



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

June 19, 2018

7:00 P.M.

PRESIDING: John B. Gilstrap, Mayor

CITY COUNCIL	James B. Buckner	Sherman M. Saunders
MEMBERS:	L.G. "Larry" Campbell, Jr.	Fred O. Shanks, III
	Alonzo L. Jones, Vice Mayor	J. Lee Vogler, Jr.
	Gary P. Miller	Madison J. Whittle

STAFF:	Ken F. Larking, City Manager	W. Clarke Whitfield, Jr., City Attorney
	Earl B. Reynolds, Jr., Deputy City Manager	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 - L.G. "Larry" Campbell, Jr.

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Proclamation: Big Brothers, Big Sisters
Presented to: Pat Daniel, Executive Director

COMMUNICATIONS FROM VISITORS

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

CONSENT AGENDA

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

- A. Public Hearing for Budget Items
- B. Consideration of Approval of Minutes from Regular Council Meeting held on May 15, 2018.
Council Letter Number CL - 1918.
- C. Consideration of Amending the FY 2018 Budget Appropriation Ordinance for a Grant for a Domestic Violence Victim Program Grant in the amount of \$44,635.
Council Letter Number CL - 1887.

An Ordinance Amending the Fiscal Year 2018 Budget Appropriation Ordinance to Provide for a Grant from the Commonwealth for a Domestic Violence Victim Program Grant in the Amount of \$44,635 and Appropriating Same.

FINAL ADOPTION

- D. Consideration of Amending the FY 2018 Budget Appropriation Ordinance for Victim Witness Program Funds in the Amount of \$173,611.
Council Letter Number CL - 1888.

An Ordinance Amending the Fiscal Year 2018 Budget Appropriation Ordinance to Provide for a Grant from the Commonwealth for a Victim Witness Program in the Amount of \$173,611 and Appropriating Same.

FINAL ADOPTION

- E. Consideration of Amending the FY 2018 Budget Appropriation Ordinance, as Fiscal Agent, for Funds from the Danville Regional Foundation for an Eagle Scout Project at Dan Daniel Park.
Council Letter Number CL - 1893.

An Ordinance Amending the Fiscal Year 2018 Budget Appropriation Ordinance to Include a Grant from the Danville Regional Foundation in the Amount of \$24,000 as the Fiscal Agent for an Eagle Scout Project to Install Steps Between the Upper and Lower Soccer Fields at Dan Daniel Memorial Park.

FINAL ADOPTION

- F. Consideration of Amending the FY 2018 Budget Appropriation Ordinance for Economic Development Incentives in the Amount of \$1,695,979.
Council Letter Number CL - 1902

An Ordinance Amending the Fiscal Year 2018 Budget Appropriation Ordinance for two Virginia Economic Development Partnership Commonwealth Opportunity Fund Grants in the Amount of \$125,000 and \$200,000 Respectively and a Grant from the Tobacco Region Revitalization Opportunity Fund in the Amount of \$1,370,979 for a total of \$1,695,979 as an Economic Development Incentive for Taxable Capital Investment and Job Creation in the Commonwealth of Virginia.

FINAL ADOPTION

OLD BUSINESS

- A. Consideration of Approval of the Budget for FY 2019 for Danville Public Schools.
Council Letter Number 1909.

A Resolution Approving the Budget of the School Board of the City of Danville for the Fiscal Year Ending June 30, 2019.

FINAL ADOPTION

- B. Consideration of Approval of the Budgets of the City of Danville and the CSP, and the Budget Appropriation Ordinance for FY 2019.
Council Letter Number CL - 1911.

1. A Resolution Approving the Budgets of the Various Funds of the City of Danville for the Fiscal Year Ending June 30, 2019.

FINAL ADOPTION

2. A Resolution Approving the Fiscal Year 2019 Capital and Special Projects Plan for the City of Danville, Virginia.

FINAL ADOPTION

3. Budget Appropriation Ordinance For Fiscal Year 2019.

FINAL ADOPTION

APPOINTMENTS

- A. Consideration of Appointments to the following Boards and Commissions.
Council Letter Number 1895.
1. A Resolution Appointing Jessie L. Barksdale to the Airport Commission.
 2. A Resolution Appointing William Allgood to the Airport Commission.
 3. A Resolution Reappointing Christopher Wiles to the Dan River Alcohol Safety Action Program.
 4. A Resolution Reappointing Tammy Warren to the Danville Community Policy and Management Team.
 5. A Resolution Reappointing Demetrius Crews to the Danville Community Policy and Management Team.
 6. A Resolution Reappointing R.J. Lackey to the Danville Development Council.
 7. A Resolution Reappointing Shelby Irving to the Danville Pittsylvania Community Services Board.
 8. A Resolution Reappointing Gwendolyn Edwards to the Danville Pittsylvania Community Services Board.
 9. A Resolution Appointing Tia Yancey to the Danville Pittsylvania Community Services Board.
 10. A Resolution Reappointing William Donohue to the Danville Utility Commission.
 11. A Resolution Appointing Bert Eades to the Danville Utility Commission.
 12. A Resolution Reappointing Charles Majors to the Institute for Advanced Learning and Research Board.
 13. A Resolution Reappointing Brandi Williamson to the Social Services Advisory Board.
 14. A Resolution Appointing Qonell Totten to the Social Services Advisory Board.
 15. A Resolution Appointing Rannie Smith to the Social Services Advisory Board.
 16. A Resolution Reappointing John Moody to the Transportation Advisory Board.
 17. A Resolution Reappointing Wade Key to the Transportation Advisory Board.
 18. A Resolution Reappointing Ken Gillie to the Technical Advisory/Rural Transportation Citizens Advisory.
 19. A Resolution Appointing Christopher Franks to the Technical Advisory/Rural Transportation Citizens Advisory.

NEW BUSINESS

- A. Consideration of Approving a Lease Agreement with Norfolk Southern on Craghead Street for Landscaping Purposes.
Council Letter Number CL - 1896.

A Resolution Authorizing the City Manager to Execute a Lease Agreement with Norfolk Southern Railway Company for Landscaping on Craghead Street.

- B. Consideration of Approval of a Request to Vacate 0.01 Acre of Right of Way on Bridge Street.
Council Letter Number CL - 1842

1. Public Hearing
2. An Ordinance Vacating Approximately 0.01 Acre of Public Right-of-Way on Bridge Street.

- C. Consideration of Vacating Approximately 0.13 Acres of Public Right of Way Along Glen Oak Drive.
Council Letter Number CL - 1885.

1. Public Hearing
2. An Ordinance Vacating Approximately 0.13 Acre of Public Right-of-Way on Glen Oak Drive.

- D. Consideration of Repealing and Reordaining Chapter 39 of the Danville City Code.
Council Letter Number CL - 1916.

An Ordinance Repealing and Reordaining Article III Entitled Ambulances of Chapter 39, Entitled Vehicles for Hire, of the Code of the City of Danville, Virginia 1986 As Amended.

- E. Consideration of Approval of a Full Service Ambulance Operator's Permit to LifeCare.
Council Letter Number CL - 1907.

1. Public Hearing
2. An Ordinance Granting a Full-Service Ambulance Operator's Permit to LifeCare Medical Transports, Inc.

- F. Consideration of Designating Ashlawn View, LLC., as exempt from local real property taxation.
Council Letter Number CL - 1919.

1. Public Hearing
2. An Ordinance to Designate Ashlawn View, LLC., as Being Exempt from Local Real Property Taxation.

- G. Consideration of Approval of a Moral Obligation with Virginia Community Capital.
Council Letter Number CL - 1912

A Resolution Approving and Authorizing Execution of a Moral Obligation Agreement by and Between the City of Danville, Virginia and Virginia Community Capital.

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-1918

Consent Agenda Item #: B.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Approval of Meeting Minutes

From: Susan M. DeMasi, Clerk of Council

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on May 15, 2018.

Council Letter Number CL - 1918.

Attachments

Meeting Minutes

May 15, 2018

The Second Regular May meeting of the Danville City Council was held on May 15, 2018, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor John B. Gilstrap, Vice Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

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

Mayor Gilstrap presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Council Member Fred O. Shanks, III; the Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Gilstrap read a Proclamation entitled Business Appreciation Week, June 4-8, 2018 and presented it to Diana Schwartz and Mayor John Hamlin. Ms. Schwartz thanked City Council for their ongoing support of the business committee and invited citizens to watch during the week of June 4-8, for various activities. Ms. Schwartz thanked all the coordinators, including the City of Danville's Corrie Bobe and Kim Custer, and Ashley Wolfe from the County.

Mayor Gilstrap recognized Delegate Danny Marshall who spoke about House Joint Resolution Number 4-27, agreed to by the House of Delegates on March 7, 2018 and by the Senate on March 9, 2018 and read the proclamation to Mayor Gilstrap thanking him for his service to the City of Danville. Delegate Marshall noted the bill was sponsored by Mr. Marshall, Delegate Adams, and Senators Ruff and Stanley. Delegate Marshall also discussed the Virginia House of Delegates Select Committee on School Safety and encouraged citizens to visit the website: schoolsafety.virginia.gov. Council members thanked Delegate Marshall on his efforts to improve school safety.

Mayor Gilstrap recognized Alan Larson, CEO of SOVAH Health who gave an update to Council. Mr. Larson noted the hospital is doing well, in 2017 they committed more than \$4.7M in capital improvements to the hospital and the community, recruited fifteen new providers, and had over twelve hundred employees contributing about \$79M of payroll. Mr. Larson noted there was almost \$11M in charity care provided to the community for those who do not have resources and \$1.2M in taxes to the City. For the year 2017, SOVAH had fifty-eight additional admissions, 4,855 surgeries, a 5.7% increase in ED visits, over 552 cases of flu diagnosed in the hospital and clinics, and had \$4.1M of net revenue growth than the prior year. They are now both American Osteopathic Association, AOA and ECGME accredited. Mr. Larson noted he had a chance to meet with the new owners of Lifecare Ambulance and has spoken with Mr. Woodall from the Life Saving Crew. SOVAH is accredited by a national agency for chest pain accreditation, as a part of that accreditation, they are responsive, ready and able to take care of patients who have heart attacks. The national goal, the benchmark, that a patient can be identified with a heart attack, by the time they hit the door and in the cath lab, with a balloon angioplasty inserted, is sixty minutes, their average is about thirty-eight minutes. That time works primarily because the hospital works so well with the EMS service, to be able to have the resources that they provide so they can identify the severity of those patients before they come to the hospital. They are pleased to hear that the new ambulance company is

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committed to that level of care. They appreciate the work Regional One has done here over the years, are excited for the transition, and would urge Council to approve this transition. Dr. Miller questioned if Medicaid does pass in Virginia, how much value do both hospitals have in unpaid Medicaid debt. Mr. Larson noted the amount of \$10M of charity care does not include Medicaid; they have done some initial calculations, it could be tens of millions of dollars. Depending on what comes out of Richmond, it is estimated there are an additional four thousand people who could qualify under what is currently proposed. Mr. Shanks noted his thanks for the hospital's support of the Danville Pittsylvania Cancer Association, it is a tremendous amount of people who are involved and show up in that capacity every year. It was another very successful, Bridge to Bridge walk this year. Council Members thanked Mr. Larson for his update.

COMMUNICATIONS FROM VISITORS

Mayor Gilstrap recognized John Perez, a student from Galileo Magnet High School who discussed an idea that could be beneficial to the City for a Car Free Day in Downtown Danville.

MINUTES

Upon Motion by Council Member Campbell and second by Council Member Vogler minutes from the April 17, 2018 Regular Council meeting were approved as presented. Draft copies had been distributed prior to the Meeting.

ADD ITEM TO AGENDA

Mayor Gilstrap noted an item needed to be added to the Agenda as New Business Item H. Vice Mayor Jones **moved** to add to the Agenda, New Business Item H. The Motion was **seconded** by Council Member Campbell and carried unanimously.

NEW BUSINESS

BUDGET AMENDMENT – AMENDING THE FY2018 BAO INCREASING THE CARRYFORWARD OF UNEXPENDED FUNDS FOR SCHOOLS AND CREATING A RESERVE FOR SCHOOL IMPROVEMENTS OF UNEXPENDED FUNDS

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

ORDINANCE NO. 2018-05.02

AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR AN INCREASE IN THE CARRYFORWARD OF UNEXPENDED FUNDS FOR SUPPORT OF SCHOOLS FROM \$1,000,000 TO \$2,000,000 AND TO ESTABLISH A RESERVE FOR SCHOOL CAPITAL PROJECTS

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

Council Member Whittle noted he understood the \$2M would revert back to the \$1M next year and Mr. Larking stated this particular Ordinance is for the current year and it is increasing from \$1M to \$2M; anything above that would be put into a capital reserve fund for school

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improvement purposes. Mr. Whittle questioned if it would revert back to \$1M next year and Mr. Larking explained that would be up to Council.

BUDGET AMENDMENT – CONSIDERATION OF APPROPRIATING \$1,300,000 TO ESTABLISH A CAPITAL PROJECT FUND FOR DESIGN AND CONSTRUCTION OF A TRACK FACILITY

Upon **Motion** by Council Member Miller and **second** by Council Member Vogler, an Ordinance entitled:

ORDINANCE NO. 2018-05.03

AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A TRANSFER FROM THE GENERAL FUND RESERVED FUND BALANCE IN THE AMOUNT OF \$1,300,000 TO ESTABLISH A CAPITAL PROJECT FUND FOR THE DESIGN AND CONSTRUCTION OF A DANVILLE CITY TRACK AND FIELD FACILITY AND APPROPRIATING THE SAME

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

In response to Council Member Whittle, Mr. Larking explained the first step was the City working on a Request for Proposal to have someone analyze the Langston site for suitability for a track facility. The City has a good idea that it is suitable and they are working with Averett on that, but they might have to do more. Once staff has determined that, they would have to have it designed and built. There will be a phased approach, they will take each phase at a time, spending efficiently as possible to get to the point where they can get a quality track facility with the available funds. Mr. Whittle noted the City has money they are putting in, and they have the land; Mr. Larking stated the school system owns the land. Mr. Whittle questioned when do the other parties put in their money and are they going to match what the City is putting up, the cost is close to \$4M. Mr. Larking stated they haven't worked out the details yet, they have willing partners, everyone is ready to go forward and they will do their best to negotiate the fairest way to split the costs. Mr. Larking stated he will come back to Council and present that information to them before moving forward in any way.

Mayor Gilstrap noted he did not know where the \$4M figure is from, and it was his understanding it would be somewhat over a \$1M. Council Member Vogler noted this has been discussed numerous times, it was looked at and given cost estimates from people who build these facilities all over the country and not in any of those estimates that he saw for Langston was it anywhere in the ballpark of \$4M. It was anywhere from \$1.2M to \$2M and that is a total cost estimate, of which their \$1.3M is in the ballpark. Mr. Larking reiterated the City has not received any proposals, have not designed a facility and doesn't know what exactly is going into the facility; until they know all that information, he would caution anyone about guessing how much it is going to cost. Council Member Shanks stated it was discussed for \$1.2M to \$2M and there are a lot of unknowns, it is important before Council goes into the \$1.2M or \$2M, that they get some real numbers before making a final decision. Mr. Larking explained staff will not be spending any money on construction until City Council has a full report on what that cost will be.

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BUDGET AMENDMENT - AMENDING THE FY2018 BAO FOR STATE DEPARTMENT OF AVIATION SECURITY FUNDS FOR REPLACEMENT OF SECURITY EQUIPMENT AND SOFTWARE

Upon **Motion** by Council Member Shanks and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2018-05.04

AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR STATE DEPARTMENT OF AVIATION SECURITY GRANT FUNDS RELATED TO THE REPLACEMENT OF SECURITY EQUIPMENT AND SOFTWARE AT THE DANVILLE REGIONAL AIRPORT FOR \$54,003 AND OF THE LOCAL SHARE FOR \$12,266 FOR A TOTAL APPROPRIATION OF \$66,269 AND APPROPRIATING THE SAME

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

PUBLIC HEARING - CONSIDERATION OF REVISING RENTAL RATES FOR HANGARS AT THE DANVILLE REGIONAL AIRPORT

Mayor Gilstrap opened the floor for a Public Hearing for Consideration of Revising Hangar Rates at Danville Airport. Notice of the Public Hearing was published in the Danville Register & Bee on May 7, 2018 and May 14, 2018. No one present desired to be heard and the Public Hearing was closed.

Upon **Motion** by Council Member Shanks and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2018-05.05

AUTHORIZING AND APPROVING REVISED RENTAL RATES FOR T-HANGARS AND CORPORATE HANGARS AT THE DANVILLE REGIONAL AIRPORT EFFECTIVE AUGUST 1, 2018

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

PUBLIC HEARING – CONSIDERATION OF APPROVAL OF INCREASING VARIOUS FEES AND CHARGES

Mayor Gilstrap opened the floor for a Public Hearing for Consideration of Increasing Various Fees and Charges. Notice of the Public Hearing was published in the Danville Register & Bee on May 7, 2018 and May 14, 2018. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2018-05.06

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ESTABLISHING CERTAIN COMMUNITY DEVELOPMENT, PUBLIC WORKS AND FIRE DEPARTMENTS PERMITS & INSPECTION FEES AND CHARGES EFFECTIVE JULY 1, 2018

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

Council Member Whittle requested an explanation of the fees that are going up and Mr. Larking noted the majority of the increases are associated with the cost to be able to accept credit cards as payment. There are several building inspection fees that are also increased slightly to approach what is competitive with other cities. Director of Community Development Ken Gillie explained these fees haven't been raised since 2009, and are being raised a base of \$10 across the board to cover the costs. The City polled other localities and since they have done that, they have found that other localities are proposing to raise theirs as well; the City will still be lower than surrounding localities. Council Member Shanks stated there were other fees that went up like Sewer Connection fees, which actually had gone up since 2009, was that only for the credit card charges associated for that and Mr. Larking noted it was. All the other fees, except for Community Development, were changed to be able to accept credit card payments for those particular fees.

PUBLIC HEARING – CONSIDERATION OF APPROVAL OF INCREASING THE MEALS TAX OF THE CITY OF DANVILLE FROM SIX PERCENT (6%) TO SIX AND ONE-HALF PERCENT (6.5%)

Mayor Gilstrap opened the floor for a Public Hearing for Consideration of Approving an Increase in the Meals Tax to 6.5%. Notice of the Public Hearing was published in the Danville Register & Bee on May 7, 2018. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2018-05.07

AMENDING AND REORDAINING SECTION 37-141 OF THE DANVILLE CITY CODE TO INCREASE THE TAX ON MEALS SERVED IN RESTAURANTS OR BY CATERERS FROM SIX (6) PERCENT TO SIX AND ONE HALF PERCENT (6.5%) EFFECTIVE JULY 1, 2018

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

APPROVAL OF A MORAL OBLIGATION TO AMERICAN NATIONAL BANK FOR 527 BRIDGE STREET

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

RESOLUTION NO. 2018-05.03

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

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

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

CONSIDERATION OF GRANTING A TEMPORARY AMBULANCE OPERATOR'S PERMIT TO LIFECARE MEDICAL TRANSPORTS, INC.

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

ORDINANCE NO. 2018-05.08

GRANTING A TEMPORARY AMBULANCE OPERATOR'S PERMIT TO LIFECARE MEDICAL TRANSPORTS INC.

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

Dr. Miller noted his concern, and thinks it has been rectified, that LifeCare was not providing twelve lead EKGs, only six leads. The program at the hospital is very contingent on the Rescue Squad or Fire Department, getting that EKG to the Emergency Room so the cath lab is ready when the patient comes in. Joey King, Vice President of Lifecare noted every ambulance in the system will be ALS capable and have the Lifepak 15s, capable of taking that EKG and sending it to the hospital. Robbie Woodall from the Danville Life Saving Crew stated he thought the City was very fortunate to have LifeCare taking over Regional One, and commended Regional One for their thirty years of service to the City. Mr. Woodall noted the Fire Department also has twelve lead EKGs in their engines as well, so the City is well prepared. Council Member Buckner noted the Ambulance Committee meeting went very well and believes Lifecare will be a great asset to the City. City Manager Ken Larking stated it has been mentioned several times about the quick turn around on this item. The City received the application not too long ago, and commended the Ambulance Committee for being able to mobilize as quickly as they could, even though not all the members could be there. Mr. Larking also commended the Fire Chief, Chief Eagle for producing the report that was necessary to provide the information to the Ambulance Committee to help make their decision and also the City Clerk for organizing the meeting, and everyone else involved.

