funding in the prior year along with smaller increases in general government and judicial.

Non-departmental expenses, mostly comprised of debt service and employee benefits increased \$1.3 million over the prior year and are ahead of budget. The increase is attributable to costs associated with group health insurance.

Total General Fund expenditures currently exceed revenues by \$282,817. Unassigned fund balance at June 30, 2022, is currently \$34.2 million as compared to \$33.8 million at June 30, 2021, an increase of nearly \$400,000. The Finance Department worked with Brown Edwards, our independent auditors in June on preliminary FY 2022 audit work. The auditors will complete final fieldwork in September. As the Finance Department completes the year-end closeout process, I will keep you informed of our progress and any significant changes to the preliminary FY 2022 results.

CITY OF DANVILLE, VIRGINIA

GENERAL FUND REPORT

100% OF YEAR LAPSED AS OF JUNE 30, 2022

PRE-CLOSING FIGURES - SUBJECT TO CHANGE - UNAUDITED

	Budgets & Appropriations For Current Year	Actual Revenues & Expenditures For Year-to-Date	Percent Realized/Expended This Year	Encumbrances	Balance to be Realized/Expended	Actual Revenues & Expenditures At This Date Last Year
REVENUES:						
Property Taxes	\$ 35,412,000	\$ 36,965,039	104.39%		\$ (1,553,039)	\$ 35,746,442
Other Local Taxes	30,364,030	32,703,085	107.70%		(2,339,055)	30,105,742
License Permits & Privilege Fees	1,196,690	695,525	58.12%		501,165	241,518
Fines & Forfeitures	338,050	259,670	76.81%		78,380	291,892
Revenue From Use Money & Property	1,176,580	(344,177)	-29.25%		1,520,757	1,022,129
Charges For Services	3,295,520	2,237,565	67.90%		1,057,955	2,678,069
Miscellaneous Revenue	306,170	230,529	75.29%		75,641	336,256
Recovered Cost	8,145,738	8,447,578	103.71%		(301,840)	8,721,248
Non-Categorical Aid	5,726,620	5,402,077	94.33%		324,543	5,517,737
Shared Expenses (Categ. Aid State)	5,260,160	5,542,376	105.37%		(282,216)	5,110,384
Categorical Aid (State)	9,609,152	8,265,981	86.02%		1,343,171	8,727,463
Emergency Services (Federal)	27,020	27,013	99.97%		7	27,013
Categorical Aid (Federal)	-	65,645			(65,645)	33,773
Transfers From Utilities/Cap Project	16,382,603	16,382,603	100.00%		0	15,353,000
TOTAL REVENUES	\$ 117,240,334	\$ 116,880,510	99.69%		\$ 359,823	\$ 113,912,667
EXPENDITURES:						
General Government Administration	\$ 12,151,779	\$ 11,028,911	90.76%	\$ 368,264	\$ 1,122,868	\$ 10,712,000
Judicial Administration	7,550,810	7,694,900	101.91%	25,341	(144,090)	7,135,822
Public Safety	33,026,689	31,124,303	94.24%	1,311,707	1,902,386	28,934,488
Public Works	4,658,674	4,289,649	92.08%	119,107	369,025	4,220,696
Health, Education, Welfare & Soc. Svc.	9,358,540	7,813,404	83.49%	12,724	1,545,136	7,901,739
Parks, Recreation & Cultural	5,484,032	4,684,010	85.41%	78,028	800,023	4,538,786
Community Development	2,110,985	1,814,564	85.96%	234,212	296,421	1,888,800
Non-Departmental	12,857,073	14,722,695	114.51%	-	(1,865,622)	13,392,364
Transfer to Schools - Operating	33,606,300	28,530,611	84.90%	3,293,325	1,782,364	23,101,521
Transfer to Capital Projects	3,602,460	3,602,460	100.00%	-	-	3,965,679
Transfer to Other Funds	1,881,180	1,857,821	98.76%	-	23,359	4,341,368
TOTAL EXPENDITURES	\$ 126,288,522	\$ 117,163,327	92.77%	\$ 5,442,707	\$ 5,831,870	\$ 110,133,262
Revenue over(under) Expenditures		<u>\$ (282,817)</u>				<u>\$ 3,779,405</u>
FUND BALANCE:						
Beginning Fund Balance 07/01/2021		\$ 47,090,495				\$ 43,311,090
Revenue over(under) Expenditures		(282,817)				3,779,405
Ending Fund Balance 06/30/2022		<u>\$ 46,807,678</u>				<u>\$ 47,090,495</u>
Composition of Fund Balance:						
Reserved for Encumbrances/Designated Funds		\$ 12,579,701				\$ 13,259,872
Unassigned		<u>34,227,978</u>				<u>33,830,623</u>
TOTAL FUND BALANCE 06/30/2022		<u>\$ 46,807,678</u>				<u>\$ 47,090,495</u>

City of Danville, Virginia
Summary of Other Local Tax Revenues - PRE-CLOSING - UNAUDITED
For the period ending June 30, 2022

Description	Current Budget	Revenue Realized	Percentage Realized	Prior Year Budget	Prior Year Realized	Percentage Prior Year
Sales Tax	\$ 10,115,880	\$ 10,884,581	107.60%	\$ 9,150,000	\$ 10,178,489	111.24%
Business Licenses	5,450,000	5,928,912	108.79%	5,250,000	5,413,194	103.11%
Meals Tax	9,471,320	10,076,387	106.39%	8,645,000	8,887,169	102.80%
Utility Taxes	940,000	938,023	99.79%	967,000	930,704	96.25%
Vehicle License Fees	1,000,000	951,360	95.14%	990,000	1,018,883	102.92%
Bank Stock Tax	940,000	1,022,661	108.79%	900,000	1,008,685	112.08%
Recordation Tax	200,000	353,935	176.97%	180,000	391,854	217.70%
Hotel Motel Tax	1,811,630	2,092,661	115.51%	1,600,000	1,512,707	94.54%
Daily Property Rental Tax	13,200	15,972	121.00%	15,000	12,364	82.43%
Motor Vehicle Tax	162,000	212,479	131.16%	175,000	199,680	114.10%
DMV Fees	260,000	226,114	86.97%	245,000	222,481	90.81%
TOTAL	\$ 30,364,030	\$ 32,703,085	107.70%	\$ 28,117,000	\$ 29,776,211	105.90%

**CITY OF DANVILLE, VIRGINIA
GENERAL FUND
COMPOSITION OF FUND BALANCE
PRELIMINARY - AS OF June 30, 2022**

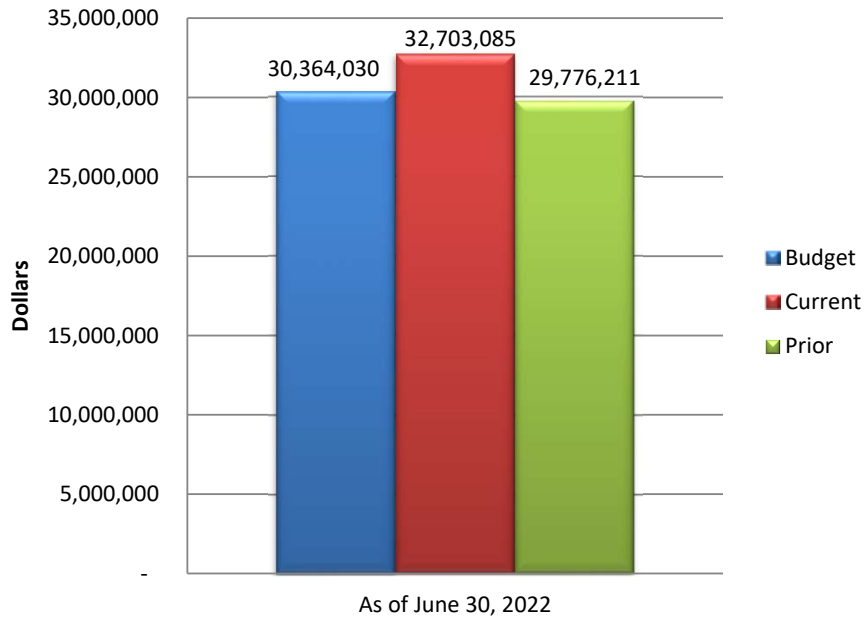
Beginning Total Fund Balance, July 1, 2021	\$ 47,090,495.25
Add: General Fund Revenues	116,880,510.31
Deduct: General Fund Expenditures	<u>(117,163,327.25)</u>
Ending Total Fund Balance, June 30, 2022	<u><u>\$ 46,807,678.31</u></u>

Composition of Fund Balance:

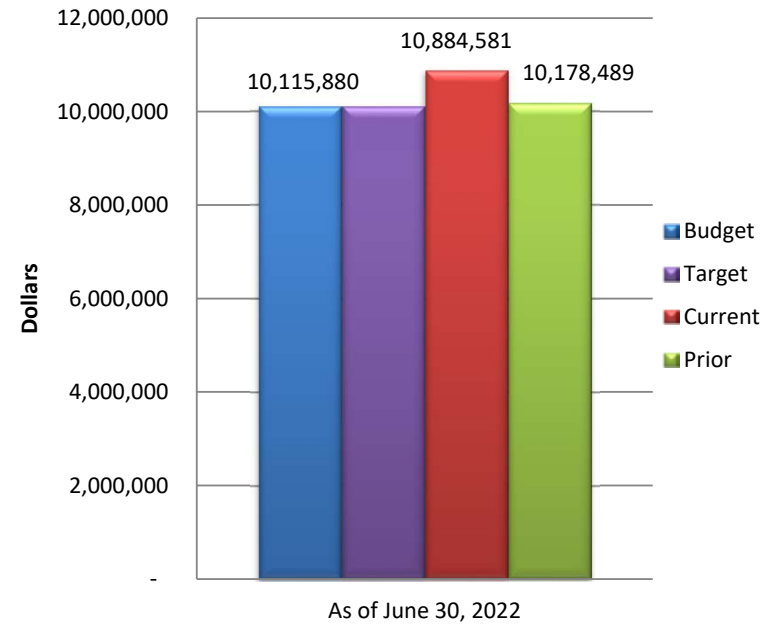
Restricted for Commonwealth Attorney	\$ 103,683.31
Restricted for Police Department	42,835.76
Restricted for Fire Department	134,937.12
Committed for Sheriff's Department	-
Committed to Schools	5,073,003.27
Committed to Budget Stabilization	3,000,000.00
Assigned to Community Development	35,970.70
Assigned for Encumbrances	2,149,381.56
Nonspendable (Inventory and Prepaids)	2,039,888.80
UNASSIGNED	<u>34,227,977.79</u>
Total Fund Balance, June 30, 2022	<u><u>\$ 46,807,678.31</u></u>

Unassigned fund balance from above	\$ 34,227,977.79
Unassigned Minimum per policy (20% of General Fund Operating Revenues) based on FY 2022 budget	<u>23,448,066.75</u>
Current surplus (deficit) over (under) minimum	\$ 10,779,911.04