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

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

COMMUNICATIONS

There were no communications from the City Manager, Deputy City Manager or City Clerk. City Attorney, Clarke Whitfield noted the first two weekends in June, the North Main Theatre will be presenting *the Hunchback of Notre Dame*.

ROLL CALL

Council Member Miller noted Festival in the Park was this weekend, it is one of the highlight festivals of the year, on Friday, Saturday and Sunday. Dr. Miller commended the task force that met last night, with Mr. Larking and Reverend Campbell spearheading it. Community leaders as well as citizens came together and put together ideas on what to do for the youth and stem the violence; it was a good round table discussion.

Council Member Saunders noted his appreciation to the citizens and staff, and all involved in the Make Danville Shine event. There were many people at the event, those taking pride in the City and thanked everyone for being involved. Mr. Saunders thanked all the volunteers in the City, getting things done including the Danville Life Saving Crew, noted his thanks to City Employees, and to public safety employees, a special thanks to them as well.

Council Member Vogler noted his thanks to the Danville Mall and Katy Hoburg, he and the Vice Mayor were a part of the ceremony for the Danville Reads programs, they had a great time. Mr. Vogler thanked Mr. Perez for speaking before Council and presenting his ideas, and recognized Tyquan Graves who was in attendance, and recently elected to the School Board. Mr. Vogler noted the meeting last night with Council Member Campbell, bringing people together, talking about issues, is a great first step in solving a lot of issues in the City.

Council Member Whittle noted Make Danville Shine was great, it is still going on, and Festival in the Park is a great idea for the weekend.

Council Member Buckner noted Festival in the Park is one of the longest running festivals in the state and encouraged citizens to attend. The Bridge Street Food Truck Rodeo is back on June 2nd on Bridge Street with some great food trucks coming back.

Council Member Campbell noted last night at High Street, there was a meeting with youth and agencies from the community, as well as the gang taskforce, and commended the City Manager for facilitating the meeting. The people of Danville are concerned about violence in the community and what they can do to prevent it. From the meeting last night they came up with some action plans and on May 21st at noon, 794 Paxton Street, there will be a press conference. They have selected Ms. Jean Jackson as a spokesperson, from Mothers Against Violence, and their slogan will be No Shooting No Homicide. They would like to market this idea for the month of June, that there will not be any shootings, if the City has no shootings, it has no homicides. Reverend Campbell thanked the committee, the Mayor and Council Members that were present and hope they can make a difference in the community.

Mayor Gilstrap noted he was touched, and thanked Delegate Marshall for the Proclamation, it was a surprise. Mayor Gilstrap noted it has been his privilege to serve.

Vice Mayor Jones noted his agreement with Council Member Campbell on the violence awareness event last night, the young people like Tyquan, Qonell and Reggie were there as part of the round table discussion. It will be they who reach out to the young people in the streets to let them know they don't have to rob, steal and kill. Vice Mayor Jones stated he is putting them to the task, because the City Manager, Council Member Campbell and others have put forth an effort, and the City needs their help to make sure they get that word out. Vice Mayor Jones noted he will be going to Woodrow Wilson to help them put in flowers and landscaping and they were at the Mall for Danville Reads. What was most impressive to him

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was the number of banners on the walls, of the young people who are reading in the school system. Vice Mayor Jones thanked Mr. Woodall for all he is doing in the community.

The meeting adjourned at 8:14 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

DRAFT

Council Letter

City of Danville, Virginia



CL-1887

Consent Agenda Item #: C.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Virginia Domestic Violence Victim Grant Appropriation

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 06/05/2017

Final Adoption: 06/19/2018

SUMMARY

The Commonwealth Attorney's Office has received notice from the Commonwealth of Virginia, Department of Criminal Justice Services, of the award of grant funds to be used to fund the salary of an attorney or victim's advocate to work in the Juvenile & Domestic Relations Court dealing with victims of domestic violence. The grant is in the amount of \$44,635 and does not require any local matching funds.

RECOMMENDATION

It is recommended that the City Council approve the attached Ordinance Amending the FY 2018 Budget Appropriation Ordinance to appropriate funds from the Commonwealth for a Domestic Violence Victim Program Grant for \$44,635.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 18- ____- ____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE COMMONWEALTH FOR A DOMESTIC VIOLENCE VICTIM PROGRAM GRANT IN THE AMOUNT OF \$44,635 AND APPROPRIATING SAME.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Danville, Virginia that the Fiscal Year 2018 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues to provide for a grant from the Commonwealth of Virginia, Department of Criminal Justice Services, in an amount of \$44,635 and appropriating same within the Special Grants Fund, such revenue and appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid – State:		
Domestic Violence Victim Fund	61146000-47060	\$44,635

EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Domestic Violence Victim Program 7		
Salaries & Wages	61146000-51100	\$34,200
Other Taxable Compensation	61146000-51155	1,300
FICA	61146000-51450	2,616
Retirement-VRS-Emp Share	61146000-51500	4,006
Travel/Training	61146000-54900	1,788
Print Shop-Office Expenses	61146000-52655	725
TOTAL		<u>\$44,635</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2018 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1888

Consent Agenda Item #: D.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Virginia Witness Program Appropriation

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 06/05/2018

Final Adoption: 06/19/2018

SUMMARY

The City has received notice from the Commonwealth of Virginia, Department of Criminal Justice Services, of the approval of Federal and State funding in the amount of \$173,611 for the continuation of the City's Victim Witness Assistance Program, which is operated through the Commonwealth Attorney's Office.

BACKGROUND

The Victim Witness Program provides assistance to victims of criminal offenses (e.g., rape, felonious assault, child sexual and physical abuse, homicide, domestic violence) occurring in Danville. The program provides direct services such as short-term and follow-up counseling, referral services to meet specific needs, (e.g., mental health, social services, legal, medical), and filing claims for crime victims' compensation. The program also provides court escorts and explanations of criminal court procedures, intervenes with employers, collection agencies and landlords when victims' injuries result in loss of income, and monitors court-ordered restitution payments.

The goal of the Victim Witness Program is to alleviate, to whatever degree possible, the confusion, pain, and suffering of innocent victims of violent crime occurring in Danville. This is an annual grant and does not require any local matching funds. For proper accounting purposes, it is necessary to appropriate these funds.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance Amending the FY 2018 Budget Appropriation Ordinance to appropriate funds for the Victim Witness Program in the Amount of \$173,611.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 18- ____- ____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE COMMONWEALTH FOR A VICTIM WITNESS PROGRAM IN THE AMOUNT OF \$173,611 AND APPROPRIATING SAME.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Danville, Virginia that the Fiscal Year 2018 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues to provide for a grant from the Commonwealth of Virginia, Department of Criminal Justice Services, in an amount of \$176,611 for the purpose of operating a victim witness program within the City of Danville, and appropriating same within the Special Grants Fund, such revenue and appropriation to be a follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid – State:		
Victim Witness Program	60301000-47060	\$173,611

EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Victim Witness Program		
Salaries & Wages	60301000-51100	\$ 125,000
FICA	60301000-51450	9,563
Retirement VRS-State Share	60301000-51501	14,188
Group Health Insurance	60301000-51600	12,030
Print Shop	60301000-52650	1,500
Print Shop-Office Supplies	60301000-52655	1,575
Postage	60301000-54050	800
Telephone	60301000-54100	1,960
Materials & Supplies	60301000-55930	1,380
Membership/Dues	60301000-56242	560
Travel/Training	60301000-54900	4,755
Equipment	60301000-57500	<u>300</u>
 TOTAL		 <u>\$ 173,611</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2018 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1893

Consent Agenda Item #: E.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Appropriation of Grant Funds as the Fiscal Agent for Boy Scouts of America Troop 300 Project at Dan Daniels Memorial Park

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

COUNCIL ACTION

First Reading: 06/05/2018

Final Adoption: 06/19/2018

SUMMARY

Danville Parks and Recreation has agreed to act as the fiscal agent for a Make More Happen Grant in the amount of \$24,000 awarded to George Jackson for an Eagle Scout project that will install steps between the upper and lower soccer fields at Dan Daniel Memorial Park.

BACKGROUND

Dan Daniel Memorial Park is home to the most utilized soccer fields in the City, with approximately 300 children participating in games each weekend between the upper and lower soccer fields. This number does not account for other unscheduled uses. The two fields are currently separated by an embankment with natural vegetation, lacking any form of connecting pathway. An Eagle Scout with Boy Scouts of America Troop 300 was awarded a grant through the Danville Regional Foundation's Make More Happen fund to install a set of steps that will connect the upper and lower fields, providing a safer, more convenient way to access both fields. Currently, park visitors who wish to view games being played simultaneously on both fields must access each field by walking up or down an embankment, presenting safety issues. The proposed wooden steps would be built by a licensed contractor obtained through the City's standard bid process. The steps will include handrails and adequate signage.

RECOMMENDATION

It is recommended that Council approve the attached Ordinance appropriating funds from the Danville Regional Foundation to Danville Parks and Recreation as the fiscal agent for an Eagle Scout project to install steps at Dan Daniel Memorial Park.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-_____._____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO INCLUDE A GRANT FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$24,000 AS THE FISCAL AGENT FOR AN EAGLE SCOUT PROJECT TO INSTALL STEPS BETWEEN THE UPPER AND LOWER SOCCER FIELDS AT DAN DANIEL MEMORIAL PARK.

WHEREAS, the City of Danville has accepted a grant in the amount of \$24,000 from the Danville Regional Foundation as the fiscal agent for a project that will install steps between the upper and lower soccer fields at Dan Daniel Memorial Park to be completed by a member of Boy Scouts of America Troop 300, creating a safer, more convenient way to access both fields.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia that the Fiscal Year 2018 Budget Appropriation Ordinance be, and is hereby, amended by using anticipated revenues from the Danville Regional Foundation in the amount of \$24,000 to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Special Revenue Fund MMH – Soccer Steps	61413-000-43640	\$24,000

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Special Revenue Fund MMH – Soccer Steps	61413-000-52230	\$24,000

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2018 Budget Appropriation Ordinance as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1902

Consent Agenda Item #: F.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Economic Development Incentive Appropriations

From: Telly D. Tucker, Economic Development Director

COUNCIL ACTION

First Reading: 06/05/2018

Final Adoption: 06/19/2018

SUMMARY

The Virginia Economic Development Partnership (VEDP) provides incentives for economic development projects resulting in new taxable capital investment and net new employment to the Commonwealth of Virginia. On November 2, 2016 VEDP, the City of Danville, and Kyocera SGS Precision Tool Inc., executed a Commonwealth Opportunity Fund performance agreement in the amount of \$200,000 to be used toward the construction of a new facility located on Cyber Park Danville. The facility broke ground on May 1, 2017 and is expected to be completed in June of 2018. This grant is secured by an irrevocable standby letter of credit and is required to be used toward the construction of the new facility.

On August 8, 2016, the VEDP, the City of Danville, and Overfinch North America executed a Commonwealth Opportunity Fund performance agreement in the amount of \$125,000 to be used toward hard construction costs or workforce training for the new facility located on Stinson Drive in Cyber Park. This grant is secured by a lien on company assets and is required to be used toward workforce training and or building upfit. These funds have been received from the Virginia Economic Development Partnership and must be appropriated by ordinance to the City of Danville. These funds will remain in the City of Danville's possession until significant performance has been met.

Thirdly, the Virginia Tobacco Region Revitalization Commission (TRRC) approved a Research & Development Grant to Engineered BioPharmaceuticals in the amount of \$1,370,979. This is a reimbursable grant whereby the company has to submit expenditures for approval before funds are disbursed.

BACKGROUND

On September 8, 2016, then Governor Terry McAuliffe announced that Kyocera SGS Precision Tool Inc., would invest \$9.5 million and create 35 new jobs to establish a U.S. manufacturing operation in the Cyber Park to research, design, and manufacture customized tooling for the aerospace, automotive, and metal cutting industries. This new facility committed to creating 35 new jobs.

On July 12, 2016, then Governor Terry McAuliffe announced that Overfinch North America would invest \$1.82 million and create 41 new jobs in the Cyber Park to establish their first manufacturing, upfit, assembly and conversion facility in the U.S. Overfinch N.A. completed building upfits and entered the Stinson Drive facility in January of 2017 and is in the process of hiring technicians and growing U.S

market sales.

On September 20, 2017, Engineered BioPharmaceuticals was approved for a Research & Development Grant (#3337) from the Virginia Tobacco Revitalization Commission (TRRC) which represents the second R&D grant received for E-Bio from the TRRC. This grant is for continued research and development of their pharmaceutical development that will lead to investment and job creation in Virginia's tobacco region.

RECOMMENDATION

It is recommended by staff that City Council approve the attached Ordinance amending the FY 2018 Budget Appropriation Ordinance to appropriate funds from the Virginia Economic Development Partnership and the Tobacco Region Revitalization Commission, to the City of Danville for the purpose of providing an incentive for economic development activities to the aforementioned companies located in the City of Danville and Pittsylvania County.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE FOR TWO VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP COMMONWEALTH OPPORTUNITY FUND GRANTS IN THE AMOUNT OF \$125,000 AND \$200,000 RESPECTIVELY AND A GRANT FROM THE TOBACCO REGION REVITALIZATION OPPORTUNITY FUND IN THE AMOUNT OF \$1,370,979 FOR A TOTAL OF \$1,695,979 AS AN ECONOMIC DEVELOPMENT INCENTIVE FOR TAXABLE CAPITAL INVESTMENT AND JOB CREATION IN THE COMMONWEALTH OF VIRGINIA.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia that the Fiscal Year 2018 Budget Appropriation Ordinance be, and it is hereby, amended to anticipate revenues from two grants in the amount of \$325,000 from the Virginia Economic Development Partnership (VEDP) and a grant from the Tobacco Region Revitalization Opportunity Fund in the amount of \$1,370,979 for the purpose of providing economic development incentives to Kyocera SGS Precision Tool Inc., Overfinch North America, Inc., and EBio. Such revenue and appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
VEDP Commonwealth Opportunity Fund Grant (Overfinch N.A.)	60920000-46040	\$125,000
VEDP Commonwealth Opportunity Fund Grant (Kyocera SGS Precision Tools Inc.)	60920000-46040	\$200,000
Tobacco Region Revitalization Opportunity Fund (EBio)	60920000-46030	\$1,370,979
TOTAL		<u>\$1,695,979</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Overfinch N.A. Workforce Training Reimbursement	60920999-50	\$125,000
Kyocera SGS Precision Tools Inc. New facility construction costs	60920999-50	\$200,000
EBio—Research Grant	60920999-50	\$1,370,979
TOTAL		<u>\$1,695,979</u>

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

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2018 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1909

Old Business Item #: A.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Danville Public Schools Budget

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 6/05/2018

Final Adoption: 6/19/2018

SUMMARY

The Public Hearing for the Fiscal Year 2019 Preliminary School Board Budget is scheduled for June 5, 2018. The City's Budget for Support of Schools includes \$20,406,570 for Support of Operations and \$2,038,690 for Debt Service, for a grand total of \$22,424,260.

In addition, City Council adopted an ordinance providing for a carryforward of unexpended funding from FY 2018 in the amount of \$2,000,000 which is included in the Schools Budget.

RECOMMENDATION

It is recommended the City Council approve the attached Resolution for the FY 2019 Danville Public Schools Budget.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

A RESOLUTION APPROVING THE BUDGET OF THE SCHOOL BOARD OF THE CITY OF DANVILLE, VIRGINIA FOR THE FISCAL YEAR ENDING JUNE 30, 2019.

WHEREAS, the School Board of the City of Danville, Virginia presented to the Council its estimate of the amount of money needed for the support of the public schools of the City during Fiscal Year 2019, which estimate reflected total proposed expenditures in the amount of \$65,588,127; and

WHEREAS, the City shall contribute \$20,406,570 for School Operations and \$2,038,690 for School Debt Service for a total appropriation of \$22,424,260; and

WHEREAS, the City has adopted an ordinance in FY 2018 allowing for carryforward of unexpended funding in the amount of \$2,000,000; and

WHEREAS, the City Council does not intend by this resolution to guarantee to the School Board of the City of Danville any contribution for support of schools in future fiscal years above that amount required by Virginia law for support of schools; and

WHEREAS, a brief synopsis of the proposed Budget of the School Board for Fiscal Year 2019 was duly published, and, after public notice duly given, a public hearing with respect thereto has been conducted by the Council, after due public notice thereof, and upon consideration of which it is now necessary and desirable to approve the same as prescribed by law.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia that, pursuant to Section 22.1-93 of the Code of Virginia, 1950, as amended, the attached budget of the School Board of the City of Danville for the Fiscal Year ending June 30, 2019 be, and the same is hereby, approved for educational purposes subject the above recited conditions.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1911

Old Business Item #: B.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Budgets for the City of Danville

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 06/05/2018

Final Adoption: 06/19/2018

SUMMARY

The Public Hearing for the Budgets of the City of Danville and Capital and Special Projects Plan (CSP) is scheduled to be held June 5, 2018.

BACKGROUND

The City Manager presented the FY 2019 Proposed Budget in early April of 2018. City Council held several work sessions in April and May to review and make modifications to the proposed budget. Public Hearing was held on May 15, 2018 for a Meals Tax increase of one-half percent, Inspection Fees, Airport Hangar Rental fees, and various other fee increases to provide credit card payments for various services.

City Council held an additional work session on May 15, 2018 to consider additional budget adjustments. The attached budget ordinance reflects the changes City Council decided to make, by consensus, during the work sessions.

The schedule of authorized full-time positions and full-time equivalent part-time positions is included.

RECOMMENDATION

It is recommended that City Council adopt the attached resolutions approving the City and CSP Budgets, and the Budget Appropriation Ordinance to appropriate the budget for FY 2019.

Attachments

Resolution- City Budget 2019

Resolution- CSP Plan-2019

Ordinance

Authorized Positions

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

A RESOLUTION APPROVING THE BUDGETS OF THE VARIOUS FUNDS
OF THE CITY OF DANVILLE, VIRGINIA FOR THE FISCAL YEAR ENDING JUNE 30, 2019.

WHEREAS, the Budget of and for the City of Danville, Virginia for Fiscal year
2019 has been prepared and introduced by the City Manager and received and considered
by the Council, including the Budgets for the following funds:

FUND NAME	PROPOSED EXPENDITURE	CONTRIBUTION/ TRANSFER TO (FROM) GENERAL FUND
General Fund	\$108,570,960	
VDOT Special Revenue Fund	11,024,860	
Wastewater	10,530,720	693,760
Water	13,716,130	\$ 942,300
Gas	21,363,070	3,059,330
Power & Light	133,660,370	10,021,610
Telecommunications	1,655,780	81,000
Transportation	3,965,110	(307,870)
Central Services	334,210	-0-
Motorized Equipment	4,293,140	-0-
Insurance Fund	3,600,100	-0-
Sanitation Fund	3,608,640	-0-
Cemetery Fund	934,380	0

AND WHEREAS, a brief synopsis of said Budget has been duly published and
a public hearing with respect thereto has been conducted by the Council, after due public
notice thereof, and upon consideration of which it is now necessary and desirable to approve
the same as prescribed by law.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia that the attached Budgets for the City of Danville for the Fiscal Year Ending June 30, 2019 representing the General Fund, VDOT Special Revenue, Water, Wastewater, Gas, Power & Light, Telecommunications, Transportation, Central Services, Motorized Equipment, Insurance, Sanitation, and Cemetery Funds, be, and the same are hereby, approved for informative and fiscal planning purposes pursuant to the City Charter and Sections 15.2-2503 through 15.2-2506 of the Code of Virginia, 1950, as amended.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018-____.____

A RESOLUTION APPROVING THE FISCAL YEAR 2019 CAPITAL AND SPECIAL PROJECTS PLAN FOR THE CITY OF DANVILLE, VIRGINIA.