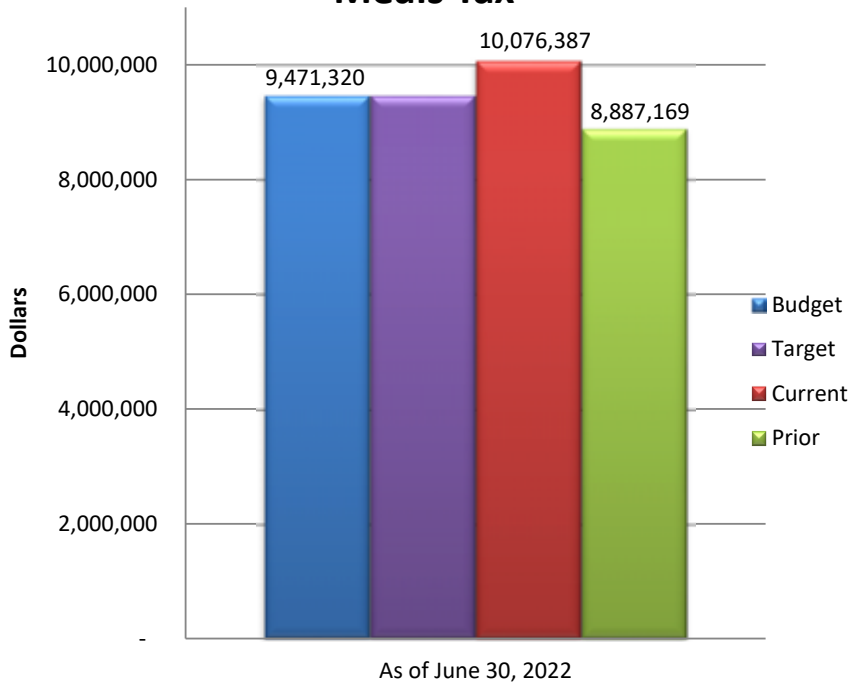
Local Taxes



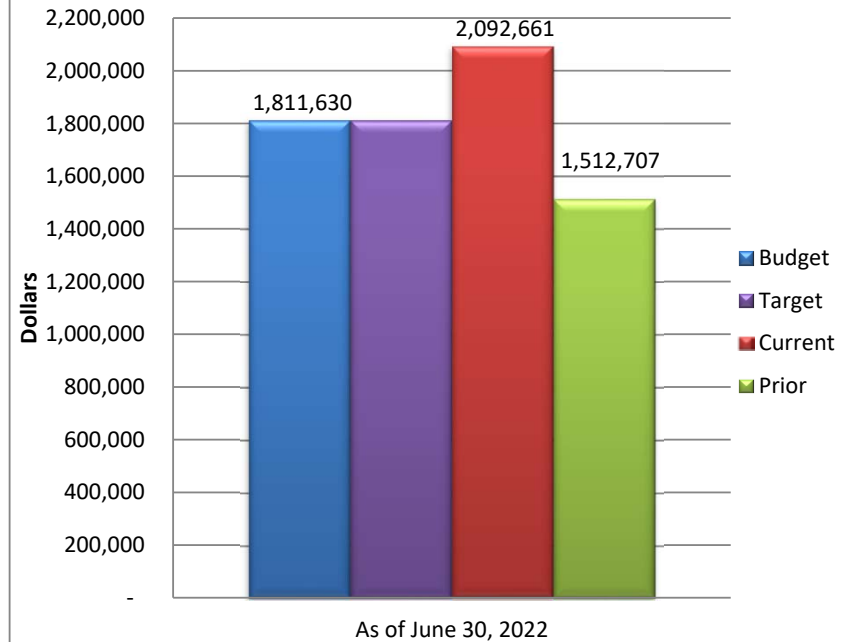
Sales Tax



Meals Tax

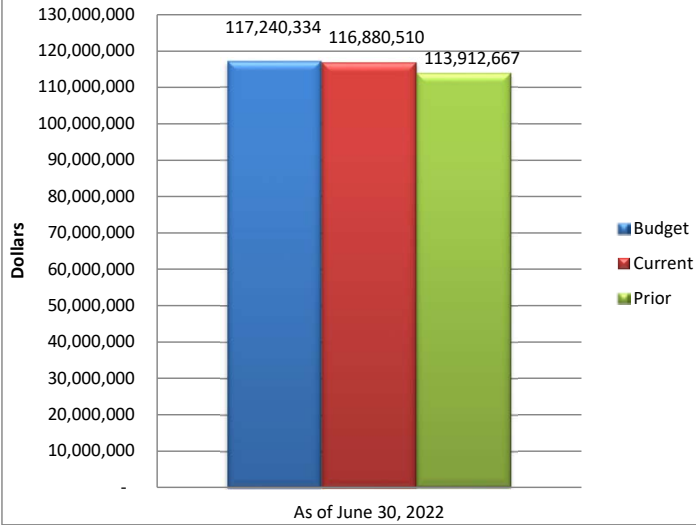


Lodging Tax

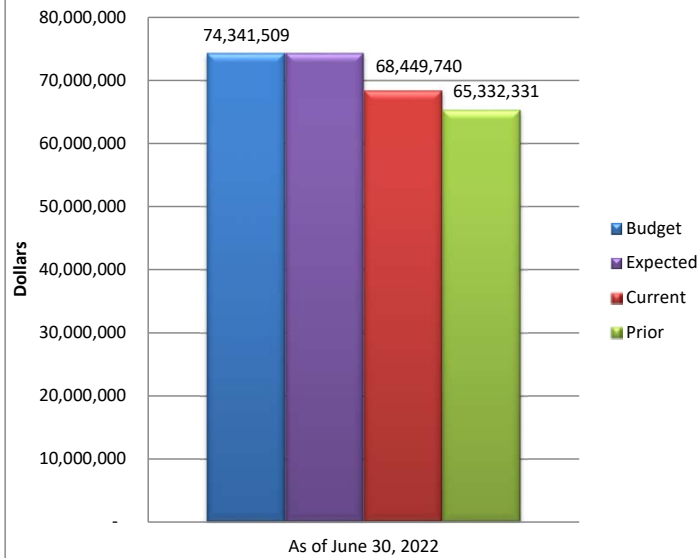


Total Revenues

(excluding bonds)

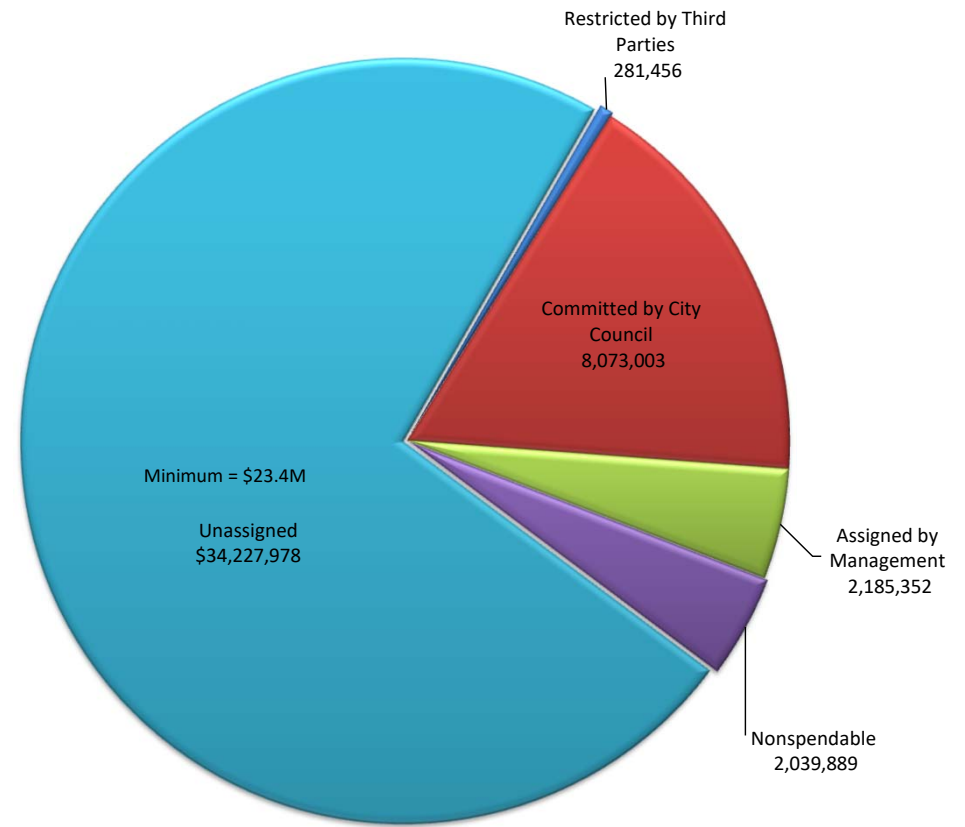


Departmental Spending



Fund Balance - General Fund

as of June 30, 2022



Total Fund Balance \$46,807,678

Council Letter

City of Danville, Virginia



CL-2802

New Business B.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: Mount Cross Road Utility Easement-Water Meter Vault

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 08/16/2022

SUMMARY

Utilities staff has been able to negotiate a proposed \$5,000 permanent easement with the property owner of Pittsylvania County Parcel #2308-72-3185 at the Danville-Pittsylvania County line that will allow the City to move a water metering vault at the intersection of Old Mount Cross Road/Mount Cross Road to the City/County line. This will allow for improved measurement of water to Pittsylvania County. The current method of measurement requires a complex billing adjustment to calculate water sold to Pittsylvania County. Attached is a map and parcel information.

BACKGROUND

When the City annexed part of Mount Cross Road in the 1980s, the water metering vault located at the corner of Old Mount Cross Road and Mount Cross Road was never moved to the new City-County boundary line. Moving the metering vault has been an ongoing effort by the Utilities department, but staff has been unable to find a suitable location with a property owner willing to provide an easement until now. The easement would account for any potential road widening that may or may not be done in the future. The parcel is currently a wooded lot with no plans to develop the property.

RECOMMENDATION

Staff recommends that Danville City Council approve the proposed \$5,000 easement that will allow the Mount Cross Road water metering vault to be moved to the Danville-Pittsylvania County line on Mount Cross Road to allow for improved measurement.

Attachments

Resolution

Parcel Information

Illustration

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-____.____

A RESOLUTION OF THE CITY COUNCIL OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING THE EXECUTION OF A PERMANENT UTILITY EASEMENT ON PARCEL NUMBER 2308-72-3185 IN PITTSYLVANIA COUNTY, VIRGINIA, FOR A PRICE OF \$5,000 PLUS REASONABLE RECORDING COSTS.

WHEREAS, the City of Danville owns and maintains a water metering vault located at the intersection of Old Mount Cross Road and Mount Cross Road; and

WHEREAS, the City of Danville, through its Utility Department has an interest in acquiring a utility easement to relocate the Mount Cross Road water metering vault to the Danville-Pittsylvania County border to improve water measurement to Pittsylvania County; and

WHEREAS, the owner of this property desires to enter into the proposed easement with the City, to allow access and locate the water metering vault on their property.