WHEREAS, the City Manager of the City of Danville, Virginia has proposed and the City Council has reviewed a plan prioritizing, scheduling, and funding capital and special projects; and

WHEREAS, this plan has been updated to assist with the City in the planning, acquisition, construction, and improvement of various public facilities that promote the development of the City; and

WHEREAS, the plan provides an expedient process for the City of Danville to acquire, construct, extend, renovate, and improve its utility systems in an orderly and coordinated fashion to promote the public welfare of the City and to comply with Federal and State environmental protection regulations; and

WHEREAS, projects proposed to be funded with proceeds from bonds are contingent upon City Council's approval of the issuance of such bonds; and

WHEREAS, such approval shall be by resolution and appropriation by ordinance; and

WHEREAS, it should be recognized that the plan beyond Fiscal Year 2019 is for planning purposes and does not obligate or commit the City to projects included in the plan beyond Fiscal Year 2019.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia that the Fiscal Year 2019 Capital and Special Projects Plan referred to above and

incorporated herein and made a part hereof by reference be, and the same is hereby approved.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

**BUDGET APPROPRIATION ORDINANCE
FOR FISCAL YEAR 2019**

WHEREAS, the Budget of and for the City of Danville, Virginia for Fiscal Year 2019 has been prepared by the City Manager and, after collaboration with the Council, completed and introduced and a brief synopsis thereof was duly published once in the newspaper having general circulation within the City and due notice given of a public hearing which was held on June 5, 2018 at 7:00 P.M., in the Council Chambers, at which any citizen of the City had a right and opportunity to attend and to state his views with regard to such Budget, and such public hearing having been held as advertised, all pursuant to the requirements and provisions of Sections 8-6 and 8-7 of the Charter of the City of Danville, Virginia, 1986, as amended, and of Chapter 25 of Title 15.2 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Council, after having duly considered all views and opinions expressed at such public hearing, approved such budget and does now desire to appropriate funds necessary and available to finance the Budget for the operations of the City for Fiscal Year 2019.

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

1. The Estimated Revenues and Revenue Contributions and the appropriation of funds to finance the Budgets of and for the City of Danville, Virginia, for the period beginning July 1, 2018 and ending June 30, 2019, be, and the same hereby are, as follows:

I. GENERAL FUND

Estimated Revenue FY 2019	\$108,570,960
Appropriations	<u>108,570,960</u>
Unappropriated	<u>\$ -0-</u>

II. VDOT STREET MAINTENANCE FUND

Estimated Revenue FY 2019	\$ 11,024,860
Appropriations	<u>11,024,860</u>
Unappropriated	<u>\$ -0-</u>

II. UTILITY FUNDS

	Wastewater	Water	Gas	Electric	Telecommunications
Operating Revenues	\$ 9,835,040	8,590,390	22,983,620	135,051,180	681,150
Expenditures	<u>10,530,720</u>	<u>13,716,130</u>	<u>21,363,070</u>	<u>133,660,370</u>	<u>1,655,780</u>
Excess of Revenues Over (Under) Expenditures	(695,680)	(5,125,740)	1,620,550	1,390,810	(974,630)
Add:					
Depreciation	2,083,000	1,680,000	1,565,000	8,635,000	459,200
Contribution/Transfer (To)/From General Fund	<u>(693,760)</u>	<u>(942,300)</u>	<u>(3,059,330)</u>	<u>(10,021,610)</u>	<u>(81,000)</u>
Increase (Decrease) In Fund Balance	<u>\$ 693,560</u>	<u>(4,388,040)</u>	<u>126,220</u>	<u>4,200</u>	<u>(596,430)</u>

III. OTHER FUNDS

SUMMARY	Transportation	Central Services	Motorized Equipment	Insurance	Sanitation	Cemetery
Operating Revenues	\$3,004,240	417,710	3,436,440	3,651,600	3,750,050	1,083,180
Expenditures	<u>3,965,110</u>	<u>334,210</u>	<u>4,293,140</u>	<u>3,600,100</u>	<u>3,608,640</u>	<u>934,380</u>
Excess of Revenues Over (Under) Expenditures	(960,870)	(16,500)	(856,700)	51,500	141,410	148,800
Add (Deduct):						
Depreciation	<u>653,000</u>	<u>11,150</u>	<u>790,100</u>	<u>-0-</u>	<u>63,500</u>	<u>-0-</u>
Contribution/Transfer (To) From General Fund	\$307,870	-0-	-0-	-0-	-0-	-0-
Increase (Decrease) In Fund Balance	<u>\$ -0-</u>	<u>(5,350)</u>	<u>(66,600)</u>	<u>51,500</u>	<u>204,910</u>	<u>148,800</u>

2. Flexible budgets are hereby authorized whereby appropriations may be increased to the extent that actual revenues exceed the original revenue budget amount. This provision shall apply to the following:

<u>Appropriation</u>	<u>Revenue</u>
Purchased Power	Electric Revenues
Natural Gas Purchases	Natural Gas Revenues
Cast Iron Main Replacement	Gas Refunds
Electric Capital Reserve	Electric Refunds
Business License Rebates	Business & Occup. Lic
DMV Fees	DMV Fees-P/Taxes
Landscape Projects	Donations - Grant Fund
Capital Expenditures from Grants-in-Aid	Utility Grants-in-Aid of Construction
P/W Street Maintenance	VDOT Street & Hwy Maint.
Social Services	State Categorical Aid- Dept of Social Svcs.
Mass Transit Fund	State & Federal Categorical Aid – Transportation
Police/Fire/PRT Departments Extra Pay	Recoveries – Extra Pay
Police Department	Forfeited Funds- State & Federal
Police Department Investigation Expense	Interest Earned-Unexpended Federal & State Forfeited Funds
Commonwealth Attorney Prosecution Expense-State Prosecution Expense-State	Forfeited Funds Interest earned on Forfeited Funds
HAZMAT Reimbursable Expenditures	Emergency Services Funds
Older Americans Title IIIB	Program Income
Older Americans Title IIID	Program Income
Econ Development Projects	Proceeds from Sale of Buildings or Property

Human Resources	Wellness Program Expenditures
Wellness Recovery Funds	State/Federal Funding
Grants Funds	& Private Donations
Clerk of Circuit Court	VA Supreme Court-
Index/Records	Technology Trust Fund
Community Development Fund	Program Income
CDBG-Rehab-Private Property	Program Income
HOME-Rehab-Private Property	
All Funds	
Repairs/Replacement-	
From Insurance/Accident	Recoveries – Accident
Claims	Claims

3. For the operation of the several city departments, as set forth in the "Intra-governmental Service Fund" Budgets, the Council hereby authorizes transfers from the General Fund for cash deficits resulting from internal charges and credits for the Year Ended June 30, 2018.

4. The accounting for funds designated within the General Fund as unanticipated grants/donations not exceeding \$20,000 and requiring no local funding are authorized for expenditure/assignment within the General Fund or Special Grants Fund. Unanticipated grants/donations in excess of \$20,000 to be submitted as an additional appropriation ordinance for City Council approval and adoption.

5. Transfers of funds from the General Fund to the accounts in the "Special Grants Fund" of the City for the purpose of making temporary advances to the Special Grants Fund pending receipt of reimbursements of such grant funds and for the purpose of adjusting any cash deficits in such Special Grants Funds for the Fiscal Year Ending June 30, 2018, be, and the same are hereby, authorized.

6. Any deficit resulting from the operations of the Cemetery Enterprise Fund shall be financed by a transfer from the General Fund.

7. Authorization to transfer up to ½ the increase in Unassigned Fund Balance to the Budget Stabilization Fund at June 30, 2018 up to the maximum balance as prescribed by City Council's Financial Policy.

8. Authorization to transfer unexpended funds for the Line of Duty Act (LODA), General Liability Insurance, and Worker's Compensation to the Insurance Fund to be held in reserve for future expenses unless such transfer reduces unassigned Fund Balance/Retained Earnings in respective funds.

9. The FY 2018 Personnel Budget setting forth the Personal Services Detail showing approved as to the total number of authorized full-time and full-time equivalent part-time positions is attached. The City Manager be, and he is hereby, authorized to allocate positions within similar occupational groupings as he may deem necessary and appropriate for the operation of the City, provided that the total number of positions and the total expenditures therefore do not exceed the authorized numbers and amounts set forth in the Budget.

10. The Director of Finance be, and he is hereby, authorized and directed to record the budget appropriations made hereby and the expenditures thereof in such manner and in such detail as may be appropriate for management and financial reporting purposes.

11. A sum of sufficient amount be, and the same is hereby, appropriated for the purchase of inventories of materials and supplies, and/or equipment and vehicle parts to maintain adequate operating inventories for City departments, provided cash funds are available for payment of said purchases.

12. The funds appropriated in Fiscal Year 2018 and in prior years for the City or School System which were encumbered by purchase order or contract as of June 30, 2018, be, and the same are hereby, reappropriated for the purpose of liquidating said outstanding encumbrances.

13. Appropriations for the following are deemed to be on a continuing basis and will continue in effect until the purposes have been achieved or said funds expended whichever comes first:

Police Department - Investigation Expense

Commonwealth Attorney-Prosecution Expense-State Funds

Support of School Operations - Local share (limited to \$1,000,000)

Appropriations for Grants Funds - Federal, State, Local Share

Law Library

Unexpended Tuition Reimbursement Funds – To the extent funding has been committed and approved prior to June 30

Capital Improvement Projects (unless transferred or cancelled by the City Manager and/or City Council)

Sheriff's Office – Jail R& B Fee

Parks, Recreation & Tourism – Scholarship Funds & Revolving Accounts

Recoveries/Appropriations - Accident/Insurance Claims

14. Appropriations designated as transfers to Capital Improvements, other than projects funded by grant or the issuance of bonds, are hereby authorized as appropriations in the receiving fund in accordance with the Capital Improvements Plan approved by City Council.

15. All expenditures in excess of amount budgeted for Group Health Insurance shall be financed by a transfer from the Insurance Fund.

16. Authorization for appropriation of Law Library Revenues reserved from prior fiscal years in Advance Collections.

17. Authorization to carry forward unexpended appropriation for Regional Industrial Facilities Authority Debt Service including interest earned and to designate as reserved funding to be used for the purpose for which it was appropriated.

18. Authorization to carry forward unencumbered appropriation for Support of Public Schools not to exceed \$1,000,000, and, in addition, hereby authorize unexpended funds in excess of the \$1,000,000 carryforward to be transferred to a capital project reserve for future capital needs to the extent the transfer to a reserve for School capital projects will not cause the City's Unreserved Fund Balance to decrease more than provided in the FY 2019 Budget.

19. Authorization for appropriation in the Capital Projects Fund of Support of and Debt Service requirements for the Regional Industrial Facilities Authority as provided in the General Fund Budget.

20. Subject to the provisions herein, departments are authorized to transfer budget between line items within the department within the same fund with the following limitations:

- No transfers allowed to or from salary/benefit line items to operating line items unless approved by City Manager, Deputy City Manager, or Budget Director.
- No transfers allowed from fixed line items (General Liability Insurance, Worker's Compensation, Depreciation, Debt Service Principal/Interest, Motorpool Rental) to operating or salary/benefit line items unless approved by City Manager, Deputy City Manager, or Budget Director.
- All transfers must be approved by Department Director or designee.

21. The City Manager or designee is authorized to transfer budget from contingency within the same fund.

22. City Manager, Deputy City Manager, or Budget Director authorized to transfer funds between departments within same fund at year-end to cover over-expenditures and during the fiscal year for special one-time purposes.

23. Budget Adjustments are hereby authorized for Bond Refundings as approved by City Council.

24. Transfers of funds from the General Fund to the Economic Development Fund are available for transfer to the Industrial Development Authority for payments of economic development projects.

25. Funds received for the Telvista Loan Repayment shall be transferred at year-end to the General Fund Unassigned Balance unless otherwise appropriated by City Council.

28. This Ordinance shall become and be effective on and as of July 1, 2018.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019					
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals	POSITION TITLE	
City Manager's Office (01100)									
1			1.0	1			1.0	City Manager	
1			1.0	1			1.0	Deputy City Manager	
1			1.0	1			1.0	Assistant to the City Manager	
1			1.0	1			1.0	Clerk of Council	
1			1.0	1			1.0	Multi-media Design Manager	
1			1.0	1			1.0	Public Information Officer (Funded by Utilities)	
1			1.0	1			1.0	Director of Budget	
-			-	1			1.0	Youth & Gang Violence Prevention Coordinator (Grant Funded)	
1			1.0	1			1.0	Executive Assistant	
1			1.0	1			1.0	Executive Secretary	
9	-		9.0	10	-		10.0	TOTAL CITY MANAGER'S OFFICE	
City Attorney's Office (01105)									
1			1.0	1			1.0	City Attorney	
1			1.0	1			1.0	Assistant City Attorney I *	
1			1.0	1			1.0	Assistant City Attorney II	
1			1.0	1			1.0	Legal Assistant	
1			1.0	1			1.0	Legal Secretary	
5	-		5.0	5	-		5.0	TOTAL CITY ATTORNEY'S OFFICE	
								Assistant City Attorney I funded by Blight	
COMMUNITY DEVELOPMENT DEPARTMENT									
Community Development Fund (12110)									
1			1.0	1			1.0	Community Redevelopment Specialist	
2			2.0	2			2.0	Cost Estimator/Inspector	
1			1.0	1			1.0	Housing & Development Planning Specialist	
1			1.0	1			1.0	Senior Account Clerk	
1			1.0	1			1.0	Secretary	
6			6.0	6			6.0	Sub-Total	
Director of Community Development (01700)									
1			1.0	1			1.0	Director of Community Development	
1			1.0	1			1.0	Accountant II	
1			1.0	-			-	Intake Diversion Specialist	
1			1.0	1			1.0	Senior Secretary	
4	-		4.0	3	-		3.0	Sub-Total	
Inspections Office (01710)									
1			1.0	1			1.0	Division Director of Inspections	
1			1.0	1			1.0	Inspections Supervisor	
1			1.0	1			1.0	Plumbing/Cross Connection Inspector	
1			1.0	1			1.0	Mechanical Inspector	
1			1.0	1			1.0	Electrical Inspector	
2			2.0	2			2.0	Building Inspector	
4			4.0	4			4.0	Property Maintenance Inspector	
1			1.0	1			1.0	Property Maintenance Code Coordinator	
1			1.0	1			1.0	Permit Technician	
13	-		13.0	13	-		13.0	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019					
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals	POSITION TITLE	
Planning Office (01715)									
-			-	-			-	Division Director of Planning	
2			2.0	2			2.0	Combination of:	
								Senior Planner	
								Associate Planner	
								Planning Technician	
2	-		2.0	2	-		2.0	Sub-Total	
25	-		25	24	-		24	TOTAL COMMUNITY DEV DEPARTMENT	
Social Services Department (01520)									
1			1.0	1			1.0	Director of Social Services	
1			1.0	1			1.0	Family Services Manager	
1			1.0	1			1.0	Eligibility Services Manager	
3			3.0	3			3.0	Family Services Supervisor	
1			1.0	1			1.0	Accountant II	
1			1.0	1			1.0	Employment Service Supervisor	
3			3.0	3			3.0	Eligibility Supervisor	
3			3.0	3			3.0	Senior Family Services Specialist	
1			1.0	1			1.0	Comprehensive Services Coordinator (Grant Funded)	
5			5.0	5			5.0	Child Protective Service Worker	
15			15.0	15			15.0	Family Services Specialist	
3	0.6		3.6	4			4.0	Senior Eligibility Worker	
2			2.0	2			2.0	Fraud Investigator	
2			2.0	2			2.0	Administrative Assistant (One Grant Funded)	
8			8.0	8			8.0	Employment Services Worker	
1			1.0	1			1.0	SNAPET Coordinator	
33	1.8		34.8	33	1.8		34.8	Eligibility Worker	
1			1.0	1			1.0	Senior Secretary	
1			1.0	1			1.0	Senior Account Clerk	
4			4.0	4			4.0	Senior Administrataive Specialist	
1			1.0	1			1.0	Social Service Aide	
1			1.0	1			1.0	Employment Service Aide	
9	0.6		9.6	9	0.6		9.6	Administrative Specialist	
101	3.0		104.0	102	2.4		104.4	Sub-Total	
Economic Development Department (01180)									
1			1.0	1			1.0	Director of Economic Development	
1			1.0	1			1.0	Assistant Director of Economic Development	
1			1.0	1			1.0	Economic Development Project Manager	
1			1.0	1			1.0	Marketing & Research Manager	
1			1.0	1			1.0	Special Project Manager	
5	-		5.0	5	-		5.0	TOTAL ECONOMIC DEVELOPMENT DEPT	
FINANCE DEPARTMENT									
Central Collections (01225)									
1			1.0	1			1.0	Division Director of Customer Accounts	
1			1.0	1			1.0	Collections Supervisor	
1			1.0	1			1.0	Delinquent Collections Coordinator	
2			2.0	2			2.0	Senior Collections Clerk	
4			4.0	4			4.0	Combination of:	
								Collection Clerk II	
								Senior Cashier	
								Collection Clerk I	
5			5.0	5			5.0	Cashier	
14	-		14.0	14	-		14.0	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals				
Central Services Fund (42110)									
1			1.0	1		1.0	Print Shop Technician		
3			3.0	3		3.0	Combination of:		
							Senior Printer		
							Printer		
4	-		4.0	4	-	4.0	Sub-Total		
Director of Finance (01200)									
1			1.0	1		1.0	Director of Finance		
1			1.0	1		1.0	Senior Secretary		
2	-		2.0	2	-	2.0	Sub-Total		
Accounting (01205)									
1			1.0	1		1.0	Assistant Director of Finance		
1			1.0	1		1.0	Business Systems Accountant		
3			3.0	3		3.0	Accountant II		
1			1.0	1		1.0	Accountant III		
1			1.0	1		1.0	Payroll Technician		
1			1.0	1		1.0	Senior Account Clerk		
2			2.0	2		2.0	Account Clerk		
10	-		10.0	10	-	10.0	Sub-Total		
Internal Auditor (01208)									
1	-		1.0	1	-	1.0	Senior Internal Auditor		
Purchasing (01215)									
1			1.0	1		1.0	Division Director of Purchasing		
1			1.0	1		1.0	Buyer		
1			1.0	1		1.0	Senior Purchasing Clerk		
1			1.0	1		1.0	Purchasing Clerk		
4	-		4.0	4	-	4.0	Sub-Total		
Real Estate (01220)									
1			1.0	1		1.0	Division Director of Real Estate Assessment		
3			3.0	3		3.0	Combination of:		
							Real Estate Appraiser III		
							Real Estate Appraiser II		
							Real Estate Appraiser I		
1			1.0	1		1.0	Combination of:		
							Senior Real Estate Assessment Clerk		
							Real Estate Assessment Clerk		
5	-		5.0	5	-	5.0	Sub-Total		
40	-		40	40	-	40	TOTAL FINANCE DEPARTMENT		
FIRE DEPARTMENT									
Emergency Communications (01330)									
	0.5		0.5		0.5	0.5	CERT Coordinator		
1			1.0	1		1.0	Emergency Communications Coordinator		
4			4.0	4		4.0	Emergency Telecommunications Supervisor		
16			16.0	16		16.0	Emergency Telecommunicator		
21	0.5		21.5	21	0.5	21.5	Sub-Total		

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals		
Fire (01320)									
1			1.0	1			1.0	Fire Chief	
2			2.0	2			2.0	Assistant Fire Chief	
4			4.0	4			4.0	Fire Battalion Chief	
1			1.0	1			1.0	Fire Marshal	
21			21.0	21			21.0	Fire Captain	
1			1.0	1			1.0	Assistant Fire Marshal	
1			1.0	1			1.0	Fire Code Inspector	
6			6.0	6			6.0	Fire Lt./Asst. Training Officer	
24			24.0	24			24.0	Fire Fighter/Engineer	
1			1.0	1			1.0	Fire Support Analyst	
60			60.0	60			60.0	Fire Fighter	
1			1.0	1			1.0	Administrative Assistant	
1			1.0	1			1.0	Senior Secretary	
124	-		124.0	124	-		124.0	Sub-Total	
145	0.5		145.5	145	0.5		145.5	TOTAL FIRE DEPARTMENT	
Circuit Court (01155)									
1			1.0	1			1.0	Law Clerk	
1			1.0	1			1.0	Judicial Assistant	
1			1.0	1			1.0	Legal Secretary	
3	-		3.0	3	-		3.0	TOTAL CIRCUIT COURT	
J & D Court (0)									
			-	1			1.0	Intake Diversion Specialist	
Human Resources (01110)									
1			1.0	1			1.0	Director of Human Resources	
4			4.0	4			4	Combination of:	
			-				-	Organization Development Consultant	
			-				-	HR Consultant	
1			1.0	1			1.0	Human Resource Technician	
1			1.0	1			1.0	Senior Secretary	
7	-		7.0	7	-		7.0	TOTAL HUMAN RESOURCES	

CITY OF DANVILLE							
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS							
FTE = Full-time Equivalent							
Fiscal Year 2018				Fiscal Year 2019			POSITION TITLE
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals		
Information Technology (01250)							
1		1.0	1		1.0	Director of Information Technology	
3		3.0	3		3.0	Combination of:	
						Assistant Director of Information Technology	
						Division Director of Application Support	
						Division Director of Infrastructure & Operations	
						IT Project Manager	
						IT Business Relationship Manager	
						IT Business Analyst	
7		7.0	7		7.0	Combination of:	
						Network Systems Engineer	
						Network Administrator	
						System Administrator	
						End User Technical Support Manager	
						Network Analyst	
						Sr. End User Support Technician	
						End User Support Technician	
10		10.0	10		10.0	Combination of:	
						Help Desk Manager	
						GIS Coordinator	
						IT Solutions Architect Manager	
						Sr. Applications Support Specialist	
						Sr. Database Administrator	
						IT Application Support Specialist	
						Sr. Programmer Analyst	
						Sr. GIS Programmer Analyst	
						Database Administrator	
						GIS Programmer Analyst	
						Programmer/Analyst	
						GIS Analyst	
1		1.0	1		1.0	Administrative Assistant	
22	-	22.0	22	-	22.0	TOTAL INFORMATION TECHNOLOGY	
POLICE DEPARTMENT							
Adult Detention Facility (01515)							
1		1.0	1		1.0	Division Director of Adult Detention	
1		1.0	1		1.0	Chief Correctional Officer	
1		1.0	1		1.0	Service Program Coordinator	
-		-	-		-	Health Services Administrator	
1		1.0	1		1.0	Administrative Lieutenant	
	0.1	0.1		0.1	0.1	Licensed Physician	
1		1.0	1		1.0	Work Program Coordinator	
2		2.0	2		2.0	Correctional Health Assistant	
4		4.0	4		4.0	Correctional Captain	
5		5.0	5		5.0	Correctional Lieutenant	
1		1.0	1		1.0	Safety Supply Officer	
19	1.1	20.1	19	1.1	20.1	Combination of:	
						Correctional Officer I	
						Correctional Officer II	
2		2.0	2		2.0	Senior Account Clerk	
38	1.2	39.2	38	1.2	39.2	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals				
Juvenile Detention Facility (01510)									
1		1.0	1		1.0	Division Director of Juvenile Detention			
1		1.0	1		1.0	Assistant Division Director of Juvenile Detention			
	0.1	0.1		0.1	0.1	Licensed Physician			
1		1.0	1		1.0	Juvenile Program Coordinator			
1		1.0	1		1.0	Nurse			
2		2.0	1		1.0	Juvenile Outreach Counselor (Grant Funded)			
4		4.0	4		4.0	Shift Supervisor			
2		2.0	1		1.0	Electronic Monitoring Case Worker (Grant Funded)			
1		1.0	1		1.0	Building Maintenance Mechanic I			
1		1.0	1		1.0	Post Dispositional Coordinacor			
4		4.0	4		4.0	Senior Youth Care Worker			
27	4.4	31.4	27	4.4	31.4	Youth Care Worker			
1		1.0	1		1.0	Senior Account Clerk			
2		2.0	2		2.0	Secretary			
1		1.0	1		1.0	Custodian			
49	4.5	53.5	47	4.5	51.5	Sub-Total			
Police (01330)									
1		1.0	1		1.0	Police Chief			
1		1.0	1		1.0	Police Lieutenant Colonel			
2		2.0	2		2.0	Police Major			
7		7.0	7		7.0	Police Captain			
10		10.0	10		10.0	Police Lieutenant			
1	0.2	1.2	1	0.2	1.2	Senior Investigators			
8		8.0	8		8.0	Police Sergeant			
16		16.0	16		16.0	Police Corporal			
89		89.0	89		89.0	Police Officer (Four positions unfunded)			
1		1.0	1		1.0	Quarter Master			
1		1.0	1		1.0	Police Records Office Manager			
1		1.0	1		1.0	Police Video Technician			
1		1.0	1		1.0	Police Property & Evidence Technician			
1		1.0	1		1.0	Administrative Assistant			
1		1.0	1		1.0	Animal Control Officer			
2		2.0	2		2.0	Secretary			
1		1.0	1		1.0	Senior Secretary			
3		3.0	3		3.0	Police Records Clerk			
1		1.0	1		1.0	Crime Analyst			
	0.6	0.6		0.6	0.6	Parking Attendant			
	2.0	2.0		2.0	2.0	School Crossing Guard			
148	2.8	150.8	148	2.8	150.8	Sub-Total			
235	8.5	243.5	233	8.5	241.5	TOTAL POLICE DEPARTMENT			

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals				
PARKS & RECREATION DEPARTMENT									
Parks & Recreation - Administration (01292)									
1		1.0	1		1.0	Director of Parks & Recreation			
1		1.0	1		1.0	Division Director of Parks & Recreation Admin			
1		1.0	1		1.0	P&R Communications Specialist			
1		1.0	1		1.0	Program Coordinator			
1		1.0	1		1.0	Facilities & Services Planning Specialist			
1		1.0	1		1.0	Senior Secretary			
1		1.0	1		1.0	Secretary			
1		1.0	2		2.0	Custodian			
1	0.3	1.3	1	0.3	1.3	Administrative Specialist			
	0.6	0.6		0.6	0.6	Recreation Program Supervisor			
1		1.0	1		1.0	Outdoor Recreation Program Supervisor			
	0.2	0.2		0.2	0.2	Intern			
10	1.1	11.1	11	1.1	12.1	Sub-Total			
Athletics (01307)									
1		1.0	1		1.0	Division Director of Athletics			
1		1.0	1		1.0	Program Coordinator			
	0.6	0.6		0.6	0.6	Administrative Specialist			
	0.5	0.5		0.5	0.5	Custodian			
	0.9	0.9		0.9	0.9	Recreation Program Supervisor			
	0.7	0.7		0.7	0.7	Recreation Sports Official			
	1.4	1.4		1.4	1.4	Recreation Facility Operator			
2	4.1	6.1	2	4.1	6.1	Sub-Total			
Community Recreation (01605)									
1		1.0	1		1.0	Division Director of Community Recreation			
4		4.0	4		4.0	Program Coordinator			
2		2.0	2		2.0	Recreation Grants Specialist (Grant Funded)			
1	0.9	1.9	-	0.9	0.9	Custodian			
1		1.0	1		1.0	Administrative Specialist			
	1.7	1.7		1.7	1.7	Recreation Aide			
	2.0	2.0		2.0	2.0	Recreation Leader			
	2.5	2.5	1	1.5	2.5	Recreation Program Supervisor			
	0.2	0.2		0.2	0.2	Recreation Instructor			
	1.6	1.6		1.6	1.6	Recreation Site Supervisor			
	2.5	2.5		2.5	2.5	Recreation Facility Operator			
9.0	11.4	20.4	9.0	10.4	19.4	Sub-Total			
Park Maintenance (01316)									
1		1.0	1		1.0	Division Director of Parks Maintenance			
1		1.0	1		1.0	Parks Supervisor			
1		1.0	1		1.0	Crew Supervisor			
11		11.0	11		11.0	Combination of:			
						Park Maintenance Technician			
						Parks Groundskeeper II			
						Parks Groundskeeper I			
						Motor Equipment Operator I			
1	1.8	2.8	1	1.8	2.8	Public Service Worker			
	0.3	0.3		0.3	0.3	Recreation Facility Operator			
-		-	-		-	Administrative Specialist			
15	2.1	17.1	15	2.1	17.1	Sub-Total			

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019					
Full-Time Positions	Part-Time FTEs	Totals		Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE		
Special Recreation (01610)									
1		1.0		1		1.0	Division Director of Special Recreation		
3		3.0		3		3.0	Program Coordinator		
1		1.0		1		1.0	Recreation Grants Specialist		
1		1.0		1		1.0	Special Population Assistant		
1	0.4	1.4		1	0.4	1.4	Custodian		
1		1.0		1		1.0	Account Clerk		
	1.3	1.3			1.3	1.3	Administrative Specialist		
	1.4	1.4			1.4	1.4	Recreation Leader		
1	3.6	4.6		2	2.6	4.6	Recreation Program Supervisor		
	0.6	0.6			0.6	0.6	Recreation Aide		
		-				-	Recreation Instructor		
9	7.3	16.3		10	6.3	16.3	Sub-Total		
Public Library (01540)									
1		1.0		1		1.0	Division Director of Library		
1		1.0		1		1.0	Adult Services Librarian		
1		1.0		1		1.0	Children's Librarian		
1		1.0		1		1.0	Circulation Supervisor		
1		1.0		1		1.0	Circulation Specialist		
1		1.0		1		1.0	Technical Services Librarian		
2		2.0		2		2.0	Library Services Specialist		
4	3.2	7.2		4	3.2	7.2	Information Specialist		
1		1.0		1		1.0	Senior Administrative Specialist		
	0.6	0.6			0.6	0.6	Law Library Information Specialist		
1		1.0		1		1.0	Library Technology Specialist		
14	3.8	17.8		14	3.8	17.8	Sub-Total		
59	29.8	88.8		61	27.8	88.8	TOTAL PARKS & RECREATION		
PUBLIC WORKS DEPARTMENT									
Cemetery Maintenance (fund 59) (59110)									
1		1.0		1		1.0	General Supervisor		
2		2.0		2		2.0	Cemetery Supervisor		
2		2.0		2		2.0	Groundskeeper		
10		10.0		8		8.0	Public Service Worker/Operator		
15	-	15.0		13	-	13.0	Sub-Total		
Public Works Administration (0125301) (01400)									
1		1.0		1		1.0	Director of Public Works		
1		1.0		1		1.0	Division Director Public Works Administration		
1		1.0		1		1.0	Senior Administrative Assistant		
1		1.0		-		-	Horticulturist (Funded by Special Revenue)		
1		1.0		1		1.0	Administrative Assistant		
1		1.0		1		1.0	Senior Account Clerk		
1		1.0		1		1.0	Senior Secretary		
3		3.0		3		3.0	Account Clerk		
10	-	10.0		9	-	9.0	Sub-Total		

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals		
P/W Building Maintenance (01250) (01440)									
1			1.0	1			1.0	Division Director of Building & Grounds	
1			1.0	1			1.0	General Supervisor	
1			1.0	1			1.0	Custodian Supervisor	
7			7.0	7			7.0	Combination of:	
								Building Maintenance Mechanic III	
								Building Maintenance Mechanic II	
								Building Maintenance Mechanic I	
1			1.0	1			1.0	Senior Custodian	
8			8.0	8			8.0	Custodian	
19	-		19.0	19	-		19.0	Sub-Total	
Motorized Equipment (Fund 44) (44110)									
2			2.0	2			2.0	Equipment Maintenance Supervisor	
2			2.0	2			2.0	Public Works Warehouse Stock Clerk	
15			15.0	15			15.0	Combination of:	
								Automotive Equipment Mechanic III	
								Welder	
								Automotive Equipment Mechanic II	
								Automotive Service Technician	
								Automotive Equipment Mechanic I	
1			1.0	1			1.0	Transit Mechanic	
20	-		20.0	20	-		20.0	Sub-Total	
Motorized Equipment-Communications (Fund 44) (44110)									
1			1.0	1			1.0	Communications Systems Manager	
P/W Sewer Maintenance (Fund 51) (51220)									
1			1.0	1			1.0	General Supervisor	
1			1.0	1			1.0	Crew Supervisor	
1			1.0	1			1.0	CCTV Technician	
8			8.0	8			8.0	Combination of:	
								Motor Equipment Operator II	
								Motor Equipment Operator I	
								Public Service Worker/ Operator	
11	-		11.0	11	-		11.0	Sub-Total	
P/W Sanitation-Code Enforcement (Fund 58) (58150)									
2			2.0	2			2.0	Code Enforcement Inspector	
P/W Sanitation-Composting (Fund 58) (58120)									
1			1.0	1			1.0	Sanitation Operator I	
P/W Sanitation-Recycling (Fund 58) (58140)									
1			1.0	1			1.0	Recycling Center Operator	
2			2.0	2			2.0	Sanitation Operator I	
3	-		3.0	3	-		3.0	Sub-Total	
P/W Sanitation-Residential Refuse Collection (Fund 58) (58110)									
1			1.0	1			1.0	Division Director of Sanitation	
1			1.0	1			1.0	General Supervisor	
11			11.0	11			11.0	Combination of:	
								Sanitation Operator II	
								Sanitation Operator I	
								Solid Waste Collector	
13	-		13.0	13	-		13.0	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019					
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals	POSITION TITLE	
				P/W Sanitation-Yardwaste (Fund 58) (58130)					
7			7.0	7			7.0	Sanitation Operator I	
-			-	1			1.0	Public Service Worker/Operator	
7	-		7.0	8			8.0		
				P/W VDOT-Engineering (Fund 15-244) (15110)					
1			1.0	1			1.0	Assistant Director of P/W - City Engineer	
4			4.0	4			4.0	Combination of:	
			-				-	Public Works Chief Engineer	
			-				-	Project Manager	
			-				-	Construction Inspections Supervisor	
6			6.0	7			7.0	Combination of:	
								Public Works Project Engineer	
			-				-	Construction Inspector	
			-				-	Engineering Technician	
11	-		11.0	12	-		12.0	Sub-Total	
				P/W VDOT- Grounds Maintenance (Fund 15-250) (15210)					
1			1.0	1			1.0	General Supervisor	
1			1.0	1			1.0	Crew Supervisor	
13			13.0	13			13.0	Combination of:	
								Motor Equipment Operator II	
								Motor Equipment Operator I	
								Public Service Worker/ Operator	
2			2.0	2			2.0	Groundskeeper	
17	-		17.0	17	-		17.0	Sub-Total	
				P/W VDOT-Street Cleaning (Fund 15-247) (15125)					
7			7.0	7			7.0	Combination of:	
								Public Service Worker/ Operator	
								Motor Equipment Operator II	
								Motor Equipment Operator I	
7	-		7.0	7	-		7.0	Sub-Total	
				P/W VDOT-Street Maintenance (Fund 15-247) (15120)					
1			1.0	1			1.0	Division Director of Streets	
1			1.0	1			1.0	Training & Safety Manager	
2			2.0	2			2.0	General Supervisor	
3			3.0	3			3.0	Crew Supervisor	
1			1.0	1			1.0	Code Enforcement Inspector	
27			27.0	26			26.0	Combination of:	
								Motor Equipment Operator III	
								Motor Equipment Operator II	
								Motor Equipment Operator I	
								Public Service Worker/ Operator	
1			1.0	1			1.0	Groundskeeper	
36	-		36.0	35	-		35.0	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019					
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals	POSITION TITLE	
P/W VDOT-Traffic Control (Fund 15-244) (15115)									
1			1.0	1			1.0	Traffic Control Superintendent	
1			1.0	1			1.0	Traffic Control Crew Supervisor	
1			1.0	1			1.0	Senior Traffic Signal Technician	
1			1.0	1			1.0	Traffic Signal Technician	
1			1.0	1			1.0	Sign Technician	
3			3.0	3			3.0	Motor Equipment Operator II	
1			1.0	1			1.0	Public Service Worker/ Operator	
9	-		9.0	9	-		9.0	Sub-Total	
182	-		182	180	-		180	TOTAL PUBLIC WORKS DEPARTMENT	
TRANSPORTATION DEPARTMENT									
Airport (01350)									
1			1.0	1			1.0	Senior Administrative Assistant	
1			1.0	1			1.0	Transportation Building & Grounds Superintendent	
1			1.0	1			1.0	Airport Maintenance Security Tech II	
1	3.0		4.0	1	3.0		4.0	Airport Maintenance Security Tech I	
4	3.0		7.0	4	3.0		7.0	Sub-Total	
Mass Transit (Fund 56) (56110)									
1			1.0	1			1.0	Director of Transportation Services	
1				1				Transportation Services Division Direcotr	
2			2.0	2			2.0	Transportation Supervisor	
			-	1			1.0	Transportation Dispatcher	
1			1.0	1			1.0	Senior Account Clerk	
28	0.6		28.6	30	0.6		30.6	Combination of:	
								Transit Driver I	
								Transit Driver II	
1			1.0	1			1.0	Account Clerk	
34	0.6		33.6	37	0.6		36.6	Sub-Total	
38	3.6		40.6	41	3.6		43.6	TOTAL TRANSPORTATION DEPARTMENT	
UTILITIES DEPARTMENT									
Utilities Administration (Fund 54) (50100)									
1			1.0	1			1.0	Utilities Director	
1			1.0	1			1.0	Key Accounts Manager	
1			1.0	1			1.0	SCADA Analyst	
2			2.0	2			2.0	Senior Secretary	
5	-		5.0	5	-		5.0	Sub-Total	
Utilities - Fiscal Services (Fund 54) (50110)									
1			1.0	1			1.0	Division Director of Support Services	
1			1.0	1			1.0	Accountant II	
1			1.0	1			1.0	Training & Safety Manager	
1			1.0	1			1.0	Utilities Warehouse Manager	
2			2.0	2			2.0	Senior Account Clerk	
3			3.0	3			3.0	Warehouse Stock Clerk	
9	-		9.0	9	-		9.0	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals				
Utilities - Customer Service (Fund 54) (50120)									
1			1.0	1			1.0	Division Director of Customer Service	
1			1.0	1			1.0	AMI Support Technician	
1			1.0	1			1.0	Sr Customer Service/Training Representative	
6			6.0	6			6.0	Combination of:	
								Senior Utility Billing Clerk	
								Utility Special Billing Clerk	
								Utility Billing Clerk	
8			8.0	8			8.0	Customer Service Representative	
17	-		17.0	17	-		17.0	Sub-Total	
31	-		31	31	-		31	Total Utilities Admin	
Water Treatment Administration (Fund 52) (52100)									
1			1.0	1			1.0	Division Director of Water/Wastewater Treatment	
1			1.0	1			1.0	Senior Secretary	
2	-		2.0	2	-		2.0	Sub-Total	
Water Treatment (Fund 52) (52130)									
1			1.0	1			1.0	Water Treatment Manager	
1			1.0	1			1.0	Water Chemist	
2			2.0	3			3.0	Combination of:	
								Bldg Maintenance Superintendent	
								Senior Industrial Mechanic	
								Industrial Mechanic	
9			9.0	9			9.0	Combination of:	
								Water Treatment Plant Operator Supervisor	
								Water Treatment Plant Operator III	
								Water Treatment Plant Operator II	
								Water Treatment Plant Operator I	
								Water Treatment Plant Operator Trainee	
1			1.0	-			-	Utility Plant Maintenance Worker	
14	-		14.0	14	-		14.0	Sub-Total	
16	-		16	16	-		16	Total Water Fund	
Gas Administration (Fund 53) (53100)									
1			1.0	1			1.0	Division Director of Water & Gas	
1	-		1.0	1	-		1.0	Sub-Total	
Gas Control (Fund 53) (53130)									
1			1.0	1			1.0	Gas Control Manager	
2			2.0	2			2.0	Gas Control Technician	
3	-		3.0	3	-		3.0	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals				
Water & Gas Distribution (Fund 53) (53220)									
1			1.0	1			1.0	Water and Gas Distribution Superintendent	
1			1.0	1			1.0	Water and Gas Distribution Supervisor	
4			4.0	7			7.0	Water and Gas Crew Supervisor	
2			2.0	-			-	W&G Construction Crew Supervisor	
1			1.0	-			-	Water and Gas Welder/Crew Supervisor	
5			5.0	11			11.0	Combination of:	
								Motor Equipment Operator III	
								Motor Equipment Operator II	
								Motor Equipment Operator I	
6			6.0	-			-	Construction Worker	
5			5.0	5			5.0	Public Service Worker	
25	-		25.0	25	-		25.0	Sub-Total	
Water & Gas Engineering (Fund 53) (53210)									
1			1.0	1			1.0	W&G Chief Engineer	
2			2.0	2			2.0	Water and Gas Senior Engineer Tech.	
1			1.0	1			1.0	Water and Gas Compliance Coordinator	
1			1.0	1			1.0	W&G Corrosion Techn ician	
1			1.0	1			1.0	Water and Gas GIS Engineer Tech.	
1			1.0	1			1.0	Water and Gas Engineering Aid	
7	-		7	7	-		7	Sub-Total	
Water & Gas Meters & Regulators (Fundn 53) (53240)									
1			1.0	1			1.0	Water & Gas Systems Control Superintendent	
3			3.0	3			3.0	Water and Gas Meter Tech.	
4	-		4.0	4	-		4.0	Sub-Total	
Water & Gas Service (Fund 53) (53230)									
7			7.0	7			7.0	Water and Gas Service Tech.	
1			1.0	1			1.0	Dispatcher	
8	-		8.0	8	-		8.0	Sub-Total	
48	-		48	48	-		48	Total Gas Fund	
Electric Administration (Fund 54) (54100)									
1			1.0	1			1.0	Division Director of Power & Light	
1	-		1.0	1	-		1.0		
Electric Distribution (Fund 54) (54120)									
1			1.0	1			1.0	Electric Distribution Superintendent	
5			5.0	5			5.0	Electric Line Crew Supervisor	
1			1.0	1			1.0	Inspector-Contractor Manager	
1			1.0	1			1.0	Electric Vegetation Right of Way Supervisor	
22			22.0	22			22.0	Combination of:	
								Electric Line Technician III	
								Electric Line Technician II	
								Electric Line Technician I	
								Electric Ground Worker	
3			3.0	3			3.0	Electric OH/UG Equipment Operator	
3			3.0	3			3.0	Electric Right of Way Trimmer	
1			1.0	1			1.0	Dispatcher	
37	-		37.0	37	-		37.0	Sub-Total	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals		
Electric Engineering (Fund 54) (54110)									
1			1.0	1			1.0	Electric Engineering Tech Supervisor	
1			1.0	1			1.0	Electric Engineering Tech/Compliance Coordinator	
1			1.0	-			-	Electric Drafting/GIS Tech	
-			-	1			1.0	Senior Electric GIS/CAD Technician	
5			5.0	5			5.0	Combination of:	
								Electric Senior Engineering Technician	
								Electric Engineering Technician	
								Electric Engineering Aide	
2			2.0	2			2.0	Electric Engineer	
10	-		10.0	10	-		10.0	Sub-Total	
Electric Hydro (Fund 54) (54150)									
1			1.0	1			1.0	Hydro-Electric Supt.	
1			1.0	1			1.0	Hydro Electric Maintenance Technician	
4			4.0	4			4.0	Hydro-Electric Operator	
1			1.0	1			1.0	Hydro-Electric Attendant	
7	-		7.0	7	-		7.0	Sub-Total	
Electric Meters (Fund 54) (54140)									
1			1.0	1			1.0	Electric Meter Supervisor	
3			3.0	3			3.0	Combination of:	
								Electric Meter Technician III	
								Electric Meter Technician II	
								Electric Meter Technician I	
4	-		4.0	4	-		4.0	Sub-Total	
Electric Substations (Fund 54) (54130)									
1			1.0	1			1.0	Electric Substation Superintendent	
1			1.0	1			1.0	Electric Substation Supervisor	
8			8.0	8			8.0	Utility Operator	
-			-	-			-	Electric T & D Equipment Technician	
4			4.0	4			4.0	Electric Substation Technician	
14	-		14.0	14	-		14.0	Sub-Total	
73	-		73	73	-		73	Total Electric (excluding Utilities Admin)	
Telecommunications (Fund 55) (55110)									
1			1.0	1			1.0	Division Director of Telecommunications	
2			2.0	2			2.0	Broadband Network Engineering Technician	
3	-		3.0	3	-		3.0	Sub-Total	
171.0	0.0		171.0	171.0	0.0		171.0	TOTAL UTILITIES DEPARTMENT	
CONSTITUTIONAL OFFICES									
2			2.0	2			2.0	Registrar	
10			10.0	10	1.0		11.0	Commissioner of the Revenue	
4			4.0	4			4.0	City Treasurer	
82			82.0	82			82.0	Sheriff's Office	
24			24.0	24			24.0	Commonwealth Attorney	
16			16.0	16			16.0	Clerk of Circuit Court	
138	-		138.0	138	1.0		139.0	TOTAL CONSTITUTIONAL OFFICES	
1,185	45		1,229	1,188	44		1,231	GRAND TOTAL	