NOW THEREFORE, BE IT RESOLVED by the City Council of Danville, Virginia, that it hereby approves and authorizes the permanent utility easement for Pittsylvania County parcel 2308-72-3185 for a price of \$5,000.00 plus any applicable recording costs; and

BE IT FURTHER RESOLVED that the City Manager, Kenneth F. Larking, be and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to complete the above referenced purchase and effect such conveyance to the City of Danville.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Parcel ID: 2308-72-3185
 Account Number: 16300-39-0A-0070-0
 Property Address N/A

General Information

Owner Name:	DEVANEY, KRISTIE HALL
Owner Address:	309 MCDADE FARM RD RALEIGH, NC 27616
Property Description:	CARTER SPRINGS CO SUBD LOT 70 SEC A
Use Description:	N/A
Total Acreage:	0
Square Footage:	N/A
Zoning Description:	R-1 RESIDENTIAL SUBURBAN SUBDIVISION DISTRICT

Township Description:	01 TUNSTALL MAGISTERIAL DISTRICT
Neighborhood Description:	100 0%
Map Sheet:	N/A
Current Owner Deed Book/Page:	LR20/02601
Deed Date:	6/10/2020
General Remarks:	N/A
Previous Sold Price:	\$

Building Details

Year Built:	N/A
Effective Year Built:	N/A
Number of Stoies :	N/A
Building Area:	N/A
Building Class:	N/A
Building Description:	N/A
Building Remarks:	N/A
Building Grade Factor:	N/A
Building Grade Amount:	N/A

Interior

Basement Area:	N/A
Basement Finished Percentage:	N/A
Main Attic - Finished Area SqFt:	N/A
Main Attic - Unfinished Area SqFt:	N/A
Attic Area:	N/A
Attic Finished Percentage:	N/A
Number of Rooms:	N/A
Number of Bedrooms:	N/A
Full Baths:	N/A
Half Bath:	N/A
Fireplace:	N/A
Chimneys:	N/A
Floor Description:	N/A
Interior Description:	N/A

Exterior

Condition Description:	N/A
Road Description:	01 PAVED
Found Description:	N/A
Structure Description:	N/A
Style Description:	N/A
Exterior Wall Description:	N/A
Roof Description:	N/A

Utilities

Fuel Description:	N/A
Heat Description:	N/A
Air Description:	N/A
Fire Description:	N/A
Main Heating Area SqFt:	N/A
Main Air Conditioned Area SqFt:	N/A
Main Fire Place Area SqFt:	N/A

Assessments Information

Last Appraiser:	N/A
Last Appraised Date:	N/A
Building Undepreciated Value:	N/A
Building Physical:	N/A
Active Building Value:	N/A
Building Subtotal:	N/A
Total Land Value:	\$10,000
Total Building Value:	\$

Total Market Value:	\$10,000
Total Use Deferment:	0
Total Net Value:	\$10,000
Previous Land Value:	\$10,000
Previous Building Value:	\$
Previous Use Deferment:	\$
Previous Net Value:	\$10,000
Total Improvement:	\$

Legend

- ▣ Assessed Parcels
- ▣ Parcels
- ▣ County Boundary



Feet
0 25 50 75 100
1:1,128 / 1"=94 Feet

Title: 2308-72-3185

Date: 7/5/2022

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

DANVILLE UTILITIES

PROPOSED WATER VAULT LOCATION

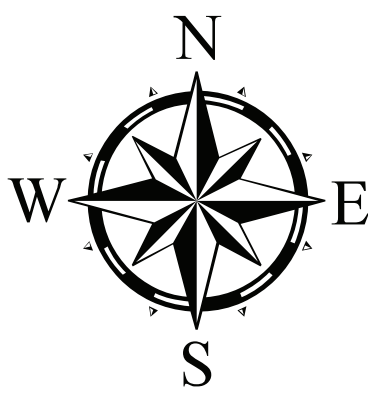
MT. CROSS RD.

PROPOSED WATER
VAULT LOCATION

Street Name	Water Customers
Mt. Cross Rd.	27
Parker Rd	4
Dimon Dr.	1
Womack Dr.	2
Total	34

APPROXIMATELY .8 MILES FROM
EXISTING VAULT LOCATION TO
PROPOSED NEW VAULT LOCATION

EXISTING WATER
VAULT LOCATION



Legend

- City/County Boundary
- City Property Line
- County Property Line
- Easement
- Water Vault
- Existing Danville City Water Main
- Existing County Water Lines
- New Water Lines

0 0.025 0.05 0.1
Miles

Council Letter

City of Danville, Virginia



CL-2804

New Business C.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: Page Road Pumping Station Property Acquisition from Pittsylvania County

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 08/16/2022

SUMMARY

As part of the water infrastructure needed to serve the Southern Virginia Megasite (SVMS), the City has negotiated, through a memorandum of understanding with the Danville-Pittsylvania Regional Industrial Facility Authority and Pittsylvania County, the purchase of the pumping station for \$64,270. The pumping station has been dormant since 2010, but utilities staff is looking to put the station back into service to serve the SVMS and other potential needs in Pittsylvania County. The station is located beside the City's Moorefield Bridge Road Water Tank near Westover Drive. The pumping station is capable of providing up to one million gallons of water per day to the SVMS and/or Pittsylvania County.

BACKGROUND

In order to serve the Southern Virginia Megasite (SVMS) with substantial water capacity, the City will need to acquire and restore the Page Road pumping station off of Westover Drive. The SVMS was designed with a daily water capacity of seven million gallons per day. Up to six million gallons per day will be provided through a separate service from the City of Eden, NC. The remaining one million gallons per day will be provided through this station to the SVMS and other parts of Pittsylvania County. The memorandum of understanding was approved by the City of Danville, Danville-Pittsylvania Regional Industrial Facility Authority, and Pittsylvania County in June 2021.

RECOMMENDATION

Staff recommends that Danville City Council approve the property acquisition of the Page Road pumping station from Pittsylvania County in order to serve the water capacity needed at the Southern Virginia Megasite.

Attachments

Resolution

MOU

Parcel information

Berry Hill water profile

Attachment - Deed

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION OF THE CITY COUNCIL OF DANVILLE, VIRGINIA APPROVING THE PURCHASE AND ACQUISITION OF THE PAGE ROAD WATER PUMPING STATION PARCEL NUMBER 1388-51-3619, OWNED BY THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY, FOR A PURCHASE PRICE NOT TO EXCEED \$64,270 AND RECORDING COSTS.

WHEREAS, the City of Danville, Virginia (the "City"), the Danville-Pittsylvania Regional Industrial Facility Authority (RIFA), and the County of Pittsylvania, Virginia (the "County") entered into a memorandum of understanding in June 2021 for the acquisition of the Page Road pumping station and other water infrastructure assets to serve the Southern Virginia Megasite at Berry Hill (the "SVMS"); and

WHEREAS, the City, through its Utility Department has the responsibility to serve the water needs of any tenants at the SVMS by providing up to one million gallons per day of water capacity from this pumping station; and

WHEREAS, the City will own and operate the station to provide a redundant source of water to the County, up to one million gallons per day of water capacity to the SVMS and to improve water quality for the City water customers currently being served off of the Moorefield Bridge Road tank.

NOW THEREFORE, BE IT RESOLVED by the City Council of Danville, Virginia, that it hereby approves and authorizes the purchase of the Page Road pumping station located in Pittsylvania County (Parcel Number 1388-51-3619), from the Board of Supervisors of Pittsylvania County for a purchase price not to exceed \$64,270.00 plus associated recording costs; and

BE IT FURTHER RESOLVED that the City Manager, Kenneth F. Larking, be and he is hereby, authorized to execute on behalf of the City all documents as may be

necessary to complete the above referenced purchase and effect such conveyance to the City.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney



Letter of Transmittal

May 18, 2021

To:

Ken Larking, Manager
City of Danville
P. O. Box 3300
Danville, VA 24543

From:

Hollye Keesee
Pittsylvania County
P. O. Box 426
Chatham, VA 24531

Mr. Larking-

Please see the included MOU for the Megasite for your signature.

If you have any questions, please feel free to call me at (434) 432-7710 or email me at hollye.keesee@pittgov.org.

Thank you.

A handwritten signature in blue ink, reading "Hollye Keesee", is written over a horizontal line.

Hollye Keesee
County Administration
Executive Assistant

MEMORANDUM OF UNDERSTANDING - MEGASITE

This **MEMORANDUM OF UNDERSTANDING – MEGASITE** (“**MOU**”) is hereby made and entered, by and among the County of Pittsylvania, Virginia (the “**County**”), the City of Danville, Virginia (the “**City**”), , and the Danville-Pittsylvania Regional Industrial Facility Authority (“**RIFA**”) (singularly the “**Party**,” collectively the “**Parties**”).

A. RECITALS AND PURPOSE:

1. In connection with the formation of RIFA, the City and the County entered into that certain Agreement for Cost Sharing and Revenue Sharing dated October 2, 2001, as amended (the “**Cost/Revenue Sharing Agreement**”). Under Paragraph 6.D of the Cost/Revenue Sharing Agreement, each of the City and the County “will be responsible for the cost of utility installation, separate from this [*Cost/Revenue Sharing*] Agreement, for industrial facilities within its service jurisdiction in accordance with its established policies and procedures and the cost for such utility extensions will not be used to compute any dissolution, described herein.”
2. RIFA's Southern Virginia Megasite at Berry Hill (“**MEGASITE**”) is located in the County and sits on the northern side of the state border between Virginia and North Carolina.
3. Pittsylvania County’s Public Works Department, under the Virginia Water and Sewer Authorities Act, provides water and sewer service for all areas of the County, outside the towns of Chatham, Hurt and Gretna, Virginia. The County’s contracts with the City, Henry County Public Service Authority, the Town of Chatham and the Town of Hurt to purchase bulk water to serve its customers. The County does not own or operate water or sewer treatment facilities. Although the County's service jurisdiction includes the MEGASITE's location in the County, the County is not obligated to construct or otherwise to install water and sewer infrastructure.
4. The City of Danville and the City of Eden, a municipal corporation in Rockingham County, North Carolina (the “**City of Eden**”) entered into (i) that certain Agreement dated July 31 2020 (the “**2020 Eden Water Agreement**”), under which the City of Eden will be the City of Danville’s primary source, but not necessarily the sole source, of potable water for distribution by the City of Danville within the MEGASITE for the term thereunder; and (ii) that certain Agreement dated July 31, 2020 (the “**2020 Eden Wastewater Treatment Agreement**”), under which the City of Eden will be the sole source of wastewater treatment for PCSA's service to the MEGASITE.
5. The purpose of this MOU is to outline in reasonable detail the mutual obligations of the Parties regarding providing water and sewer service in the MEGASITE.

B. COMMENCEMENT/TERMINATION OF THIS MOU:

This MOU shall be in full force and legal effect immediately upon execution by the last Party to the MOU, and shall remain in full force and effect until the sooner to occur of the

following: (i) the MEGASITE is fully served by water and sewer infrastructure as determined by RIFA in a writing delivered to the other Parties; or (ii) RIFA no longer owns any land in the MEGASITE and all local performance agreements concerning the MEGASITE, to which RIFA is a party, has been fully performed, as may be evidenced by a writing from RIFA delivered to the other Parties.