CITY OF DANVILLE									
FY 2019 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2018				Fiscal Year 2019				POSITION TITLE	
Full-Time Positions	Part-Time FTEs		Totals	Full-Time Positions	Part-Time FTEs		Totals		
OTHER ELECTED OFFICIALS (Part-time)									
Not included in totals below									
-	8.0		8.0	-	8.0		8.0	Council Members	
-	1.0		1.0	-	1.0		1.0	Mayor	
-	9.0		9.0	-	9.0		9.0	TOTAL OTHER ELECTED OFFICIALS	
								FUND TOTALS	
681	45		725.8	681	42		723.2	General Fund (does not include Constitutional Offices)	
80	-		80.0	80	-		80.0	VDOT Fund	
4	-		4.0	4	-		4.0	Central Services	
21	-		21.0	21	-		21.0	Motorized Equipment	
34	0.6		34.6	37	0.6		37.6	Transportation Fund	
26	-		26.0	26	-		26.0	Sanitation Fund	
15	-		15.0	13	-		13.0	Cemetery Fund	
11	-		11.0	11	-		11.0	Wastewater Fund (Sewers)	
16	-		16.0	16	-		16.0	Water Fund	
48	-		48.0	48	-		48.0	Gas Fund	
104	-		104.0	104	-		104.0	Electric Fund	
3	-		3.0	3	-		3.0	Telecommunications Fund	
1,043	45.4		1,088.4	1,044	42.8		1,086.8		
6	-		6.0	6	-		6.0	CDBG Fund	
138	-		138.0	138	1.0		139.0	Constitutional Officer	
1,187	45.4		1,232.4	1,188	43.8		1,231.8	GRAND TOTAL	

Council Letter

City of Danville, Virginia



CL-1895

Appointments Item #: A.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Consideration of Appointments to Boards and Commissions

From: Susan M. DeMasi, Clerk of Council

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

Consideration of Appointments to Boards and Commissions.

Council Letter Number 1895.

Attachments

Resolutions

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION APPOINTING JESSIE L. BARKSDALE AS A MEMBER OF
THE AIRPORT COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Jessie L. Barksdale be, and he is hereby appointed as a member of the Airport Commission to serve as such for a Three Year term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION APPOINTING WILLIAM ALLGOOD AS A MEMBER OF THE
AIRPORT COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that William Allgood, be, and he is hereby appointed as a member of the Airport Commission to serve as such for a Three Year term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING CHRISTOPHER K. WILES AS A MEMBER
OF THE DAN RIVER ALCOHOL SAFETY ACTION PROGRAM.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Christopher K. Wiles, be, and he is hereby reappointed as a member of the Dan River Alcohol Safety Action Program to serve as such for a Three Year term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING TAMMY WARREN, AS A MEMBER OF THE
DANVILLE COMMUNITY POLICY & MANAGEMENT TEAM.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Tammy Warren, be, and she is hereby reappointed as a member of the Danville Community Policy & Management Team to serve as such for a One Year Term commencing July 1, 2018 and ending June 30, 2019.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING DEMETRIUS CREWS AS A MEMBER OF
THE DANVILLE COMMUNITY POLICY & MANAGEMENT TEAM.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that
Demetrius Crews, be, and he is hereby reappointed as a member of the Danville Community
Policy & Management Team to serve a One Year Term commencing July 1, 2018 and
ending June 30, 2019.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – ____.

**A RESOLUTION REAPPOINTING R.J. LACKEY, AS A MEMBER OF THE
DANVILLE DEVELOPMENT COUNCIL.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that R.J. Lackey, be, and he is hereby reappointed as a member of the Danville Development Council to serve a three year term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING SHELBY IRVING, AS A MEMBER OF THE
DANVILLE PITTSYLVANIA COMMUNITY SERVICES BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Shelby Irving, be, and she is hereby reappointed as a member of the Danville Pittsylvania Community Services Board to serve as such for a Three Year Term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING GWENDOLYN EDWARDS, AS A MEMBER
OF THE DANVILLE PITTSYLVANIA COMMUNITY SERVICES BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that
Gwendolyn Edwards, be, and she is hereby reappointed as a member of the Danville
Pittsylvania Community Services Board to serve as such for a Three Year Term
commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION APPOINTING TIA YANCEY, AS A MEMBER OF THE
DANVILLE PITTSYLVANIA COMMUNITY SERVICES BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Tia Yancey, be, and she is hereby appointed as a member of the Danville Pittsylvania Community Services Board to serve as such for a Three Year Term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION APPOINTING BERT EADES, AS A MEMBER OF THE
DANVILLE UTILITY COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Bert Eades, be, and he is hereby appointed as a member of the Danville Utility Commission to serve to serve as such for a Three Year Term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING WILLIAM DONAHUE, AS A MEMBER OF
THE DANVILLE UTILITY COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that William Donahue, be, and he is hereby reappointed as a member of the Danville Utility Commission to serve as such for a Three Year Term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – ____.

**A RESOLUTION REAPPOINTING CHARLES MAJORS AS A MEMBER OF
THE INSTITUTE FOR ADVANCED LEARNING AND RESEARCH BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Charles Majors be, and he is hereby, reappointed as a member of the Institute for Advanced Learning and Research Board, to serve as such for a Three Year Term commencing July 1, 2018 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION APPOINTING QONELL TOTTEN, AS A MEMBER OF THE
SOCIAL SERVICES ADVISORY BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Qonell Totten be, and he is hereby appointed as a member of the Social Services Advisory Board for a four year term commencing July 1, 2018 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION APPOINTING RANNIE SMITH, AS A MEMBER OF THE
SOCIAL SERVICES ADVISORY BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Rannie Smith be, and she is hereby appointed as a member of the Social Services Advisory Board to serve as such for a Four Year Term commencing July 1, 2018 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING BRANDI WILLIAMSON, AS A MEMBER OF
THE SOCIAL SERVICES ADVISORY BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Brandi Williamson be, and she is hereby reappointed as a member of the Social Services Advisory Board to serve as such for a Four Year Term commencing July 1, 2018 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING WADE KEY AS A MEMBER OF THE
TRANSPORTATION ADVISORY COMMITTEE.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Wade Key be, and he is hereby reappointed as a member of the Transportation Advisory Committee, to serve as such for a four year term commencing July 1, 2018 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING JOHN L. MOODY AS A MEMBER OF THE
TRANSPORTATION ADVISORY COMMITTEE.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that John L. Moody be, and he is hereby reappointed as a member of the Transportation Advisory Committee, to serve as such for a four year term commencing July 1, 2018 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION REAPPOINTING KEN GILLIE AS A MEMBER OF THE
TECHNICAL ADVISORY/RURAL TRANSPORTATION CITIZENS ADVISORY.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Ken Gillie
be, and he is hereby reappointed as a member of the Technical Advisory/Rural
Transportation Citizens Advisory, to serve as such for a four year term commencing July 1,
2018 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 – __. __

**A RESOLUTION APPOINTING CHRISTOPHER FRANKS AS THE
ALTERNATE MEMBER OF THE TECHNICAL ADVISORY/RURAL TRANSPORTATION
CITIZENS ADVISORY.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Christopher Franks be, and he is hereby appointed as the Alternate member of the Technical Advisory/Rural Transportation Citizens Advisory, to serve as such for a four year term commencing July 1, 2018 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CLERK

Council Letter

City of Danville, Virginia



CL-1896

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Lease Agreement with Norfolk Southern on Craghead Street

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

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

The City of Danville received a lease agreement that allows the City to landscape a portion of Norfolk Southern's property on Craghead Street across from the Danville Science Center. City Council must approve the lease agreement before it can be executed by the City Manager.

BACKGROUND

In an effort to continue to create an aesthetically pleasing environment in the River District, the City approached Norfolk Southern about allowing the City to landscape a portion of the barren lot across from the Danville Science Center. Norfolk Southern has agreed to lease a portion of the property to the City, for the purpose of landscaping, for \$300.00 per year. City Council must approve the lease agreement before it can be executed by the City Manager.

RECOMMENDATION

It is recommended that City Council approve the attached Resolution authorizing Execution of the attached lease agreement with Norfolk Southern Railway Company.

Attachments

Resolution

Lease Agreement

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018-____.____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY FOR LANDSCAPING ON CRAGHEAD STREET.

WHEREAS, the City has an interest in continuing to revitalize the River District by continuing to create an aesthetically pleasing environment; and

WHEREAS, Norfolk Southern Railway Company owns a certain parcel of real property on Craghead Street across from the Danville Science Center located at Milepost 235.91; and

WHEREAS, the City has contacted Norfolk Southern Railway Company about leasing a portion of this parcel for landscaping.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia 1950, as amended, and in consideration of the public hearing this day held by City Council, that the City Manager, Ken F. Larking, be, and he is hereby, authorized and directed to execute a lease agreement for landscaping a portion of a parcel owned by Norfolk Southern Railway Company on Craghead Street across from the Danville Science Center located at Milepost 235.91; and

BE IT FURTHER RESOLVED that the City Manager, Ken F. Larking, be, and he is hereby authorized to execute on behalf of the City all documents as may be necessary to effect such lease with Norfolk Southern Railway Company.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to Form and
Legal Sufficiency:

CITY ATTORNEY



Activity Number: 1256840

LEASE AGREEMENT

THIS LEASE is made as of the _____ day of _____, _____ by and between **NORFOLK SOUTHERN RAILWAY COMPANY** a Virginia corporation (the “**Landlord**”) and **CITY OF DANVILLE**, a Virginia government entity (the “**Tenant**”).

1. Premises; Use. For and in consideration of the agreements set forth herein, to be paid, kept and performed by Tenant, Landlord hereby leases and rents to Tenant, insofar as its right, title and interest in the Premises enables it to do so, that certain real property located at Milepost 235.91 in **Danville, Danville (city), Virginia**, having an area of 5,000 square feet, more or less, the location and dimensions of which are substantially shown on print of Drawing No. 1256840 dated January 11, 2018, hereunto annexed as **Exhibit “A”** attached hereto (the “**Land**”), together with all improvements thereon (the “**Improvements**”). The Land and the Improvements are collectively referred to herein as the “**Premises**”. This Lease is subject to all encumbrances, easements, conditions, covenants and restrictions, whether or not of record.

The Premises shall be used for beautification purposes. The Premises shall not be used for any illegal purposes, for the storage of unlicensed vehicles, nor in any manner to create any nuisance or trespass. No smoking is permitted in or about the Premises. Landlord reserves unto itself and its permittees, the permanent right to construct, maintain or replace upon, under, or over the Premises, any pipe, electrical, telecommunications, and signal lines, or any other facilities of like character now installed or hereinafter to be installed. Landlord further reserves unto itself and its permittees the right to enter upon the Premises at any and all times for the purposes of operating, maintaining, constructing or relocating any trackage or railroad facilities located on, or in the vicinity of, the Premises.

The terms and conditions of the Rider, if any, attached hereto as **Exhibit “B”** are incorporated herein by this reference. In the event of an inconsistency between the terms hereof and the terms of the Rider, the terms of the Rider shall prevail.

2. Term. To have and to hold for a term beginning on **February 15, 2018**, and continuing thereafter on a periodic basis. In addition to any termination rights that the parties may have hereunder, either party may terminate this Lease for any reason by giving the other party not less than thirty (30) days’ notice of such termination. Any such termination pursuant to the preceding sentence shall not relieve Tenant from satisfying and performing all of its obligations hereunder (including, but not limited to, the payment of rental) through the date of such termination and shall not relieve either party from performing any obligation that, pursuant to the terms of the Lease, survives the termination of the Lease.

3. Base Rental. Commencing on **February 15, 2018** (the “**Rental Commencement Date**”) and thereafter on each anniversary thereof during the term of this Lease, Tenant shall pay to Landlord, without offset, abatement or demand, initial base rental of **THREE HUNDRED AND NO/100 DOLLARS (\$300.00)**. The amount of the base rental shall be increased (and not decreased) on an annual basis by the percentage of increase, if any, in the United States, Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U)(1982-1984 = 100) U.S. City Average, All Items (the “**Index**”) as set forth below. If the Index has changed so that the base year differs from that used in this Paragraph, the Index shall be converted in accordance with the conversion factor published by the United States Department of Labor, Bureau of Labor Statistics, to the 1982-84 base. If the Index is discontinued or revised during the term of this Lease, such other government index or computation with which it is replaced shall be used in

order to obtain substantially the same result as would be obtained if the Index had not been discontinued or revised.

The “**Adjustment Date**” shall mean the first anniversary of the Rental Commencement Date and each anniversary thereof during the term of this Lease. The Index published nearest to the Rental Commencement Date shall be the “**Base Index**”. The Index published nearest to the date three (3) months prior to the then current Adjustment Date shall be the “**Adjustment Index**”. On each Adjustment Date, the base rental shall be adjusted by multiplying the base rental payable under this Lease at the Rental Commencement Date by a fraction, the numerator of which fraction is the applicable Adjustment Index and the denominator of which fraction is the Base Index. The amount so determined shall be the base rental payable under the Lease beginning on the applicable Adjustment Date and until the next Adjustment Date (if any).

Base rental shall be due in advance. Except in the event of default, base rental for any partial rental periods shall be prorated. The acceptance by Landlord of base rental shall not constitute a waiver of any of Landlord's rights or remedies under this Lease. All payments of base rental, and any additional rental payable hereunder, shall be sent to the Treasurer of Landlord at Mail Code 5629, P.O. Box 105046, Atlanta, Georgia 30348-5046, or such other address as Landlord may designate in any invoice delivered to Tenant. Prior to or simultaneously with Tenant's execution of this Lease, Tenant has paid to Landlord (a) a non-refundable, application fee in the amount of \$500.00, and (b) the first installment of base rental due hereunder. In the event Tenant fails to pay base rental or any other payment called for under this Lease on or before the due date, Tenant shall pay a late charge equal to five percent (5%) of the unpaid amount. In addition, any sum not paid within thirty (30) days of its due date shall accrue interest thereafter until paid at the rate per annum equal to the lesser of (a) the highest interest rate permitted by applicable law; or (b) eighteen percent (18%).

4. Taxes. SEE RIDER.

5. Utilities. Landlord shall have no obligation to provide light, water, heat, air conditioning or any other utilities or services to the Premises. Tenant shall place any and all utility and service related bills in its name and shall timely pay the same, along with all assessments or other governmental fees or charges pertaining to the Premises, including without limitation those related to stormwater. If Tenant does not pay same, Landlord may (but shall not be obligated to) pay the same, including any and all late fees and penalties, and such payment shall be added to and treated as additional rental of the Premises.

6. Maintenance and Repairs. Tenant, at its sole cost, shall keep and maintain all of the Premises (including, but not limited to, all structural and non-structural components thereof and all systems) in good order and repair (including replacements) and shall keep the Premises free of pests and rodents. Tenant hereby waives (a) any rights at law or in equity to require Landlord to perform any repair, replacement or maintenance to the Premises, and (b) any right to abate rental or terminate this Lease due to the failure by Landlord to perform any repairs, replacements or maintenance. Tenant shall not create any lien, charge or encumbrance upon the Premises, and Tenant shall promptly remove or bond over any such lien, charge or encumbrance.

7. Modifications and Alterations to the Premises. Tenant shall make no modifications, alterations or improvements to the Premises without the prior written consent of Landlord, which consent may be withheld in Landlord's sole and absolute discretion. Any modifications or alterations consented to by Landlord shall be completed in a good, workmanlike and lien-free manner, in accordance with all applicable laws, codes, regulations and ordinances and by contractors approved by Landlord. Tenant may

remove any moveable equipment or trade fixtures owned by Tenant during the term of this Lease, provided that any damage caused by such removal shall be repaired by Tenant in a manner acceptable to Landlord.