C. TERMS, CONDITIONS, AND OBLIGATIONS:

The Parties to this MOU hereby agree to be fully legally bound in all aspects to the below terms, conditions, and obligations contained in this MOU:

1. RIFA and the County hereby consent and transfer to the City the right and responsibility of (i) utility installation to the MEGASITE as contemplated in Paragraph 6.D in the Cost/Revenue Sharing Agreement and (ii) providing water and sewer service to the MEGASITE (collectively, the “**Project**”).
2. The City shall adhere to all the requirements of the Eden Agreements, unless otherwise agreed to by the City of Eden. The County and the City shall use their good faith efforts to have the County released by the City of Eden from further obligations under the Eden Agreements. Prior to such assignment, County and the City shall endeavor to negotiate amendments to the Eden Agreements that prior to the expiration or nonrenewal of the term of either of the Eden Agreements, the City of Eden would be obligated to give at least two (2) years prior written notice to the City.
3. The City shall only serve water and sewer customers with direct service connections onto the lines the City acquires/constructs leading to and within the MEGASITE unless otherwise approved by the Pittsylvania County Board of Supervisors. Nothing in this MOU shall grant permission, and the Pittsylvania County Board of Supervisors does not grant permission, for the City to extend water and sewer mains off the lines connecting the City and City of Eden’s systems to the MEGASITE in order to serve other areas of the County.
4. Water and sewer service rates within the MEGASITE shall be set by the City Council after recommendation from the Danville Utilities Commission.
5. The City shall serve all water and sewer customers according to the City ordinances and policies that currently exist for all those customers, and as may be amended from time to time by the City Council in its sole discretion, as permitted under applicable law.
6. The City shall receive the benefit of all County and RIFA work products necessary to serve the MEGASITE for water and sewer infrastructure (“**SVM Project Work Products**”), and shall reimburse the County and RIFA for their respective construction, engineering, and related grant-matching costs and contributions. The SVM Project Work Products include without limitation infrastructure already constructed and owned by the County the water in the Project supplied/purchased by the County and infrastructure owned and/or under construction by RIFA. For those portions of the SVM Project Work Products paid in part

or in whole with grants, the City will reimburse the County for the actual local match paid in connection with such grant, instead of the costs expended for that particular SVM Project Work Product. Specifically, some of the SVM Project Work Products were funded by the following Tobacco Region Revitalization Commission grants: #3011, #2641, #1581, and #2198. The local match of the County paid in connection with these grants, which shall be reimbursed by the City under this MOU, totals \$792,617.93. For those SVM Project Work Products owned by the County, the City will reimburse the County at their depreciated value as of the date of this MOU. The unpaid balance of the reimbursements under this paragraph shall not accrue interest. Reimbursement payments hereunder by the City shall be made in annual installments of \$200,000.00 each, until paid in full; however, the portion of each such installment to be received by the County and RIFA, respectively, shall be adjusted pro rata, based on each Party's total reimbursement due from the City, relative to the total reimbursement due from the City to all Parties. The first annual reimbursement payment shall be made within ninety (90) days after execution of this MOU.

7. The City will have final approval of the water and wastewater infrastructure design within the MEGASITE. . In such case, The City shall reimburse RIFA and the County for all costs of this work, consistent with Paragraph C.6 above, as the work progresses; however, prior to the commencement of the work, the City, the County and RIFA shall agree upon the specific reimbursement payment schedule.

8. The City, in consultation with RIFA, will determine whether capacity charges are necessary for future recruitment prospects locating in the MEGASITE. The Parties intend for the funds generated from such capacity charges to be used to buy down infrastructure costs within the MEGASITE.

9. If the County uses its Tobacco Commission Southside Allocation to receive grants/loans toward the cost of the Project, a mechanism to pay back that allocation shall be formulated at a future date once the Project produces a positive margin (profit), as determined by the City's Biennial Rate Study.

D. MISCELLANEOUS:

1. **MODIFICATION.** Modifications of the MOU shall be made only by mutual consent of the Parties, by the issuance of a written modification, signed and dated by all Parties, prior to any modifications being made.

2. PRINCIPAL CONTACTS.

County:

David M. Smitherman, County Administrator

City:

Kenneth F. Larking, City Manager

RIFA:

Sherman Saunders, Chairman

3. **GOVERNING LAW; VENUE.** This MOU shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia. If legal action by any 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 Danville, Virginia. If any ambiguity or question of intent or interpretation arises, this MOU shall be construed as if drafted jointly by the parties and no presumptions or burden of proof shall arise favoring or disfavoring any party by virtue of authorship of any of the provisions of this MOU.

4. **MEDIATION.**

(a) Good faith mediation shall be a condition precedent to the filing of any litigation in law or equity by any Party against the other Party or Parties relating to this MOU. The Party initiating mediation hereunder (the "**Initiating Party**") shall give written notice to the other Party (or Parties) (the "**Responding Party**", whether one or more) that the Initiating Party believes that an event of default or impasse under this MOU may have occurred, specifying the circumstances constituting the event of default or impasse. The Responding Party shall prepare and serve a written response thereto within ten (10) business days of receipt of such notice. A meeting shall be held within ten (10) business days after the response between the Parties to attempt in good faith to negotiate a resolution of the dispute or impasse.

(b) If the Parties are unable to resolve the dispute through the process in this Paragraph D.4, the Parties shall attempt to resolve the controversy by engaging a single mediator, experienced in the subject matter, to mediate the dispute. The mediator shall be mutually selected by the Parties to the controversy; however, should the Parties be unable to agree upon a single mediator within five (5) business days of the written response of the Responding Party, the Parties jointly, shall agree upon the selection of a neutral third-party agreed upon by the Parties, to appoint a mediator, experienced and knowledgeable in the matters which are the subject of the dispute or impasse. The costs of the mediator and the mediation shall be shared equally by the Parties to the dispute.

Within two (2) business days of selection, the mediator shall be furnished copies of the notice, this MOU, response, and any other documents exchanged by the Parties. The mediator shall conduct mediation at a location to be agreed upon by the Parties or absent such agreement, by the mediator.

If the Parties and the mediator are unable to effect a settlement within thirty (30) days from selection or such other time as the Parties agree, the mediator shall make a written recommendation as to the resolution of the dispute. Each Party, in its sole discretion, shall accept or reject such recommendation in writing within ten (10) business days after receipt. Failure by a Party to give such a writing within such period of time shall be deemed to be a rejection by that Party.

IN WITNESS WHEREOF, the Parties have executed this **MEMORANDUM OF UNDERSTANDING – MEGASITE** as of the last date written below.

COUNTY OF PITTSYLVANIA, VIRGINIA, a political subdivision of the Commonwealth of Virginia

05 / 19 /2021

By:



David M. Smitherman
County Administrator

CITY OF DANVILLE, VIRGINIA, a Virginia municipal corporation

5 / 27 /2021

By:



Kenneth F. Larking
City Manager

DANVILLE-PITTSYLVANIA INDUSTRIAL REGIONAL FACILITY AUTHORITY, a political subdivision of the Commonwealth of Virginia

6 / 14 /2021

By:



Sherman Saunders, Chairman

Party to give such a writing within such period of time shall be deemed to be a rejection by that Party.

(c) Notwithstanding the preceding subparagraphs of this Paragraph D.4, the Parties reserve the right to file suit or pursue litigation after good faith mediation. The Parties consent to selection of a mediator by any Court shall not constitute consent to jurisdiction of such court or waiver of defenses as to venue or jurisdiction.

5. **LEGAL FEES/COSTS.** At all times under this MOU, each Party shall be responsible for its own legal fees and costs.

6. **NO CONSEQUENTIAL DAMAGES.** Notwithstanding any other provision set forth in this MOU, in no event (including without limitation any termination of this MOU with or without cause) will any Party be liable to the other Party or Parties for any indirect, special or consequential damages whatsoever (including without limitation lost profits), arising out of or relating to this MOU or any Party's performance under this MOU.

7. **SEVERABILITY; HEADINGS.** The invalidity or unenforceability of any particular provision of this MOU shall not affect the other provisions hereof, and this MOU shall be construed in all respects as if such invalid or unenforceable provisions were omitted. The descriptive headings in this MOU are inserted for convenience only and do not constitute a part of this MOU.

8. **NON WAIVER.** No waiver of any term or condition of this MOU by any Party shall be deemed a continuing or further waiver of the same term or condition or a waiver of any other term or condition of this MOU.

9. **COUNTERPARTS.** This MOU may be executed in one (1) or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same MOU. This MOU may be delivered by portable document format (*.pdf) and upon such delivery, the .pdf signature shall be deemed to have the same effect as if the original signature had been delivered to the other Party or Parties.

[SIGNATURES ARE ON FOLLOWING PAGE.]

Exhibit A

("Future Southern Connection")

Parcel ID: 1388-51-3619
Account Number: 161E0-01-0D-0047-0
Property Address N/A



General Information

Owner Name:	BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY VA
Owner Address:	1 CENTER ST CHATHAM, VA 24531
Property Description:	WESTOVER HILLS EXT SUBD LOTS 45-47 BL D .39 AC DB767-156 MAP DB359- 594
Use Description:	N/A
Total Acreage:	0
Square Footage:	N/A
Zoning Description:	RC-1 RESIDENTIAL COMBINED SUBDIVISION DISTRICT

Township Description:	01 TUNSTALL MAGISTERIAL DISTRICT
Neighborhood Description:	100 0%
Map Sheet:	N/A
Current Owner Deed Book/Page:	LR21/03964
Deed Date:	6/23/2021
General Remarks:	N/A
Previous Sold Price:	\$

Building Details

Year Built:	N/A
Effective Year Built:	N/A
Number of Stoies :	N/A
Building Area:	N/A
Building Class:	N/A
Building Description:	N/A
Building Remarks:	N/A
Building Grade Factor:	N/A
Building Grade Amount:	N/A

Interior

Basement Area:	N/A
Basement Finished Percentage:	N/A
Main Attic - Finished Area SqFt:	N/A
Main Attic - Unfinished Area SqFt:	N/A
Attic Area:	N/A
Attic Finished Percentage:	N/A
Number of Rooms:	N/A
Number of Bedrooms:	N/A
Full Baths:	N/A
Half Bath:	N/A
Fireplace:	N/A
Chimneys:	N/A
Floor Description:	N/A
Interior Description:	N/A

Exterior

Condition Description:	N/A
Road Description:	02 GRAVEL
Found Description:	N/A
Structure Description:	N/A
Style Description:	N/A
Exterior Wall Description:	N/A
Roof Description:	N/A

Utilities

Fuel Description:	N/A
Heat Description:	N/A
Air Description:	N/A
Fire Description:	N/A
Main Heating Area SqFt:	N/A
Main Air Conditioned Area SqFt:	N/A
Main Fire Place Area SqFt:	N/A

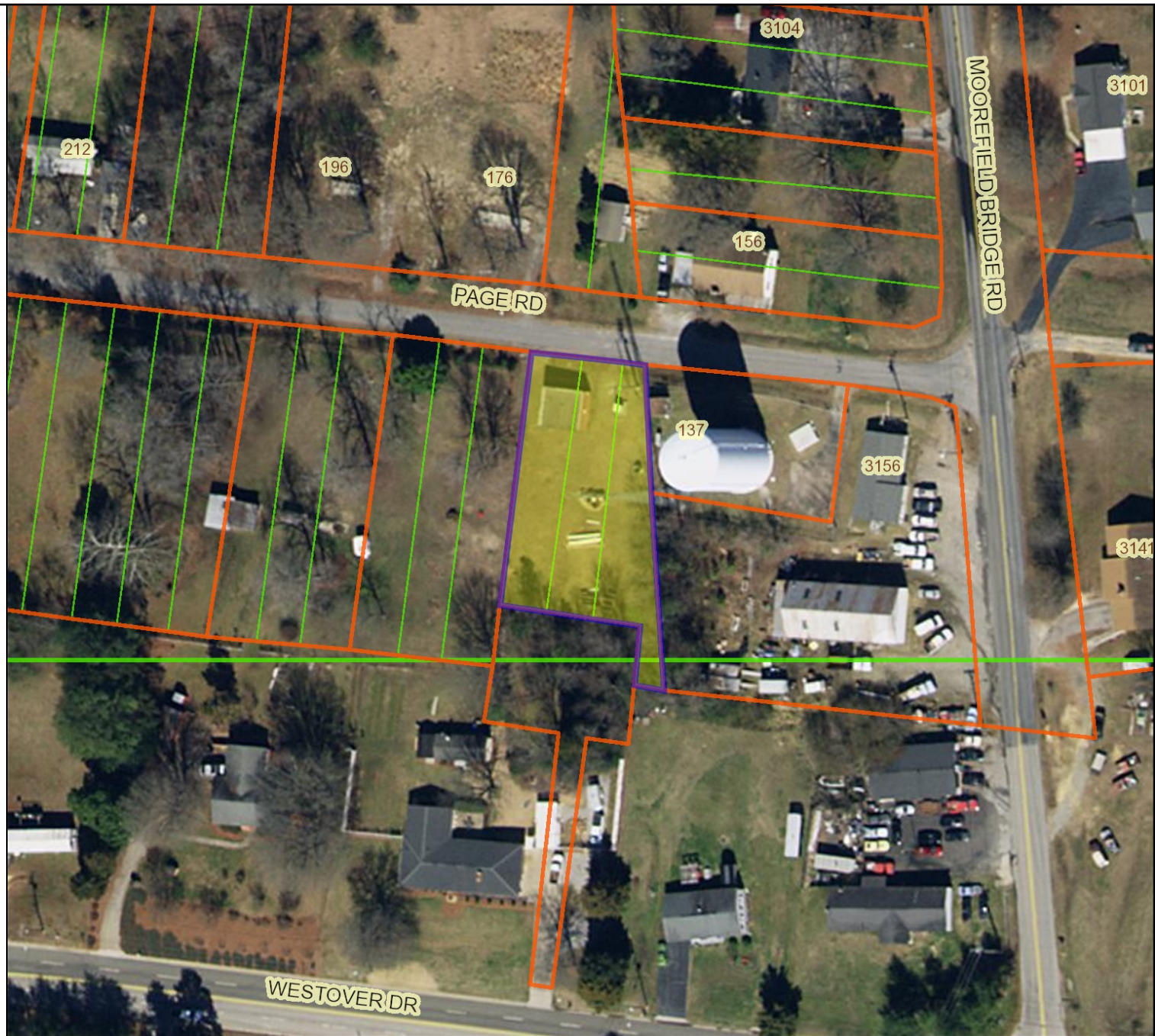
Assessments Information

Last Appraiser:	N/A
Last Appraised Date:	N/A
Building Undepreciated Value:	N/A
Building Physical:	N/A
Active Building Value:	N/A
Building Subtotal:	N/A
Total Land Value:	\$10,000
Total Building Value:	\$21,900

Total Market Value:	\$31,900
Total Use Deferment:	0
Total Net Value:	\$31,900
Previous Land Value:	\$10,000
Previous Building Value:	\$21,900
Previous Use Deferment:	\$
Previous Net Value:	\$31,900
Total Improvement:	\$21,900

Legend

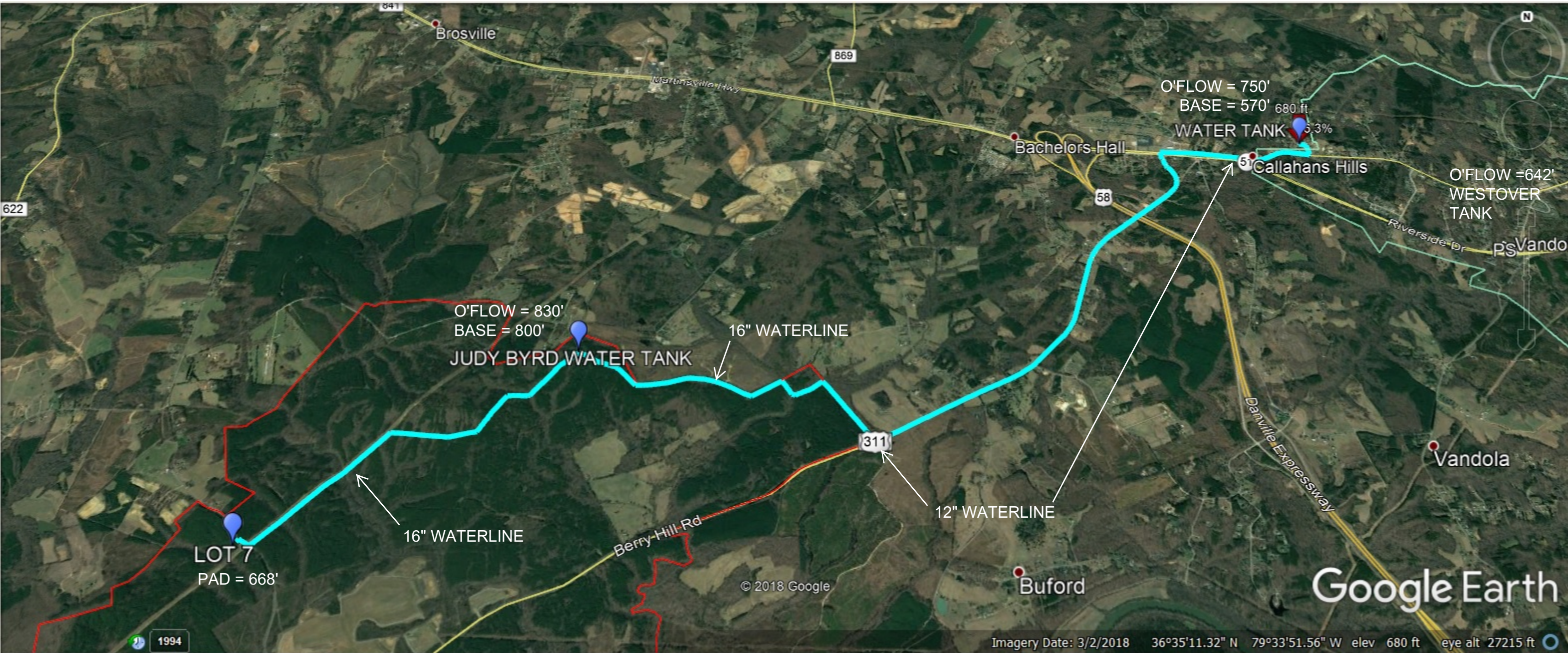
- ▣ Assessed Parcels
- ▣ Parcels
- ▣ County Boundary



Title: 1388-51-3619

Date: 5/3/2022

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



Prepared by and return to:
C. Ryan Dodson, Esq. (VSB #90680)
City of Danville
P.O. Box 3300
Danville, VA 24543

*This deed is exempt from
Grantor's and Grantee's tax
pursuant to Va. Code § 58.1-
811(A)(3), (C)(4) and (D).*

Tax Map/Parcel ID #1388-51-3619

Title Insurance: _____

THIS **DEED OF BARGAIN AND SALE** made this the ____ day of _____, 2022, by and between the **BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY, VIRGINIA**, a Political Subdivision of the Commonwealth of Virginia, **GRANTOR**, and the **CITY OF DANVILLE, VIRGINIA**, a Municipal Corporation of the Commonwealth of Virginia, **GRANTEE**,

W I T N E S S E T H:

FOR SIXTY-FOUR THOUSAND TWO HUNDRED SEVENTY AND 00/100 DOLLARS (\$64,270.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby give and grant, with general warranty and English covenants of title, unto the Grantee, in fee simple absolute, all that certain parcel of land, together with improvements thereon and appurtenances thereto belonging, situate in the County of Pittsylvania, Virginia, and more particularly described as follows:

See attached "Schedule A" for legal description.

This conveyance is made subject to all easements, rights of way, or restrictive covenants now of record or affecting said property.

This conveyance having been authorized by the Board of Supervisors of Pittsylvania County, Virginia by Resolution No. _____ adopted on _____ and by the City Council of the City of Danville, Virginia by Resolution No. _____, adopted on _____, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

The remainder of this page intentionally left blank

WITNESS the following signatures and seals:

GIVEN BY:

**THE BOARD OF SUPERVISORS OF
PITTSYLVANIA COUNTY, VIRGINIA**
a Political Subdivision of the
Commonwealth of Virginia

BY: _____

CLARENCE MONDAY
Interim County Administrator

**COMMONWEALTH OF VIRGINIA
CITY OF DANVILLE, to-wit:**

The foregoing Deed was acknowledged before me this the ____ day of _____, 2022, by **CLARENCE MONDAY**, acting in his capacity as **Interim County Administrator**, on behalf of the Board of Supervisors of Pittsylvania County, Virginia.

BY: _____

NOTARY PUBLIC

My commission expires: _____

Notary registration number: _____

APPROVED AS TO FORM:

BY: _____

J. VADEN HUNT
County Attorney
VSB # _____

ACCEPTED BY:

THE CITY OF DANVILLE, VIRGINIA
a municipal corporation of the
Commonwealth of Virginia

BY: _____
KENNETH F. LARKING
City Manager

COMMONWEALTH OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the _____ day of _____, 2022, by **KENNETH F. LARKING**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY: _____
NOTARY PUBLIC

My commission expires: _____

Notary registration number: _____

APPROVED AS TO FORM:

BY: _____
W. CLARKE WHITFIELD
City Attorney
VSB # _____

SCHEDULE "A"

TAX PIN #1388-51-3619 – PAGE ROAD, DANVILLE, VIRGINIA

LOTS NOS. 45, 46, AND 47, in Block "D", as shown on a Plan of Westover Jills Extension, dated March 24, 1955, made by E. L. Culberth, Surveyor, and recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia, in Deed Book 359, at Page 594, more specifically described as follows: Beginning at a point on the southern side of Page Road at the dividing line between Lots Nos. 44 and 45, in Block "D", as shown on the aforesaid map; thence east along the southern side of Page Road 70 feet, more or less, to a point at the dividing line between Lots Nos. 47 and 55, as shown on said map; thence southeast along the eastern line of Lot No. 47, 220 feet, more or less, to a point on the rear line of Lot No. 38, in Block "E", as shown on said map; thence west along the rear line of Lot No. 38, in Block "E" 15 feet, more or less, to a point on the eastern line of the Reagan Cemetery Lot; thence north along the eastern side of the Reagan Cemetery Lot 40 feet, more or less, to the northeast corner of said Reagan Cemetery Lot; thence west along the norther side of the Reagan Cemetery Lot 90 feet to a point at the dividing line between Lots Nos. 44 and 45, in Block "D", as shown on said map; thence north along the dividing line between Lots Nos. 44 and 45, in Block "D", 160 feet to the point and place of beginning.