8. Return of Premises. At the expiration or prior termination of this Lease, Tenant shall remove all of its moveable equipment and trade fixtures and repair any or all alterations made to the Premises. Upon Landlord's request, Tenant shall promptly and with due care remove any or all of the improvements located on the Premises. Tenant shall immediately repair, in a manner acceptable to Landlord, any damage arising out of any such removal or repair. Tenant shall also return the Premises, including the subsurface, in as good order and condition as said Premises may have been prior to the use and occupation thereof by Tenant, normal wear and tear excepted, and free from holes, obstructions, debris, wastes, or contamination of any kind. Tenant agrees that any improvements not removed from the Premises that are owned by Tenant may be deemed the property of Landlord at Landlord's option. Failure to comply with this Paragraph 8 will constitute holding over by Tenant.

If Tenant fails to restore the Premises, including removal of the improvements, as provided herein prior to the date Tenant is required to vacate the Premises or as otherwise requested by Landlord, then Landlord may, at Landlord's option, but at the sole cost and expense of Tenant, remove or arrange to remove all such property, improvements, obstructions, debris, waste, and contamination, and restore or arrange to restore both the surface and the subsurface of the Premises to as good order and condition as said Premises may have been prior to the use and occupation thereof by Tenant. Promptly upon bill rendered by Landlord, Tenant shall pay to Landlord the total cost of such removal and restoration, including, but not limited to, the cost of cleaning up and removing any contaminated soil or water.

9. Destruction of or Damage to Premises. If all or substantially all of the Premises are destroyed by storm, fire, lightning, earthquake or other casualty, this Lease shall terminate as of the date of such destruction, and rental shall be accounted for as between Landlord and Tenant as of that date. In the event of such termination, rental shall be prorated and paid up to the date of such casualty. In no event shall Tenant have any right to terminate this Lease if the casualty in question was caused or contributed to by Tenant, its agents, employees, contractors or invitees.

10. Indemnity. Except for damage caused solely by Landlord's negligence, Tenant agrees to indemnify, defend and save harmless Landlord, Landlord's parent companies, subsidiaries, affiliates, lessors, licensors, and subsidiaries of parent companies (collectively the "**Landlord Related Entities**") and Landlord's and Landlord's Related Entities' officers, directors, members, shareholders, lenders, agents and employees (collectively the "**Landlord Entities**") against all claims (including but not limited to claims for bodily injury, death or property damage), economic losses, liabilities, costs, injuries, damages, actions, mechanic's liens, losses and expenses (including but not limited to reasonable attorney's fees and costs) to whomsoever, including, but not limited to, Tenant's agents, workmen, servants or employees, or whatsoever occurring (collectively, "**Claims**") arising out of or relating to Tenant's use or occupancy of the Premises. To the fullest extent permitted by applicable laws, Tenant hereby waives and releases the Landlord Entities from any Claims (including but not limited to Claims relating to interruptions in services) arising out of or relating in any way to the Tenant's use or occupancy of the Premises.

11. Governmental Orders. Tenant agrees, at its own expense, to comply with all laws, orders, regulations, ordinances or restrictions applicable by reason of Tenant's use or occupancy of the Premises or operation of its business.

12. Condemnation. If the Premises or such portion thereof as will make the Premises unusable for the purpose herein leased shall be condemned by any legally constituted authority for any public use

or purpose, or sold under threat of condemnation, then this Lease shall terminate as of the date of such condemnation or sale, and rental shall be accounted for between Landlord and Tenant as of such date. All condemnation awards shall belong to Landlord; provided, however, and to the extent permitted under applicable law, Tenant shall be entitled to file a separate claim against the condemning authority for loss of its personal property and moving expenses so long as the filing of such claim does not affect or reduce Landlord's claim as to such awards or proceeds.

13. Assignment. Tenant may not assign this Lease or any interest thereunder or sublet the Premises in whole or in part or allow all or a portion of the Premises to be used by a third party without the prior written consent of Landlord. If Tenant is a corporation, partnership, limited liability company or other entity, the transfer of more than fifty percent (50%) of the ownership interests of Tenant or the transfer of a lesser percentage which results in a transfer of control of Tenant (WHICH INCLUDES, WITHOUT LIMITATION, TRANSACTIONS IN WHICH TENANT SELLS ITS BUSINESS, SELLS ALL OR SUBSTANTIALLY ALL OF THE ASSETS OF ITS BUSINESS OR MERGES OR CONSOLIDATES WITH ANOTHER ENTITY), whether in one transaction or a series of related transactions, shall constitute an assignment for purposes of this Lease. All requests for an assignment or sublease shall be accompanied by a copy of the proposed assignment or sublease agreement and an administrative fee in the amount of \$750.00. Any assignee shall become liable directly to Landlord for all obligations of Tenant hereunder. No such assignment or sublease nor any subsequent amendment of the Lease shall release Tenant or any guarantor of Tenant's obligations hereunder. If any such subtenant or assignee pays rental in excess of the rental due hereunder or if Tenant receives any other consideration on account of any such assignment or sublease, Tenant shall pay to Landlord, as additional rent, one-half of such excess rental or other consideration upon the receipt thereof. Any assignment or sublease made in violation of this Paragraph 13 shall be void and shall constitute a default hereunder.

14. Environmental. Tenant covenants that neither Tenant, nor any of its agents, employees, contractors or invitees shall cause or permit any aboveground or underground storage tanks or associated piping (collectively "**Tanks**") to be located on or under the Premises or any Hazardous Materials (as hereinafter defined) to be stored, handled, treated, released or brought upon or disposed of on the Premises. Tenant shall comply, at its own expense, with any and all applicable laws, ordinances, rules, regulations and requirements respecting solid waste, hazardous waste, air, water, pollution or otherwise relating to the environment or health and safety (collectively "**Environmental Laws**"). Tenant shall not under any circumstance dispose of trash, debris or wastes on the Premises and will not conduct any activities on the Premises which require a hazardous waste treatment, storage or disposal permit. As used herein, the term "**Hazardous Materials**" means asbestos, polychlorinated biphenyls, oil, gasoline or other petroleum based liquids, and any and all other materials or substances deemed hazardous or toxic or regulated by applicable laws, including but not limited to substances defined as hazardous under the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. §9601 et seq., or the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq. (or any state counterpart to the foregoing statutes) or determined to present the unreasonable risk of injury to health or the environment under the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq. Tenant shall indemnify, defend and hold the Landlord Entities harmless from and against any and all claims, judgments, damages, penalties, fines, costs (including without limitation, consultant's fees, experts' fees, attorney's fees, investigation and cleanup costs and courts costs), liabilities or losses resulting from (1) the storage, handling, treatment, release, disposal, presence or use of Hazardous Materials in, on or about the Premises from and after the date of this Lease or (2) the violation by Tenant of any provision of any Environmental Laws. Without limiting the generality of the foregoing indemnity, in the event Landlord has reason to believe that the covenants set forth in this Paragraph 14 have been violated by Tenant, Landlord shall be entitled, at Tenant's sole expense, to take such actions as Landlord deems necessary in order to assess, contain, delineate and/or remediate any condition created by such violation. Any sums

expended by Landlord shall be reimbursed by Tenant, as additional rental, within thirty (30) days after demand therefor by Landlord. Landlord has the right to enter the Premises at all reasonable times for purposes of inspecting the Premises in order to evaluate Tenant's compliance with the covenants of this Paragraph 14. In the event Tenant delivers or receives any notices or materials from any governmental or quasi-governmental entity and such notices or materials relate to Tanks or Hazardous Materials in, on or about the Premises, Tenant shall immediately send to Landlord a copy of such notices or materials. Tenant shall also provide Landlord with a detailed report relating to any release of a Hazardous Material in, on or about the Premises whenever such release is required to be reported to governmental authorities pursuant to the Environmental Laws. Upon the expiration or earlier termination of this Lease, Landlord shall have the right to cause to be performed such environmental studies of the Premises by an environmental consultant as are necessary to determine whether any Hazardous Materials have been stored, handled, treated, released, brought upon or disposed of on the Premises during the term of this Lease in violation of the terms hereof. If any such study reveals any violation of this Lease, Tenant shall promptly reimburse Landlord for the costs of such studies and Tenant shall immediately undertake a further investigation, if necessary, and remediation of such contamination. Landlord may undertake such investigation and remediation if Tenant fails to do so within a reasonable time frame, in which case Tenant shall promptly reimburse Landlord for the cost of same within thirty (30) days after demand therefore by Landlord. The obligations of this Paragraph 13 shall survive the expiration or earlier termination of this Lease.

15. Default; Remedies. In the event (i) any payment of rental or other sum due hereunder is not paid within ten (10) days after the due date thereof; (ii) the Premises shall be deserted or vacated; (iii) Tenant shall fail to comply with any term, provision, condition or covenant of this Lease, other than an obligation requiring the payment of rental or other sums hereunder, and shall not cure such failure within twenty (20) days after notice to the Tenant of such failure to comply; (iv) Tenant shall attempt to violate or violate Paragraph 13 above; or (v) Tenant or any guarantor shall file a petition under any applicable federal or state bankruptcy or insolvency law or have any involuntary petition filed thereunder against it, then Landlord, in addition to any remedy available at law or in equity, shall have the option to do any one or more of the following:

- (a) Terminate this Lease, in which event Tenant shall immediately surrender the Premises to Landlord. Tenant agrees to indemnify the Landlord Entities for all loss, damage and expense which Landlord may suffer by reason of such termination.
- (b) Without terminating this Lease, terminate Tenant's right of possession, whereupon rental shall continue to accrue and be owed by Tenant hereunder. Thereafter, at Landlord's option, Landlord may enter upon and relet all or a portion of the Premises (or relet the Premises together with any additional space) for a term longer or shorter than the remaining term hereunder and otherwise on terms satisfactory to Landlord. Tenant shall be liable to Landlord for the deficiency, if any, between Tenant's rental hereunder and all net sums received by Landlord on account of such reletting (after deducting all costs incurred by Landlord in connection with any such reletting, including without limitation, tenant improvement costs, brokerage commissions and attorney's fees).
- (c) Pursue a dispossessory, eviction or other similar action against Tenant, in which event Tenant shall remain liable for all amounts owed hereunder, including amounts accruing hereunder from and after the date that a writ of possession is issued.
- (d) Perform any unperformed obligation of Tenant, including, but not limited to, cleaning up any trash, debris or property remaining in or about the Premises upon the expiration or earlier

termination of this Lease. Any sums expended by Landlord shall be repaid by Tenant, as additional rent, within ten (10) days after demand therefor by Landlord.

Pursuit of any of the foregoing remedies shall not preclude pursuit of any other remedies available at law or in equity. Tenant agrees to pay all costs and expenses, including, but not limited to, reasonable attorney's fees and consultant's fees, incurred by Landlord in connection with enforcing the performance of any of the provisions of this Lease, whether suit is actually filed or not. Acceptance of rental or any other sums paid by Tenant shall not constitute the waiver by Landlord of any of the terms of this Lease or any default by Tenant hereunder. Landlord shall not be required to mitigate damages, and the parties intend to waive any burden that applicable law may impose on Landlord to mitigate damages; provided, however, if applicable law nevertheless requires Landlord to mitigate damages then (i) Landlord shall have no obligation to treat preferentially the Premises compared to other premises Landlord has available for leasing; (ii) Landlord shall not be obligated to expend any efforts or any monies beyond those Landlord would expend in the ordinary course of leasing space; and (iii) in evaluating a prospective reletting of the Premises, the term, rental, use and the reputation, experience and financial standing of prospective tenants are factors which Landlord may properly consider.

16. Signs; Entry by Landlord. Landlord may place "For Lease" signs upon the Premises one hundred twenty (120) days before the termination of this Lease and may place "For Sale" signs upon the Premises at any time. Landlord may enter the Premises with prior notice to Tenant at reasonable hours during the term of this Lease (a) to show the same to prospective purchasers or tenants, (b) to make repairs to Landlord's adjoining property, if any, (c) to inspect the Premises in order to evaluate Tenant's compliance with the covenants set forth in this Lease, or (d) to perform activities otherwise permitted or contemplated hereby.

17. No Estate in Land. This Lease shall create the relationship of landlord and tenant between Landlord and Tenant; Tenant's interest is not assignable by Tenant except as provided in Paragraph 13, above.

18. Holding Over. If Tenant remains in possession of the Premises after expiration of the term hereof with Landlord's written consent, Tenant shall be a month-to-month tenant upon all the same terms and conditions as contained in this Lease, except that the base rental shall become two times the then current base rental, and there shall be no renewal of this Lease by operation of law. Such month-to-month tenancy shall be terminable upon thirty (30) days written notice by either party to the other. Tenant waives any right that it may have to additional notice pursuant to applicable law. If Tenant remains in possession of the Premises after the expiration of the term hereof without Landlord's written consent, Tenant shall be a tenant at sufferance subject to immediate eviction. In such event, in addition to paying Landlord any damages resulting from such holdover, Tenant shall pay base rental at the rate of three times the then current base rental. In such circumstance, acceptance of base rental by Landlord shall not constitute consent or agreement by Landlord to Tenant's holding over and shall not waive Landlord's right to evict Tenant immediately.

19. Notices. Any notice given pursuant to this Lease shall be in writing and sent by certified mail, return receipt requested, by hand delivery or by reputable overnight courier to:

(a) Landlord: c/o Director Real Estate, Norfolk Southern Corporation, 1200 Peachtree Street, NE – 12th Floor, Atlanta, Georgia 30309-3579, or at such other address as Landlord may designate in writing to Tenant.

(b) **Tenant:** City of Danville, 427 Patton Street, Danville, Virginia 24541, or at such other address as Tenant may designate in writing to Landlord.

Any notice sent in the manner set forth above shall be deemed delivered three (3) days after said notice is deposited in the mail if sent by certified mail (return receipt requested), or upon receipt if sent by hand delivery or reputable overnight courier. Any change of notice address by either party shall be delivered to the other party by the manner of notice required hereby.

20. Track Clearance. Notwithstanding anything contained in this Lease, and irrespective of the sole, joint, or concurring negligence of Landlord, Tenant shall assume sole responsibility for and shall indemnify, save harmless and defend the Landlord Entities from and against all claims, actions or legal proceedings arising, in whole or in part, from the conduct of Tenant's operations, or the placement of Tenant's fixtures, equipment or other property, within twenty-five feet (25') of Landlord's tracks, if any, located on or adjacent to the Premises. In this connection it is specifically understood that knowledge on the part of Landlord of a violation of the foregoing clearance requirement, whether such knowledge is actual or implied, shall not constitute a waiver and shall not relieve Tenant of its obligations to indemnify the Landlord Entities for losses and claims resulting from any such violation.

21. Brokerage. Landlord and Tenant hereby covenant and agree to indemnify and hold the other harmless from and against any and all loss, liability, damage, claim, judgment, cost and expense (including without limitation attorney's fees and litigation costs) that may be incurred or suffered by the other because of any claim for any fee, commission or similar compensation with respect to this Lease, made by any broker, agent or finder claiming by, through or under the indemnifying party, whether or not such claim is valid.

22. Tenant's Insurance. Tenant shall procure and maintain, at all times and at its expense, in a form and with an insurance company acceptable to Landlord, Commercial General Liability Insurance for the Premises. Such coverage shall (a) have a single limit of not less than \$2,000,000.00 for each occurrence (or such greater amount over time so as to be commercially reasonable) and shall provide for a deductible of not more than \$5,000.00, (b) cover Tenant's contractual liability hereunder, (c) cover Tenant and Landlord for liability arising out of work performed by any third parties for Tenant in or about the Premises, (d) name the Landlord Entities as additional insureds, and (e) be considered primary and noncontributory, regardless of any insurance carried by Landlord. Any property insurance maintained by Tenant on its furniture, fixtures, equipment and personal property shall include a waiver of subrogation in favor of Landlord. Tenant shall deliver certificates of insurance evidencing the insurance required hereinabove to Landlord simultaneously with the execution of this Lease by Tenant, which certificates shall reflect that the policies shall not be canceled without at least thirty (30) days prior notice to Landlord. If Tenant fails to obtain the necessary coverages, Landlord may do so at Tenant's expense and the same shall constitute additional rental. All insurance certificates should be delivered to Landlord's Risk Management Department, Three Commercial Place, Norfolk, Virginia 23510, simultaneously with the execution of this Lease by Tenant. The minimum limits of insurance provided for hereunder are not intended to be a limitation on the liability of Tenant hereunder and shall not waive Landlord's right to seek a full recovery from Tenant.

23. Rent Increase Notice. In addition to the rights set forth in Article 15 above, but no sooner than one (1) year after the date of this Lease, Landlord shall have the right, from time to time, to send Tenant a rent increase notice in a form substantially similar to that attached hereto as Exhibit "C" and made a part hereof. If Tenant either agrees to such rent increase or elects to remain on the Premises beyond the stated termination date in the rent increase notice, then such increase shall take effect in the manner prescribed in Tenant's rent increase notice without the need for any further documentation.

24. Joint and Several. If Tenant comprises more than one person, corporation, partnership or other entity, the liability hereunder of all such persons, corporations, partnerships or other entities shall be joint and several.

25. No Warranties; Entire Agreement. TENANT ACCEPTS THE PREMISES "AS IS" WITHOUT WARRANTY OF ANY KIND, WHETHER EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF QUIET ENJOYMENT, THE IMPLIED WARRANTIES OF MERCHANTABILITY, HABITABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER IMPLIED WARRANTIES. LANDLORD SHALL NOT BE LIABLE FOR, AND TENANT HEREBY RELEASES LANDLORD FROM ALL CLAIMS FOR ECONOMIC LOSSES AND ALL OTHER DAMAGE OF ANY NATURE WHATSOEVER ACCRUING TO TENANT, INCLUDING, BUT NOT LIMITED TO THE VALUE OF ANY BUILDINGS, STRUCTURES OR IMPROVEMENTS OF TENANT UPON THE PREMISES, RESULTING FROM OR ARISING BY REASON OF ANY DEFICIENCY, INSUFFICIENCY OR FAILURE OF TITLE OF LANDLORD. THIS LEASE CONTAINS THE ENTIRE AGREEMENT OF THE PARTIES HERETO AS TO THE PREMISES, AND NO REPRESENTATIONS, INDUCEMENTS, PROMISES OR AGREEMENTS, ORAL OR OTHERWISE, BETWEEN THE PARTIES, NOT EMBODIED HEREIN, SHALL BE OF ANY FORCE OR EFFECT.

26. Survival. The provisions of Paragraphs 7, 8, 10, 14, 18 and 21 shall survive the expiration or earlier termination of this Lease.

27. Miscellaneous. Knowledge on the part of Landlord or any employee, agent or representative of Landlord of any violation of any of the terms of this Lease by Tenant shall constitute neither negligence nor consent on the part of Landlord, and shall in no event relieve Tenant of any of the responsibilities and obligations assumed by Tenant in this Lease. All rights, powers and privileges conferred hereunder upon the parties hereto shall be cumulative but not restrictive to those given by law. No failure of Landlord to exercise any power given Landlord hereunder, or to insist upon strict compliance by Tenant with its obligations hereunder, and no custom or practice of the parties at variance with the terms hereof shall constitute a waiver of Landlord's right to demand exact compliance with the terms hereof. Subject to the terms of Paragraph 13 above, this Lease shall be binding upon and shall inure to the benefit of the respective successors and permitted assigns of Landlord and Tenant. If any term, covenant or condition of this Lease or the application thereof to any person, entity or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term, covenant or condition to persons, entities or circumstances other than those which or to which used may be held invalid or unenforceable, shall not be affected thereby, and each term, covenant or condition of this Lease shall be valid and enforceable to the fullest extent permitted by law. Time is of the essence in this Lease. Neither party shall be bound hereunder until such time as both parties have signed this Lease. This Lease shall be governed by the laws of the State or Commonwealth in which the Premises are located.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, effective the day and year first above written.