BEING IN FACT, the same property conveyed to the Board of Supervisors of Pittsylvania County, Virginia from the Pittsylvania County Service Authority, by deed dated June 22, 2021 and recorded in the aforesaid Clerk's Office as Instrument No. 21-3964.

Council Letter

City of Danville, Virginia



CL-2805

New Business D.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: American Municipal Power Solar Project

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 08/16/2022

SUMMARY

American Municipal Power (AMP) issued a request for proposal (RFP) in 2021 for a solar purchase power agreement. The responses were short-listed and the best-rated and most economical project was chosen to negotiate a term sheet. The Avangrid project in western Ohio was selected as the preferred project to pursue from the RFPs. AMP is currently in the process of subscribing the 150 megawatt solar farm to see if there is enough interest from the AMP members to move forward with the project. The deadline for commitments is September 2022.

BACKGROUND

Market energy prices over the past eight months have increased significantly because of various factors around the world. Approximately ten percent of the City's energy is purchased on the daily energy market. The City's energy needs are growing due to recent economic development announcements in 2023/2024 that will increase that market exposure from 10% to an estimated 17%. It is staff's recommendation to enter into this 15-year solar purchase power agreement to reduce the City's market exposure and take advantage of a low-cost, renewable, joint venture that will benefit Danville Utilities electric customers.

RECOMMENDATION

Staff recommends that City Council approve and authorize the City Manager to enter into a 15-year purchase power agreement with American Municipal Power for twenty megawatts of solar energy, capacity and renewable energy credits for a price not to exceed \$50/megawatt-hour.

Attachments

Resolution

PPT

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION OF THE CITY COUNCIL OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE POWER AGREEMENT FOR TWENTY MEGAWATTS OF SOLAR ENERGY, CAPACITY, AND RENEWABLE ENERGY CREDITS FROM THE 2022 AMERICAN MUNICIPAL POWER SOLAR PROJECT FOR A PURCHASE PRICE NOT TO EXCEED \$50 PER MEGAWATT HOUR.

WHEREAS, the City of Danville, Virginia (“Municipality”) owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, in order to satisfy the electric capacity and energy requirements of its electric utility system, Municipality has heretofore purchased, or desires to purchase in the future, economical, reliable, and environmentally sound capacity and energy and related services from, or arranged by, American Municipal Power, Inc. (“AMP”), of which Municipality is a member; and

WHEREAS, AMP is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric capacity and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis for the mutual benefit of AMP members (“Members”), such Members, including Municipality, being political subdivisions that operate a municipal electric utility systems; and

WHEREAS, Municipality, acting individually and through AMP with other political subdivisions of this and other states that own and operate electric utility systems, jointly, endeavors to arrange for reliable, environmental, and competitively priced supplies of electric capacity and energy and related services for ultimate delivery to its customers; and

WHEREAS, it is efficient and economical to act jointly in such regard; and

WHEREAS, Municipality has previously entered into a Master Services Agreement with AMP, AMP Contract No. C-2-2006-4975, which contemplates that Municipality shall enter into various schedules for the provision of capacity and associated energy and related services from AMP to Municipality; and

WHEREAS, certain Members, including the Municipality have determined that they can utilize additional sources of reliable and economical solar generated electric capacity and energy on a long-term basis at reasonable costs, and have requested that AMP arrange for the same by developing, purchasing, or otherwise acquiring interests in certain solar energy facilities; and

WHEREAS, in furtherance of this purpose, AMP will enter into one or more agreements with a reputable solar power developer (“Developer”) (the “2022 Solar Purchased Power Agreement” or “2022 Solar PPA”) under the terms of which AMP is to purchase and Developer is to supply and sell up to approximately 150 MWac of capacity and associated energy from solar generation project(s) located within the PJM Footprint for a period of fifteen (15) years; and

WHEREAS, it is necessary and desirable for Municipality to enter into the 2022 Solar Energy Schedule to Municipality’s Master Services Agreement with AMP to provide for an additional source of capacity and energy; and

WHEREAS, Members have the right, but not the obligation by the enactment of this Resolution to authorize and request AMP to acquire capacity and energy from one or more solar project(s) by approval and execution of the 2022 Solar Energy Schedule authorized below; and

WHEREAS, prior to the execution of the 2022 Solar Energy Schedule authorized through the adoption of this Resolution AMP will have (i) informed the Municipality of the terms of the 2022 Solar Energy Schedule; (ii) provided the Municipality the opportunity

to review the 2022 Solar PPA terms and conditions (subject to price); and (iii) offered representatives of the Municipality the opportunity to ask such questions, review data and reports, conduct inspections, and otherwise perform such investigations with respect to, as applicable, the acquisition of capacity and energy and the terms and conditions of the 2022 Solar Energy Schedule authorized below as Municipality deems necessary or appropriate in connection herewith; and

WHEREAS, after due consideration, the Municipality has determined it is reasonable and in its best interests to proceed as authorized herein below and requests and authorizes AMP to acquire capacity and energy from the Project(s) upon those terms and conditions set forth in the 2022 Solar Energy Schedule.

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

SECTION 1. That the 2022 Solar Energy Schedule between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including Exhibits thereto, are approved, and the of Municipality is hereby authorized to execute and deliver the 2022 Solar Energy Schedule with such changes as the City Manager may approve as neither inconsistent with this Resolution nor materially detrimental to the Municipality, his or her execution of the 2022 Solar Energy Schedule to be conclusive evidence of such approval.

SECTION 2. That the City Manager is hereby authorized to acquire under the 2022 Solar Energy Schedule, authorized above, a Contract Amount as defined in that Schedule of up to 20,000 kW with a price of up to \$50.00/MWh(ac) for energy, capacity and environmental attributes made available thereunder without bid, and (ii) make any determinations and approvals required thereunder, if any, as the City Manager shall deem necessary and advisable.

SECTION 3. If any section, subsection, paragraph, clause or provision, or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 4. That this resolution shall take effect at the earliest date allowed by law.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

AND BE IT FURTHER RESOLVED that the City Manager, Kenneth F. Larking, be, and he is hereby authorized to execute on behalf of the City and all documents as may be necessary to complete the above referenced purchase and effect such conveyance to the City of Danville.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

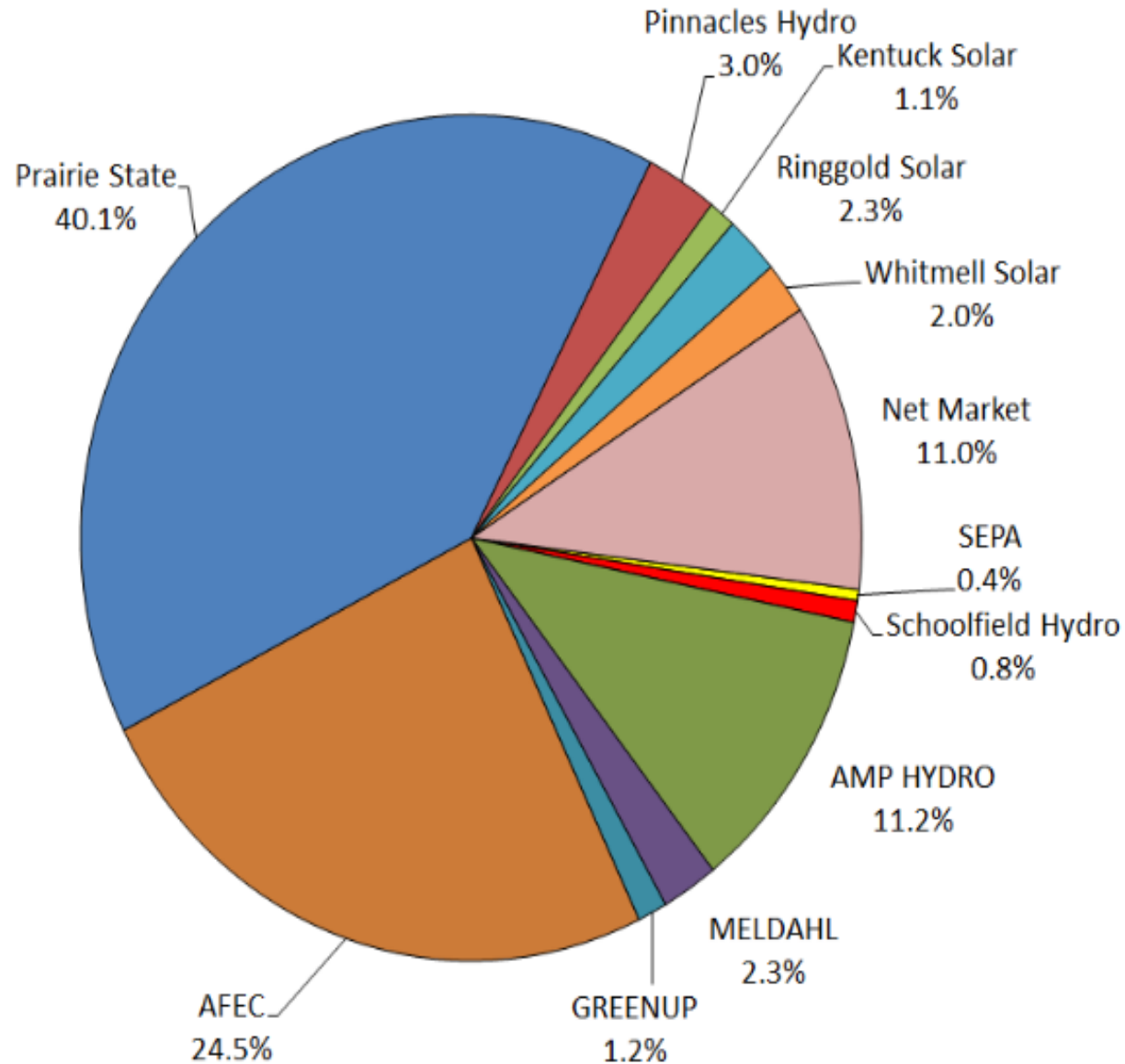
City Attorney



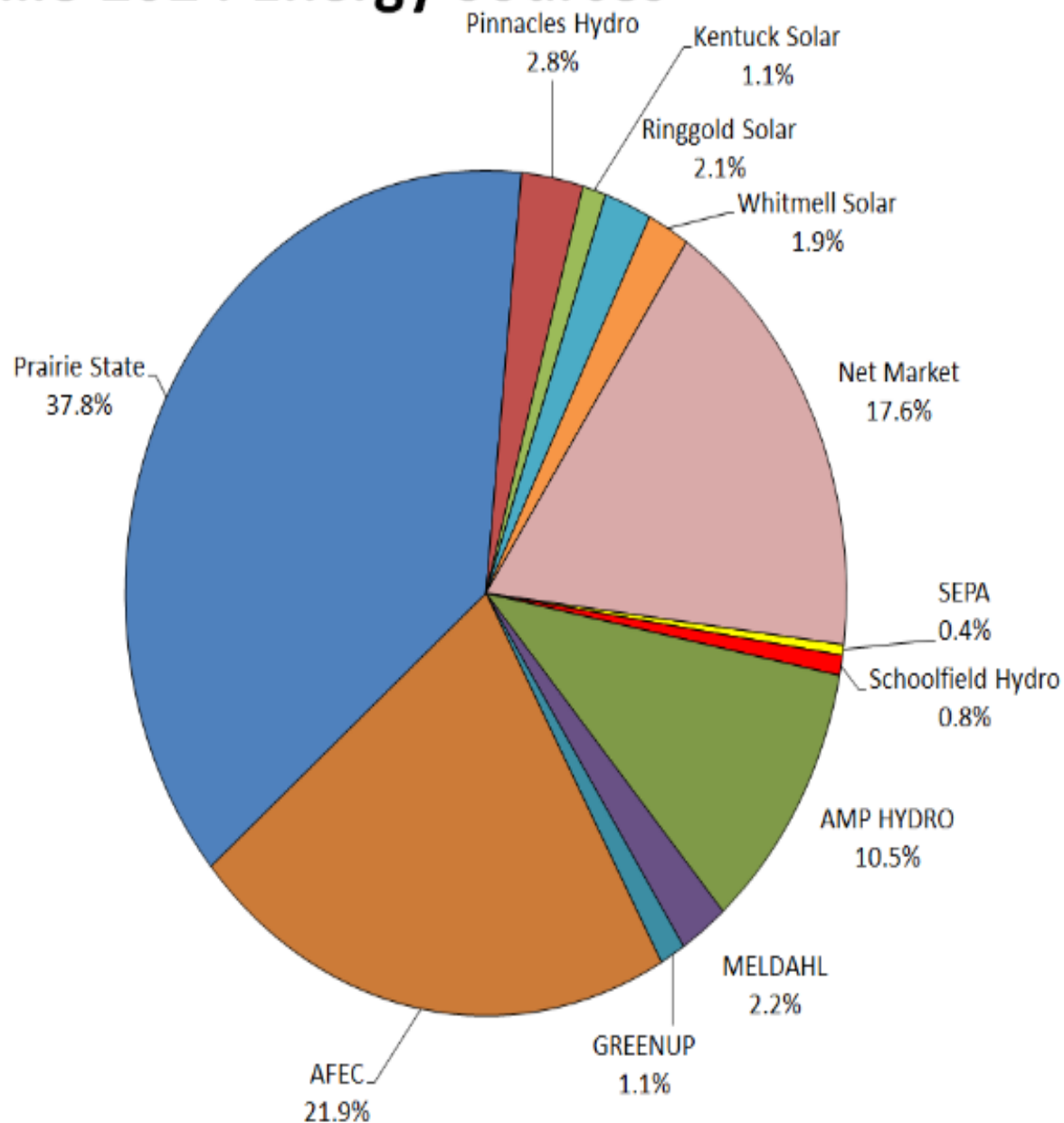
AMERICAN MUNICIPAL POWER SOLAR PROJECT

**Danville City Council
August 4, 2022**

Danville 2023 Energy Sources

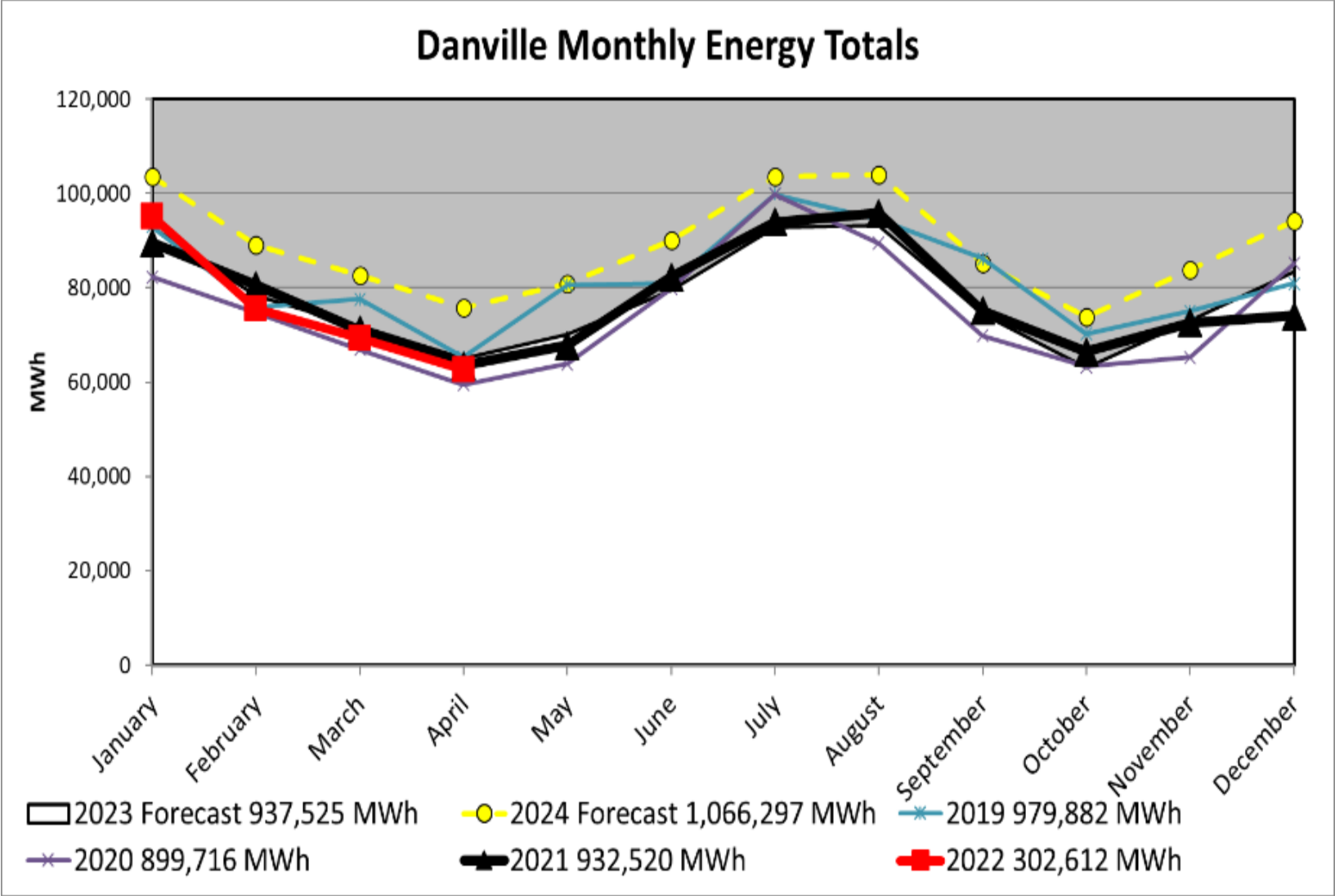


Danville 2024 Energy Sources

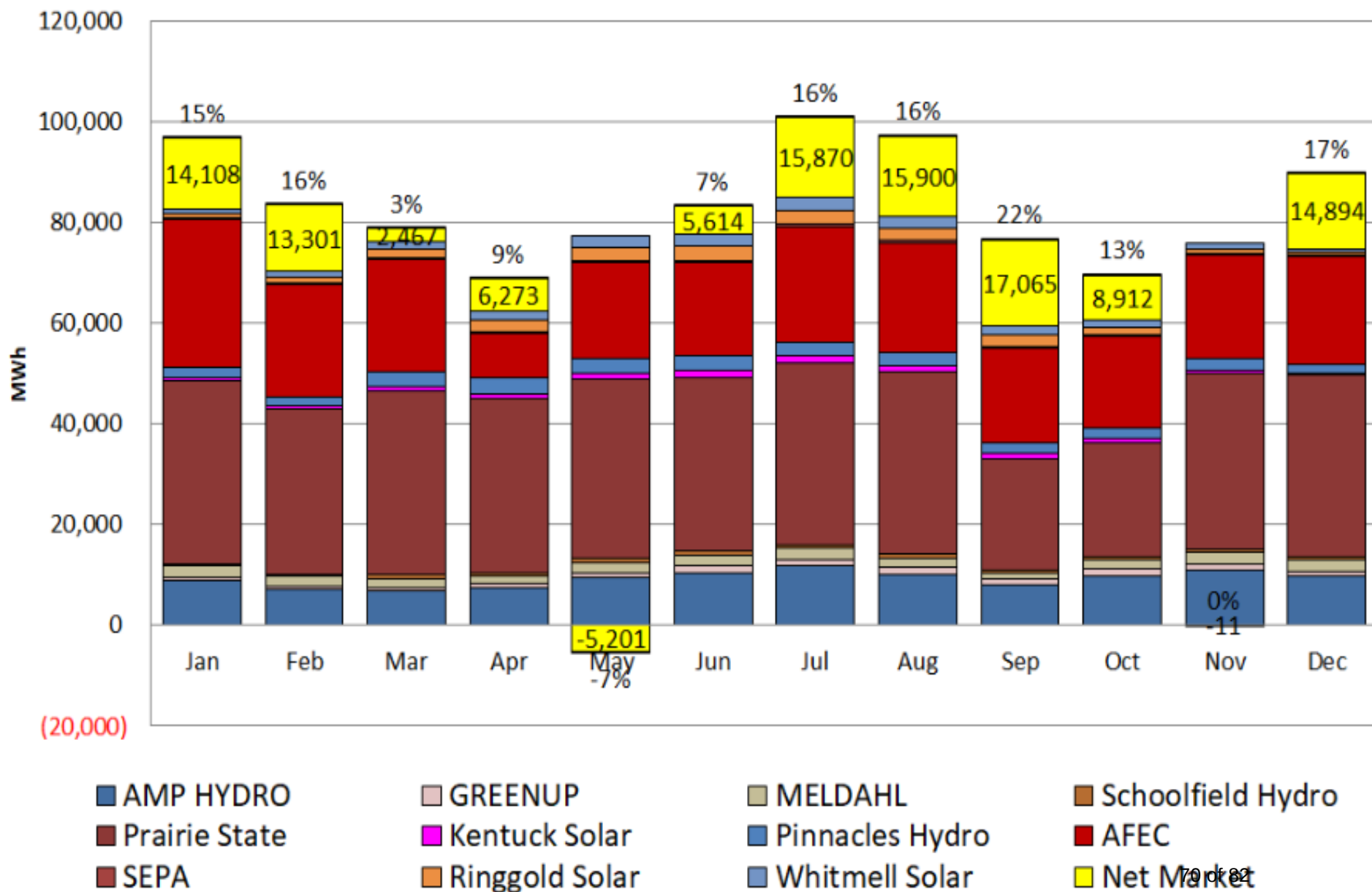




2024 Energy Forecast



2023 Danville Monthly Energy





Recent Market Price Increases

On Peak (16 hour) prices into AEP/Dayton

Week ending June 24

MON	TUE	WED	THU	FRI
\$93.70	\$133.51	\$136.69	\$98.41	\$102.72

Week ending June 17

MON	TUE	WED	THU	FRI
\$126.05	\$170.35	\$221.90	\$184.52	\$126.40

Week ending June 25, 2021

MON	TUE	WED	THU	FRI
\$37.01	\$26.69	\$25.53	\$38.65	\$34.63

AEP/Dayton 2023 5x16 price as of June 23 — \$83.45

AEP/Dayton 2023 5x16 price as of June 16 — \$94.90

Strategy

- American Municipal Power (AMP) 150 megawatts solar project (20 MWs-Danville)
- 15-year purchase power agreement
- Fixed, non-escalating price proposal
- Not to exceed \$50/mWh for energy, capacity, renewable energy credits
- Danville to realize renewable energy credits (RECs) and capacity avoidance benefits
- Project would be owned and maintained by Avangrid
- Estimated completion date is Fall 2025
- Located in western Ohio
- Net rate minus RECs and capacity credit ~\$30/mWh
- AMP is in the process of seeing if the membership can subscribe the entire 150 megawatts as required.