Witness (As to Landlord):

Signature
Name: _____

Witness (As to Landlord):

Signature
Name: _____

Witness (As to Tenant):

Signature
Name: _____

Witness (As to Tenant):

Signature
Name: _____

LANDLORD:

NORFOLK SOUTHERN RAILWAY COMPANY
a Virginia corporation

By: _____
Name: _____
Title: _____

Date of Landlord Signature: _____

[SEAL]

TENANT:

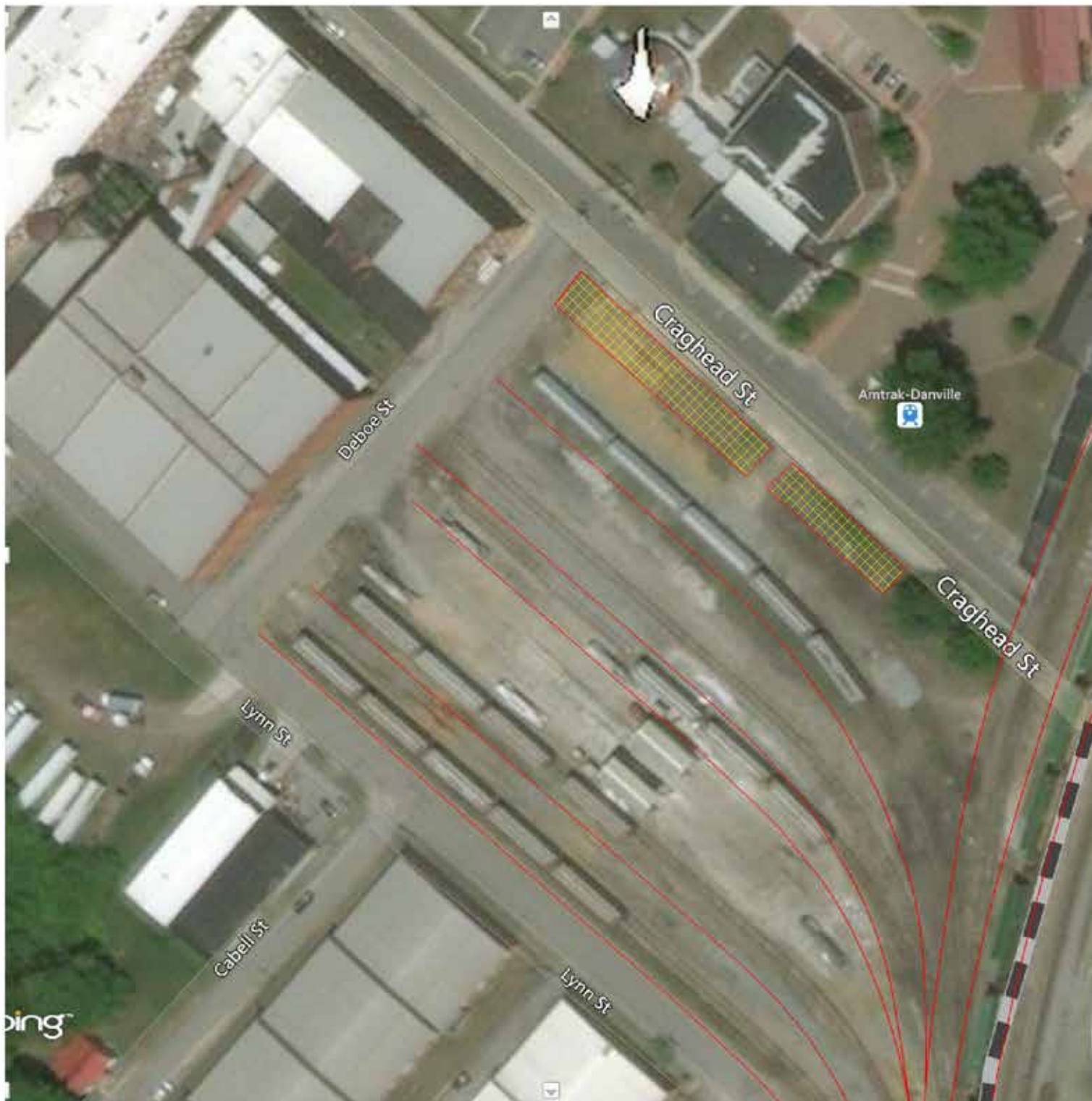
CITY OF DANVILLE
a Virginia government entity

By: _____
Name: _____
Title: _____

Date of Tenant Signature: _____

[SEAL]

Kontessa Lemons, March 4, 2018, Activity No. 1256840\iManage No.1603075v1



NORFOLK SOUTHERN RAILWAY COMPANY
Real Estate Department

Landlord:	NORFOLK SOUTHERN RAILWAY COMPANY		
Location:	Danville, Danville (City), VA		
Lessee:	CITY OF DANVILLE		
Area:	5,000 sq. ft. +/-		
Maps:	VA-1a, Map 1, Pcl 1	Milepost:	235.91
Activity No:	1256282	Exhibit A	
Date:	1/11/18	Not To Scale	



EXHIBIT B

RIDER TO LEASE AGREEMENT BY AND BETWEEN THE NORFOLK SOUTHERN RAILWAY COMPANY, AS LANDLORD, AND CITY OF DANVILLE, AS TENANT

This rider is attached to and made a part of the referenced Lease Agreement. In the event of an inconsistency between the terms of this Rider and the terms of the Lease agreement, the terms of this Rider shall control.

1. **Landlord Pays Taxes.** Landlord shall pay all real estate taxes and assessments (regular or special) pertaining to the Premises on or before the date the same become delinquent. Notwithstanding the foregoing, Tenant shall be responsible for any taxes or assessments imposed upon or assessed against Tenant's personal property, and Tenant shall pay and be liable for all rental, sales and use taxes, and other similar taxes, if any, levied or imposed by any city, state, county or other governmental authority (including any rental tax). Such payments shall be paid concurrently with the payment of base rental or other sum due hereunder upon which the tax is based. If Landlord pays any taxes or assessments which are Tenant's responsibility under this Paragraph, Tenant shall reimburse Landlord within ten (10) days after Tenant's receipt of paid invoices for such taxes and assessments.

2. **Beautification.** Tenant will enter the Premises for the sole purpose of landscaping and gardening the Premises with grass, flowers and low shrubbery and of maintaining said landscaping. In no event shall any trees be planted or permitted to grow on the Premises. This Lease is a personal privilege to Tenant and shall not be assigned without the written consent of Company, nor shall Tenant, except with such written consent, permit the Premises to be used for any purpose by any other party, firm or corporation.

It is specifically understood and agreed that the Premises are not to be open to the public and that said Premises are not and will not be permitted to become a park. Tenant will not install benches, walkways, recreation equipment or anything other than landscaping material and plants on the Premises.

Grass, flowers and shrubbery planted by Tenant on the Premises shall be maintained, cut and trimmed by Tenant in a safe and orderly manner so as not to obstruct the view of Landlord's employees engaged in railroad operations or of pedestrians or motorists. In no event shall any shrubbery be permitted to exceed 48 inches in height. Tenant agrees that no grass, flowers or shrubbery shall be planted closer than 100 feet on each side of any grade crossing over tracks of Landlord not protected by flashing light crossing signals.

In installing, maintaining or removing said landscaping, Tenant will not damage or interfere with the drainage facilities of Landlord. If new or additional drainage is required in connection with the landscaping permitted herein, such drainage will be constructed at the sole expense of Tenant, will be subject to the advance, written approval of Landlord, and will be constructed so as to cause any runoff to flow away from Landlord's railroad facilities.

EXHIBIT C

SAMPLE LETTER

Date _____
Activity Number _____

UPS GROUND

Mr. John Q. Tenant
XYZ Company
12345 Main Street
Anytown, State USA

RE: Anytown, County, State – Lease dated _____ between Norfolk Southern Railway Company (“Landlord”) and XYZ Company (“Tenant”) covering real property.

Dear Mr. Tenant:

Norfolk Southern Corporation is currently conducting a review of property value and rent structure for all real estate leases for its subsidiaries (including Landlord). Review of the captioned Lease indicates the current rent is below market value. While we endeavor to keep the rent reasonable, it has become necessary to make some adjustments. Therefore, we find it necessary to amend the Lease as follows:

1. The current rent will be increased from \$_____ to \$_____, effective “date in the future” (“the Commencement Date”), payable in advance, as provided in the Lease.
2. Hereafter, on each anniversary of the Commencement Date, the rent will be changed by the same percentage change as reflected in the “Consumer Price Index for All Urban Consumers (CPI_U) (1982-1984=100) U. S. City Average, All Items: compiled by the Bureau of Labor Statistics of the United States Department of Labor (the “Index”). In no event, however, will the adjusted rent be less than the rent of the immediately preceding year.

All other terms and conditions of the Lease will remain unchanged and in full force and effect.

Landlord will regard your remaining on the property after the above Commencement Date as your acknowledgment and acceptance of the rental increase and agreement that the Lease is amended.

If you have any questions or no longer wish to lease this property, please provide written notice to this office within thirty (30) days from the date of this letter. If termination is necessary, Tenant will be required to vacate, remove any Tenant-owned improvements from the property, and otherwise act in accordance with the Lease.

We appreciate having you as a Tenant and hope you will continue to lease this property.

Sincerely,

/s/
John Q. Agent

Council Letter

City of Danville, Virginia



CL-1842

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Right-of-Way Vacation Request on Bridge Street

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

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

The Industrial Development Authority of Danville, Virginia is requesting that City Council vacate a portion of the City right-of-way on Bridge Street.

BACKGROUND

The fifteen flag poles located at Property Identification Number (PIN) 21484 are located partially on the property and partially on the right-of-way along Bridge Street. The Industrial Development Authority of Danville, Virginia is the owner of PIN 21484 and would like the flagpoles located completely on their property as originally intended. All applicable departments have reviewed the request and no concerns were indicated.

The City of Danville has a policy in which a property owner can request the City to vacate a right-of-way adjacent to their property. City Council can consider transfer of the right-of-way. The requesting property owner is responsible to pay the actual cost incurred by the City in connection with the public hearing advertisement plus a fee for processing the application.

RECOMMENDATION

It is recommended that City Council adopt the accompanying Ordinance Vacating Approximately 0.01 Acre of Right-of-Way on Bridge Street to the Industrial Development Authority of Danville, Virginia.

Attachments

[Ordinance](#)

[Application](#)

[Bridge Street Plan](#)

[Proposed Bridge Street Vacate Map](#)

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE VACATING APPROXIMATELY 0.01 ACRE OF PUBLIC RIGHT-OF-WAY ON BRIDGE STREET.

WHEREAS, pursuant to Sections 15.2-2006 and 15.2-2008 of the Code of Virginia, 1950, as amended, the governing body intends to move to vacate a portion of the public right-of-way containing 0.01 acre, more or less, to the abutting property owner at no cost other than the application fee and public hearing advertisement cost, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right of way; and

WHEREAS, the Industrial Development Authority of Danville, Virginia has requested in writing that a portion of the right-of-way be vacated adjacent to their property identified as Parcel Identification Number 21484; and

WHEREAS, the Industrial Development Authority of Danville, Virginia has agreed to pay the cost of the application fee and public hearing advertisement cost; and

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

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

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that a portion of the public right-of-way located on Bridge Street containing 0.01 acre, more or less, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right-of-way, is hereby vacated and abandoned to the abutting property owner at no cost other than the application fee and public hearing advertisement cost; and

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

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

City of Danville
Public Works Engineering
P.O. Box 3300
Danville, VA 24543
(434) 799-5019



Application for Right-Of-Way Abandonment
(Please Type or Print All Information)

Applicant Information: This section must be filled out and submitted to the City Engineer. A fee of \$250.00 (approximately) to cover the application and advertising costs is due when the City has completed the preliminary review process. The applicant will be notified when this process is complete.

Part 1 (to be completed by applicant)

Applicant's Name	Industrial Development Authority of Danville	Telephone	
Applicant's Address		City/State/Zip	
Applicant's Email Address			
Agent's Name & Address (if applicable)			

Location of Abandonment Request (must include an attached plat or parcel map with parcel ID number identifying the location of abandonment)

Specify if request is to abandon parcel or right-of-way:

Right of way adjacent to PIN 21484

State why abandonment is being requested:

The request is being made because the existing flag poles are partially location on the IDA property and partially on the city right of way. This change will allow the poles to be located entirely on the IDA property as originally intended.

Please provide name and complete address of the owner(s) of all property located adjacent to or directly across a street from the property for which the vacation is being requested.

Name: _____
Parcel Map ID: _____
Address: _____

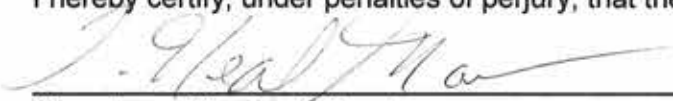
Name: _____
Parcel Map ID: _____
Address: _____

Name: _____
Parcel Map ID: _____
Address: _____

Name: _____
Parcel Map ID: _____
Address: _____

Name: _____
Parcel Map ID: _____
Address: _____

I hereby apply for abandonment for the property described herein subject to all City and State laws, ordinances and regulations. I hereby grant appropriate City officials the right to enter upon the above described property during normal business hours to conduct any inspection necessary. I hereby certify, under penalties of perjury, that the above information is true and correct.



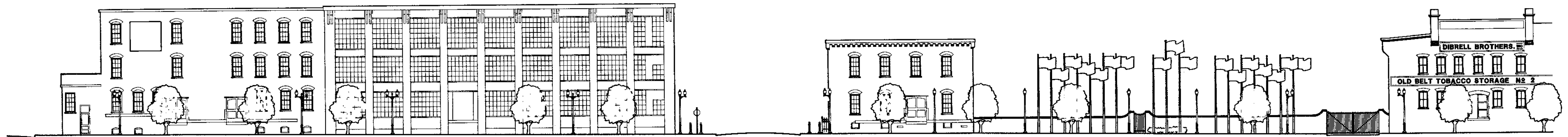
Signature of Applicant/Agent

Signature of Owner(s) consent if different from applicant

.....

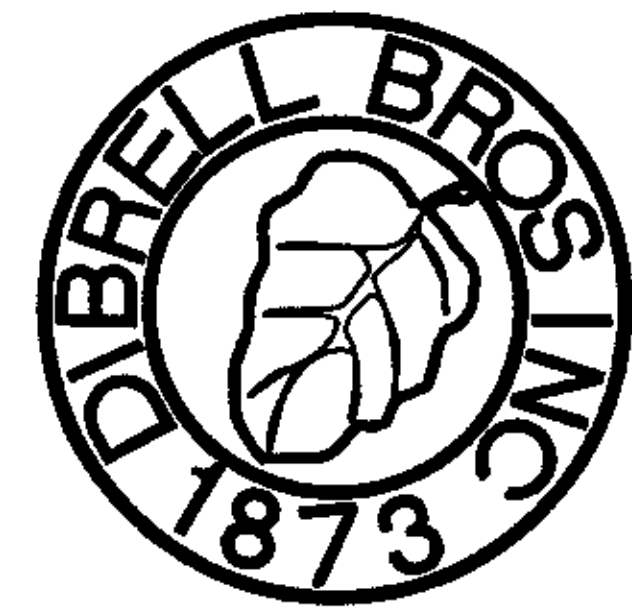
Part 2 (to be completed by City)

Date completed application received: _____
Date preliminary review process completed: _____
Date Application fee received: _____ Date of Advertisements: _____
Date of City Council Public Hearing: _____



BRIDGE STREET ELEVATION - NORTHSIDE 1/16" = 1'-0"

Dibrell Brothers, Incorporated



Danville, Virginia

DAVIS
STORAGE

CORPORATE HEADQUARTERS BLDG.

NEWTON STREET

PARKING LOT

WILSON STREET

R.C.W.

BRIDGE STREET

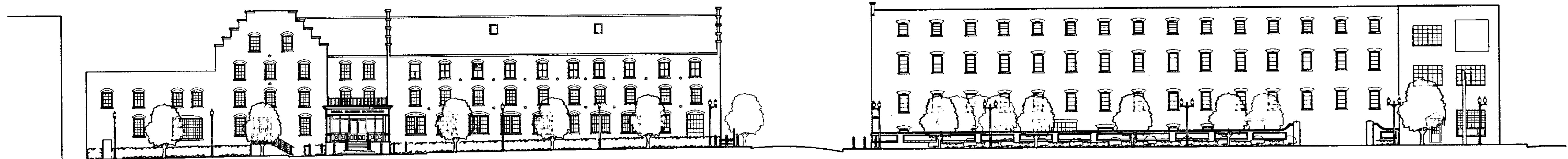
OLD BELT
No1 & No2

PARKING

HICKEY
BUILDING

R.J.R.

BRIDGE STREET ELEVATION - OVERALL PLAN 1/16" = 1'-0"



BRIDGE STREET ELEVATION - SOUTHSIDE 1/16" = 1'-0"

Dewberry & Davis



Industrial Development Authority
Parcel #21484

Existing Property Line

Existing Property Line

3.0'

3.0'

Legend

- Flagpole
- Street Light

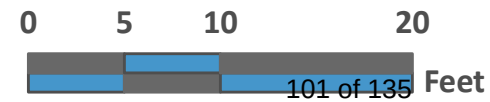
Proposed R/W
to be Donated
Area = 469 SF+/-

BRIDGE ST



Vacate Right-of-Way Request Exhibit A

Map Prepared by the Office of the City Engineer - Feb. 21, 2018



Council Letter

City of Danville, Virginia



CL-1885

New Business Item #: C.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Request to Vacate Right-Of-Way on Glen Oak Drive

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

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

Shelia Hernandez and Michael Clarke are requesting the City of Danville to vacate approximately 0.13 acre of public right-of-way along Glen Oak Drive. The right-of-way is adjacent to their properties at 134 & 138 Stokesland Avenue.

BACKGROUND

Shelia Hernandez and Michael Clarke are requesting the City of Danville vacate 0.13 acre of public right-of-way along Glen Oak Drive. The right-of-way is adjacent to their properties at 134 & 138 Stokesland Avenue. When a right-of-way is vacated by City Council, the land is typically split evenly to the adjacent property owners.

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

RECOMMENDATION

It is recommended that City Council adopt the accompanying Ordinance vacating approximately 0.13 acre of public right-of-way along Glen Oak Drive.

Attachments

Ordinance

Exhibit A

PRESENTED _____

:

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE VACATING APPROXIMATELY 0.13 ACRE OF PUBLIC RIGHT-OF-WAY ON GLEN OAK DRIVE.

WHEREAS, pursuant to Sections 15.2-2006 and 15.2-2008 of the Code of Virginia, 1950, as amended, the governing body intends to move to vacate a portion of the public right-of-way containing 0.13 acre, more or less, to the abutting property owners at no cost other than the application fee and public hearing advertisement cost, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right of way; and

WHEREAS, Shelia Hernandez and Michael Clarke have requested in writing that a portion of the right-of-way be vacated adjacent to their properties identified as Property Identification Numbers 54429 & 51119; and

WHEREAS, Shelia Hernandez and Michael Clarke have agreed to pay the cost of the application fee and public hearing advertisement cost; and

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

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

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that a portion of the public right-of-way located on Glen Oak Drive containing 0.13 acre, more or less, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right-of-way, is hereby vacated and abandoned to the abutting property owners at no cost other than the application fee and public hearing advertisement cost; and

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

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

:



Proposed Right of Way Abandonment

Glen Oak Drive

EXHIBIT A



Map Prepared by the Office of the City Engineer - May 11, 2018



Total Area
to be Abandoned
5768 SF +/-

Council Letter

City of Danville, Virginia



CL-1916

New Business Item #: D.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Repeal and Reordain Article III of Chapter 39 Entitled Ambulances

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

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

Staff and the Ambulance Committee recommend that Council repeal and reordain Article III entitled "Ambulances" of Chapter 39 entitled "Vehicles for Hire" of the Code of the City of Danville, Virginia 1986, as amended, to primarily update all of the State Law references along with several other minor changes.

BACKGROUND

Staff and the Ambulance Committee recommend that Council repeal and reordain Article III entitled "Ambulances" of Chapter 39 entitled "Vehicles for Hire" of the Code of the City of Danville, Virginia 1986, as amended, to primarily update all of the State Law references to the Virginia Code. Each of the State Law references to the Virginia Code has been repealed and recodified by the Virginia General Assembly, therefore this Article of the City Code must also be updated in order for the City to continue to have the authority to regulate and inspect Ambulances as well as the Authority to receive public comments on and to grant Ambulance permits.

In addition to the State Law reference updates, this reordinantion amends Section 39-101 setting the Ambulance Committee meetings on an as needed basis rather than on a quarterly basis.

Finally, the position of Emergency Services/Airport Director, which no longer exists, is replaced by Fire Chief or his designee.

RECOMMENDATION

It is recommended that City Council repeal and reordain Article III "entitled "Ambulances" of Chapter 39 entitled "Vehicles for Hire" of the Code of the City of Danville, Virginia 1986 as amended to update the state law references, the Ambulance Committee meeting times, and to replace the references to the position of Emergency Services/Airport Director with the Fire Chief or his designee.