Questions?

Council Letter

City of Danville, Virginia



CL-2815

New Business E.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: Ordinance Authorizing Use of Fiscal Year 2023 Debt Capacity

From: Michael Adkins, Director of Finance

COUNCIL ACTION

First Reading: 08/16/2022

Final Adoption 09/06/2022

SUMMARY

The City's Charter grants the ability to issue bonds, within a specified annual limit, without a referendum. Each year's bond capacity may carry forward to the next fiscal year, if the authorization is granted by Council prior to June 30. Approving the attached Ordinance does not allow the City to issue debt, it only reserves the capacity to issue debt based on the Fiscal Year 2023 legal limits for issuing debt without a referendum. This capacity is only available from now until the end of the subsequent fiscal year (June 30, 2024). Council would need to approve a Resolution for the issuance or refunding of debt before the City can actually issue debt. A separate Resolution will be presented at a future meeting for approval in order to issue new bonds to finance the FY 2023 Capital Improvement Plan in accordance with Council's adopted budget for FY 2023.

BACKGROUND

The City's Charter grants the ability to issue up to \$6,000,000 principal amount of bonds to finance any capital expenditures other than expenditures relating to the City's water, sewer, gas, and/or electric systems. Further, the Charter grants authority to issue up to \$10,000,000 principal amount of bonds to finance capital expenditures related to the City's water, sewer, gas, and electrical systems, or other specific undertakings from which a revenue may be derived. The Charter also allows an additional \$25,000,000 in principal amount of bonds to be issued to finance capital expenditure relating to the City's water treatment, wastewater treatment, stormwater treatment, solid waste disposal, or recycling facilities, and any extraordinary maintenance improvements or expansion of transmission and distribution infrastructure for the electric or gas systems. Each of the amounts may be authorized annually without referendum and may carry forward one fiscal year, if authorized prior to June 30.

The Fiscal Year 2023 budget for capital projects includes potential bond financing of approximately \$4.7 million of general governmental projects and \$12 million of utility projects. The passing of this Ordinance will allow access to the borrowing capacity needed to finance these approved projects, but does not actually authorize the issuance of the bonds. A separate Resolution to authorize bonds will need to be approved in order to issue the debt.

RECOMMENDATION

It is recommended City Council approve the attached Ordinance authorizing utilization of the City's Fiscal Year 2023 borrowing capacity to issue General Obligation bonds of the City of Danville, Virginia, in the maximum principal amount of \$6,000,000, pursuant to Section 9-7A of the City Charter, as well as a maximum amount of \$10,000,000, pursuant to Section 9-7D of the City Charter.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2022 - __ . __

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$16,000,000 TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF VARIOUS CAPITAL PROJECTS

WHEREAS, Section 9-7A of the City Charter allows the City of Danville, Virginia (the “City”), to issue each fiscal year up to \$6,000,000 principal amount of bonds to finance any capital expenditures other than for capital expenditures relating to the City’s water, sewer, gas and/or electric systems, without submitting the question of their issuance to the voters;

WHEREAS, the Council of the City (the “Council”) has not authorized or issued any bonds pursuant to Section 9-7A for the fiscal year that began July 1, 2022, and the Council now desires to authorize the issuance of up to \$6,000,000 principal amount of bonds in accordance with such Charter provision;

WHEREAS, Section 9-7D of the City Charter allows the City to issue each fiscal year up to \$10,000,000 principal amount of bonds to finance capital expenditures relating to the City’s water, sewer, gas and electric systems or other specific undertaking or undertakings from which the City may derive a revenue, without submitting the question of their issuance to the voters; and

WHEREAS, the Council has not authorized or issued any bonds pursuant to Section 9-7D for the fiscal year that began July 1, 2022, and the Council now desires to authorize the issuance of up to \$10,000,000 principal amount of bonds in accordance with such Charter provision;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that:

1. It is determined to be necessary and expedient for the City to plan, design, acquire, construct, extend, renovate and/or improve the Projects described below, all of which are determined to promote the development and public welfare of the City, to borrow money for such purposes and to issue the City’s bonds therefor.

2. Pursuant to Section 9-7A of the City Charter, there are authorized to be issued general obligation bonds in the maximum principal amount of \$6,000,000 to finance and pay, together with other available funds, the costs to plan, design, acquire, construct, extend, renovate and/or improve (a) parks and recreational facility improvements, (b) public school building improvements (including roof and HVAC improvements), (c) capital improvements for the municipal airport, and (d) any other capital expenditures (other than for capital expenditures relating to the City’s water, sewer, gas and/or electric systems) (collectively, the “9-7A Project”). Such bonds may be issued as one or more separate issues or may be combined with bonds authorized for other purposes and issued as a single issue.

3. Pursuant to Section 9-7D of the City Charter, there are authorized to be issued general obligation and/or revenue bonds in the maximum principal amount of \$10,000,000 to finance and pay, together with other available funds, the costs to plan, design, acquire, construct, extend, renovate and/or improve (a) distribution and treatment infrastructure improvements for the water system, (b) substations and distribution infrastructure improvements for the electric system, and (c) any other capital expenditures relating to the City's water, sewer, gas and/or electric systems or other specific undertaking or undertakings from which the City may derive a revenue (collectively, the "9-7D Project" and, together with the 9-7A Project, the "Projects"). Such bonds may be issued as one or more separate issues or may be combined with bonds authorized for other purposes and issued as a single issue.

4. The bonds shall conform to Section 9-5 of the City Charter and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, be in such denominations and form, be executed in such manner, and be sold at such time or times and in such manner as the Council shall hereafter provide by appropriate resolution or resolutions. All bonds issued to finance capital expenditures shall be made payable within the average probable period of usefulness of the improvements or undertakings to be financed. The Council shall make such determinations pursuant to such resolution or resolutions.

5. As determined by Council pursuant to subsequent resolution, the bonds shall be issued as general obligations of the City to which the City's full faith and credit of the City shall be irrevocably pledged, or, in the alternative for purposes of financing the 9-7D Project, the bonds may be issued as revenue obligations to which the revenues derived from any such specified undertakings shall be irrevocably pledged.

6. The City Clerk, in collaboration with the City Attorney, is authorized and directed to see to the immediate filing of a certified copy of this Ordinance in the Circuit Court of the City of Danville.

7. This Ordinance shall take effect immediately.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to Form and Legal Sufficiency:

CITY ATTORNEY

Council Letter

City of Danville, Virginia



CL-2832

New Business F.

City Council Regular Meeting

Meeting Date: 08/16/2022

Subject: Application to the VDHD for an Industrial Revitalization Grant

From: Corrie Bobe, Director of Economic Development

COUNCIL ACTION

Business Meeting: 08/16/2022

SUMMARY

The Danville Office of Economic Development is applying to the Virginia Department of Housing and Community Development for an Industrial Revitalization Fund grant to assist in the redevelopment The White Mill. This project aligns with the overall vision of the Danville Economic Development Department for the River District to become a vibrant community supporting retail and commercial businesses locating within the district, while attracting new businesses to the area.

BACKGROUND

The Virginia Department of Housing and Community Development (DHCD), offers a grant called the Industrial Revitalization Fund to assist communities to redevelop blighted and/or abandoned non-residential structures significant to the community due to size, location and/or economic importance. The program focuses on ready to go projects that provide job creation, capital investment and have the potential to transform the community's downtown area. Eligible projects may be redeveloped for any market-driven purpose including mixed-use, regardless of the original use. The maximum grant amount a community can apply for is \$5,000,000.00.

The Danville Office of Economic Development proposes to apply for a \$5,000,000 grant to assist a private developer and Industrial Development Authority in the redevelopment of The White Mill located in the River District. This project would be redeveloped as a mixed-use facility with a \$84,920,265 million in capital investment, 110,000 square feet of commercial space and 150 market rate apartments. The lower level of the building is being converted into over two hundred interior parking spaces for tenants. This project will add to and benefit from other projects that are in proximity by increasing foot traffic in the River District from employees, clients, and residents, thereby encouraging additional support to other businesses in the River District.

As stated above, and in collaboration with the developer, the Office of Economic Development has decided to apply for an Industrial Development Fund grant of \$5,000,000.00 to cover the project's gap cost. Staff has received and reviewed the preliminary budget for this project. Given the competitive nature of this program, there is no guarantee that the City will be awarded this grant. Funds are limited and it is especially important that the City is first in line and demonstrates the overall economic impact this project will have on the overall revitalization of downtown, before all the dollars are allocated to other projects in

the State. No additional repayment or commitment is expected to be paid or offered by the City.

RECOMMENDATION

The Danville Office of Economic Development recommends that City Council approve the attached resolution.

Attachments

Resolution

IRL Form

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022 - _____._____

A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY THE DANVILLE OFFICE OF ECONOMIC DEVELOPMENT, TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, INDUSTRIAL REVITALIZATION FUND AND FOR THE CITY TO FUND THE BALANCE OF THE "RIVER DISTRICT PROJECT" TO ELIMINATE BLIGHT.

WHEREAS, the City of Danville, Virginia is requesting to make application to the Virginia Department of Housing and Community Development for the Industrial Revitalization Fund Grant ARPA in an amount of \$5,000,000 to assist in the redevelopment of the White Mill project that will create 110,000 square feet of available commercial space and 150 new, market rate apartments with Eighty-four Million, Nine Hundred Twenty Thousand, Two Hundred Sixty five Dollars (\$84,920,265) in capital investment and will eliminate blight.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that it does hereby approve and authorize the request of the Danville Office of Economic Development, to submit a grant application to the Virginia Department of Housing and Community Development Industrial Revitalization Fund Grant in the amount of \$5,000,000 to assist in the redevelopment of the White Mill project that will create 110,000 square feet of commercial space and 150 new market rate apartments with Eighty-Four Million, Nine Hundred Twenty Thousand, Two Hundred and Sixty-Five dollars (\$84,920,265) in capital investments that will eliminate blight; and

BE IT FURTHER RESOLVED that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute any and all documents pertaining to said grant application.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

Local Certification

The applicant hereby assures and certifies that:

It possesses legal authority to apply for the IRF program and to execute the proposed program.

The property for which the application is made meets the definition of “blighted property” according to the Code of Virginia 36-3

Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the filing of the application including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

That the information contained in the IRF application is true and correct.

Chief Administrative Official

Name & Title

Date