Attachments

Ordinance

Attachment

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE REPEALING AND REORDAINING ARTICLE III ENTITLED AMBULANCES OF CHAPTER 39, ENTITLED VEHICLES FOR HIRE, OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986 AS AMENDED.

WHEREAS, the current Article III entitled "Ambulances" of Chapter 39, entitled "Vehicles for Hire", of the Code of the City of Danville, Virginia, needs to be repealed, replaced and reordained in order to update the state law references, the Ambulance Committee meeting times, and to replace the references to the position of Emergency Services/Airport Director with the Fire Chief or his designee.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the current Article III entitled "Ambulances" of Chapter 39, entitled "Vehicles for Hire", of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same is hereby, repealed; and

BE IT FURTHER ORDAINED that Article III entitled "Ambulances" of Chapter 39, entitled "Vehicles for Hire", of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same is hereby, replaced and reordained as attached hereto, and made apart hereof as if fully set out herein.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

ARTICLE III. - AMBULANCES

Footnotes:

--- (3) ---

Cross reference— License tax on ambulance services, § 20-55.

State Law reference— Emergency medical service vehicles, Code of Virginia, §§ ~~32.1-148 et seq.~~ 32.1-111.4:3, 32.1-111.4:7, & 32.1-111.4:8.

DIVISION 1. - GENERALLY

Sec. 39-89. - Definitions.

The following words and phrases are defined as follows for the purpose of this article:

Ambulance operator or operator: The person, partnership, or corporation holding a City ambulance operator's permit.

Committee or Ambulance Committee: The standing committee of Council appointed as set out in section 39-101 of this chapter.

Driver's permit. A City ambulance driver's permit.

EMS Regulations: Rules and Regulations of the Board of Health, Commonwealth of Virginia: Governing Emergency Medical Services, effective July 1, 1990, or as they may be hereafter amended or revised.

Nonprofit ambulance service: This includes first aid and rescue type service by nonprofit organizations.

Operator's permit: A City ambulance operator's permit which authorizes the person to whom it is issued to engage in the business of providing ambulance service in the City and constitutes a finding and certification by City Council that the public convenience and necessity is served by the issuance of the permit.

Other terms used in this article shall be defined as in Section 1.1 of the Rules and Regulations of the Board of Health, Commonwealth of Virginia: Governing Emergency Medical Services, effective ~~July 1, 1990~~ October 10, 2012 and as my be amended.

(Code 1962, § 29-54; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91; Ord. No. 94-1.5, § 2, 1-4-94)

Sec. 39-90. - Violations of article.

Unless otherwise specifically provided, a violation of any provision of this article shall constitute a Class 1 misdemeanor.

(Ord. No. 91-4.5, 4-2-91)

Cross reference— Penalty for Class 1 misdemeanor, § 1-11.

Sec. 39-91. - Exemptions from article.

Nothing in this article shall apply to nonprofit organizations furnishings emergency rescue and life saving facilities and services.

(Code 1962, § 29-74; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-92. - Liability insurance.

Every ambulance operator shall provide evidence to the City Clerk that he has in full force and effect a public liability insurance policy on each ambulance, such insurance policy to be issued by an insurance company licensed to do business in the Commonwealth. The policy shall provide liability insurance in the amount required by Section 3.1(E) of the EMS Regulations. The policy shall not contain a passenger liability exclusion and shall contain a provision obligating the insurer to give to the City Clerk written notice of cancellation not less than ten (10) days prior to the date of cancellation.

(Code 1962, § 29-65; Ord. No. 91-4.5, 4-2-91)

State Law reference—~~Authority for above section~~ Powers of governing bodies of counties, cities, and towns, Code of Virginia, § ~~32.1-156~~ 32.1-111.14

Sec. 39-93. - Compliance with regulations of State Board of Health.

It shall be unlawful for any person to operate or to cause to be operated within the City any ambulance except in full compliance with all applicable regulations and requirements of the State Board of Health, including, but not necessarily limited to, those regulations prescribing the requirements for record keeping, operating procedures, supplies, equipment, vehicle specifications, sanitation, maintenance and personnel.

(Code 1962, § 29-62; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

State Law reference—~~State Board of Health to prescribe regulations referred to above~~ Regulations; emergency medical services personnel and vehicles; response times; enforcement provisions, Code of Virginia, § ~~32.1-151~~ 32.1-111.4.

Sec. 39-94. - Operator's name to be affixed to vehicle.

Every operator of ambulance service in the City shall have the operator's name clearly painted, stenciled or otherwise affixed on all ambulances operated by him.

(Code 1962, § 29-59; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-95. - State inspection of and permit for vehicle.

It shall be unlawful for any person to operate or to cause to be operated within the City any ambulance which has not been inspected and is not currently approved by the State Health Department or for which there is no currently valid permit issued by the State Health Commissioner.

(Code 1962, § 29-63; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

State Law reference—~~State permits and i~~Inspections, Code of Virginia, §§ ~~32.1-150, 32.1-152~~ 32.1-111.7.

Sec. 39-96. - Local inspection of vehicle, equipment, records, etc.

Each ambulance operator and each ambulance operating within the City, its supplies, equipment, the qualifications of its personnel and the records of its operation and maintenance must be open at all reasonable times to inspection by the City Manager or his designee, and in the event the ambulance operator, the ambulance or its supplies, equipment or personnel are found by such inspection to be in violation of any of the applicable regulations and requirements, or if such inspection is refused or not permitted, then the same shall be immediately reported by the City Manager to the Council and the State Health Commissioner.

(Code 1962, § 29-63; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-97. - Personnel requirements.

It shall be unlawful for any person to operate or cause to be operated within the City, for the purpose of furnishing ambulance service, any ambulance unless its driver and all attendants meet the requirements prescribed by the State Board of Health, both as to number and qualifications, and are currently certified to serve as such by the State Health Commissioner.

(Code 1962, § 29-69; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

State Law reference— Certification and recertification of emergency medical ~~care attendants~~ service providers; appeals process, Code of Virginia, § ~~32.1-153~~ 32.1-111.5.

Sec. 39-98. - Filing and posting of schedule of rates and charges.

- (a) Each ambulance operator must file with the Commissioner of the Revenue and conspicuously post in each vehicle a schedule of all rates and charges required by the operator for ambulance services and supplies.
- (b) No increase in the rates or charges for ambulance services or supplies may be effective within the City until at least thirty (30) days after a schedule of the same are filed with the Commissioner of the Revenue and the City Clerk.
- (c) Notwithstanding the foregoing, the City Council may, by resolution adopted within thirty (30) days of the filing required by subsection (b) above, suspend any such rate increase pending review and approval by Council. Prior to granting such approval, Council may require a public hearing, review of the records of the operator, the provision of audited financial statements, or any other action deemed necessary by Council for the determination of the appropriateness of the proposed rate increase.

(Code 1962, § 29-70; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-99. - Response to calls; limitation on service; required service.

- (a) Response to a call for ambulance service shall be within forty-five (45) minutes of receipt, except for cause shown.
- (b) Ambulance service may be provided only upon the request of the patient or some person acting on behalf of the patient, a health care provider or medical facility or the division of police of the City.
- (c) The operator shall provide, as a condition of the operator's permit, upon the death of any person from trauma, injury, violence, poisoning, accident, suicide, or homicide, or suddenly when in apparent good health, or when unattended by a physician, or in jail, prison, other correctional institution, or in police custody, or suddenly as an apparent result of fire, or in any suspicious, unusual, or unnatural manner, transportation for the body upon the direction of the medical examiner or a member of the police or fire division of the City. There shall be no charge to the City for this service, but the operator may recover costs from other parties as provided by section 32.1-288 of the Code of Virginia, 1950, as amended.

(Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-100. - Notice required prior to discontinuance of service.

An ambulance operator shall give thirty (30) days' written notice to the City Clerk and the Commissioner of the Revenue prior to voluntary discontinuance of service.

(Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-101. - Ambulance Committee.

- (a) There shall be established a standing committee of City Council to be designated as the Ambulance Committee. This Committee shall perform the functions described and assigned by this chapter, as well as such functions as may from time to time be assigned to it by City Council.
- (b) The Committee shall consist of five (5) members and two (2) alternates, as may be appointed by the Mayor, but shall consist of at least three (3) Councilmembers. Other members may be representatives or employees of medical facilities, nursing homes, [and/or] public health agencies, but shall not include any person holding an ambulance operator's permit or an employee of any person holding an ambulance operator's permit or the Emergency Services and Communications Director. The Emergency Services and Communications Director shall attend meetings of the Committee and provide staff assistance to the Committee. The Chairman and Vice-Chairman of the Committee shall be members of Council, and appointed by the Mayor.
- (c) Members of the Committee shall be appointed for terms of two (2) years. Initially, three (3) members of the Committee and one (1) alternate shall be appointed for terms of one (1) year, and two (2) members and one (1) alternate will be appointed for a term of two (2) years.
- (d) The Committee shall perform the following duties:
 - (1) Review applications for operator's permits;
 - (2) Recommend to Council the issuance of temporary permits, as provided in this chapter;
 - (3) Recommend the issuance or non-issuance of operator's permits;
 - (4) Receive and process complaints, as provided in section 39-111 of this chapter;
 - (5) Recommend to Council disciplinary action, as provided in this chapter;
 - (6) Review and recommend changes in the City Code relating to the provision of ambulance service;
 - (7) Review proposed rate increases and make recommendations to Council concerning such proposed rate increases;
 - (8) Periodically review the adequacy and quality of ambulance service being provided in the City;
 - (9) Provide information to the public regarding the availability of ambulance service; and
 - (10) Perform all other duties set out in this chapter or assigned by Council.
- (e) The Committee shall meet ~~at least once a quarter~~ on an as needed basis.
- (f) In order to properly perform its duties, the Committee is authorized to form an advisory group made up of persons having the technical and professional knowledge and experience necessary to assist the Committee in reviewing the adequacy and quality of the ambulance service being provided in the City or which is proposed for the City.

(Ord. No. 91-4.5, 4-2-91; Ord. No 95-4.14, § 1, 4-4-95; Ord. No. 96-11.11, 11-7-96)

Secs. 39-102—39-105. - Reserved.

DIVISION 2. - OPERATOR'S PERMIT

Sec. 39-106. - Required.

- (a) It shall be unlawful for any person doing business in the City to engage in furnishing ambulance service by operating or driving, or causing to be operated or driven, an ambulance upon the public streets of the City without first having obtained a City ambulance operator's permit.
- (b) The following shall not be construed to be "doing business in the City" for the purposes of this section only:
 - (1) Transporting persons to a health care facility within the City from a location outside the City;
 - (2) Providing transportation for a person from a health care facility within the City when the same operator has previously transported that person to the same health care facility from a location outside the City; and
 - (3) Providing transportation for a patient in a vehicle licensed by the State Department of Health as a Class D, Specialized Life Support Transport Unit, or a Class F, Life Support Vehicle for Air Transportation.
 - (4) Providing transportation from a health care facility within the City when:
 - (A) In the opinion of a licensed physician, such transportation is medically necessary;
 - (B) No ambulance having a permit is available within a reasonable time to provide transportation;
 - (C) The ambulance owner or operator, or agent of either, has not solicited such a request for transportation or advertised ambulance services within the City; and
 - (D) The ambulance operator or physician placing the request for transportation notifies the director of emergency services within five (5) business days of the fact and circumstances of the transportation.

(Code 1962, § 29-55; Ord. No. 89-1.6, 1-3-89; Ord. No. 91-4.5, 4-2-91)

State Law reference—~~Authority for above section~~ Powers of governing bodies of counties, cities, and towns, Code of Virginia, § ~~32.1-156~~ 32.1-111.14.

Sec. 39-107. - Application.

- (a) Initial application for an ambulance operator's permit shall be filed with the City Clerk and such application shall be submitted upon a form or forms to be furnished by the Clerk and the applicant shall furnish the following proof and information with the application:
 - (1) That the applicant is willing to provide and is capable of providing the full range of ambulance services generally provided to the public by ambulance operators.

- (2) That the applicant has not been convicted of a felony or of a misdemeanor involving moral turpitude within the last ten (10) years.
 - (3) A statement that the applicant has obtained or will obtain liability insurance in accordance with the requirements of section 39-92 before commencing ambulance service. No ambulance operator's permit will be issued until such insurance is in effect.
 - (4) That number of ambulances which the applicant proposes to operate and the make, model, motor number, and correct state license number of each vehicle. If the application is made before one or more of such ambulances have been acquired by the applicant, such information shall be furnished to the City Clerk before issuance of a permit for such vehicle.
- (b) The City Clerk, upon receiving the application for an ambulance operator's permit, shall immediately send copies of the application to the Chairman of the Ambulance Committee and to the ~~Emergency Services/Airport Director~~ Fire Chief or his designee.
 - (c) The ~~Emergency Services/Airport Director~~ Fire Chief or his designee, upon receipt of the copy of an application for an ambulance operator's permit, shall within sixty (60) days conduct an investigation of the applicant and the proposed ambulance service and prepare a report setting forth the information and data establishing the facts which show whether or not the public convenience and necessity will be served by the issuance of the permit.
 - (d) Upon completion of his investigation and report, the ~~Emergency Services/Airport Director~~ Fire Chief or his designee shall deliver a copy of his report to the members of the Ambulance Committee and the City Attorney. After consulting with the Chairman of the Ambulance Committee, the ~~Emergency Services/Airport Director~~ Fire Chief or his designee shall schedule a meeting of the Ambulance Committee to be held for the purpose of considering the application and shall give reasonable written notice of the meeting to the members of the Committee, the applicant and the City Attorney.
 - (e) At the meeting scheduled for that purpose, the Ambulance Committee will review the application and the report prepared by the ~~Emergency Services/Airport Director~~ Fire Chief or his designee, shall consider any additional information and comments provided by the applicant or other interested persons and shall make a recommendation to Council as to the issuance or nonissuance of the permit.
 - (f) After receiving the recommendation of the Ambulance Committee, the ~~Emergency Services/Airport Director~~ Fire Chief or his designee shall in conjunction with the City Manager schedule a public hearing by Council for consideration of the application, have the City Clerk publish notice of the public hearing at least seven (7) days prior to the hearing in a newspaper of general circulation in the City and give at least fifteen (15) days' prior written notice of the public hearing to the applicant.
 - (g) The Council may, upon a determination that a need exists, authorize the applicant a temporary permit to provide ambulance service subject to reasonable conditions, pending the determination by Council whether an ambulance operator's permit should be granted. Such temporary permit may not be granted for a period in excess of sixty (60) days, unless extended by Council.

- (h) The fee for an ambulance operator's permit shall be such as is prescribed from time to time by the Council. In addition to the fees, no permit will be issued until the applicant has paid the costs of the publication of the notice for the public hearing on the application.
- (i) If Council makes a finding that the public convenience and necessity does not require additional ambulance service, the Council will not receive another application for an ambulance operator's permit and make the investigation described herein within three (3) years after that date, unless Council should conclude on the basis of evidence presented to it by the citizens and residents of the City or the City Manager that the public convenience and necessity does require additional ambulance service because of the operations and/or the rates of the ambulance operator or operators then providing such service or unless an operator's permit expires or is terminated.

(Code 1962, § 29-56; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91; Ord. No. 94-1.5, § 3, 1-4-94; Ord. No. 95-4.14, § 2, 4-4-95)

Sec. 39-108. - Determination of public convenience and necessity as prerequisite to issuance.

- (a) Except as provided in section 39-107(b) above, the applicant shall not be granted an ambulance operator's permit unless the Council finds and determines that the public convenience and necessity will be served by the issuance of the permit. The Council shall hear all of the relevant and material evidence presented by the applicant and his witnesses and by any persons who appear in opposition to the application. The Council shall also have the right to call any other witnesses that it may deem necessary or appropriate. In all such hearings, the burden of proof shall be upon the applicant to establish by clear, cogent, and convincing evidence that the public convenience and necessity will be served by the granting of the ambulance operator's permit.
- (b) In determining public convenience and necessity, the Council shall consider the following:
 - (1) Existing ambulance service within the City will not be adversely affected so as to lower the standards of existing service within the City as a whole.
 - (2) The need for additional ambulance service. This may include evidence of the records and statistics of the Police Division and Health Department and any other relevant and material evidence.
 - (3) The number of ambulances which are available to provide service in the City.
 - (4) The financial responsibility of the applicant. The submission of audited financial statements and profit and loss statement on an annual basis shall be required as a continuing condition of any operator's permit, and a showing of lack of financial responsibility shall be cause for suspension or revocation of any permit.
 - (5) The number of ambulances for which ambulance operator's permits are requested and the hours during the day and days during the week that the applicant proposes to furnish such service.
 - (6) In the event the applicant had previously participated in furnishing ambulance service, evidence as to whether the applicant performed such service in a satisfactory manner.

(Code 1962, § 29-57; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-109. - Grant or denial; additional conditions; assignability.

- (a) The council shall make a determination as to the existence or nonexistence of public convenience and necessity and shall grant or deny the permit applied for under this division.
- (b) In granting a permit, the Council may impose additional conditions of the permit not specifically set forth in this chapter, including, but not limited to, the requirement of performance bond or a letter of credit to secure performance under the permit.
- (c) The permit granted pursuant to this chapter shall not be assignable or otherwise transferable without the express, prior, written consent of Council. Council shall require that any proposed assignee or transferee meet all the requirements imposed by this chapter for the issuance of an operator's permit.
- (d) If the operator granted a permit is a corporation or a partnership Council may specify that the permit is subject to revocation in the event that any named principal or principals of the corporation should cease to be employed by the operator, or if ownership of the operator should change in such a way that such named principal or principals no longer provide or supervise the operator's performance under the permit.

(Code 1962, § 29-58; Ord. No. 91-4.5, 4-2-91)

Sec. 39-109.1. - Limited or restricted permits.

If Council, after an application, investigation, and public hearing as provided herein, determines that the public convenience and necessity requires that additional, but limited or restricted, ambulance service should be provided in the City, Council may grant an applicant a limited or restricted ambulance operator's permit which is subject to such restrictions, limitations, and/or conditions as Council may reasonably deem appropriate.

(Ord. No. 95-9.11, 9-5-95)

Sec. 39-110. - Term.

Every permit issued under this division shall be good and valid for a period of five (5) years, unless earlier revoked, suspended or surrendered.

(Code 1962, § 29-59; Ord. No. 85-3.4, 3-5-85; Ord. No. 88-10.5, § 4, 10-6-88; Ord. No. 91-4.5, 4-2-91)

Sec. 39-111. - Suspension or revocation.

- (a) Any person may file with the City Clerk a petition regarding any complaint against an ambulance operator alleging a violation of any of the provisions of this article or a violation of any of the ordinances of the City or laws of the Commonwealth or of the United States, or alleging the existence of any circumstance or condition constituting cause for the suspension

or revocation of the operator's permit. When such a complaint is filed, it shall be referred to the Director of Emergency Services. If, after investigation, the Director of Emergency Services or his designee determines that some basis may exist for the complaint, and that if proven, some action should be taken, the Director of Emergency Services or his designee shall give fifteen (15) days' written notice of a hearing to be conducted by the Ambulance Committee to the ambulance operator against whom the complaint has been made and the notice shall set out the grounds of the complaint. In addition, the Committee may initiate a hearing on its own motion and similar notice shall be given and the Committee shall conduct a hearing thereon.

- (b) Following the hearing by the Committee, the Committee shall report to Council its recommendations as to appropriate action. Upon receipt of the Committee's recommendations, Council may:
 - (1) Issue a letter to the operator and to the complainant that there is not sufficient basis for the issuance of a letter of warning, or the suspension or revocation of the operator's permit.
 - (2) Issue a letter of warning.
 - (3) Suspend the operator's permit for a period not to exceed thirty (30) days.
 - (4) Conduct a public hearing, after due notice to the operator, to determine whether or not the ambulance operator's permit should be revoked. If requested by the operator, Council shall in any case conduct such public hearing prior to revoking an operator's permit.
- (c) In the event that the operator's permit is suspended or revoked, the Council may proceed against any performance bond or letter of credit required of the operator for the reasonable costs to the City of providing substitute ambulance service.

(Code 1962, § 29-64; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Secs. 39-112—39-116. - Reserved.

DIVISION 3. - DRIVER'S PERMIT

Sec. 39-117. - Required.

It shall be unlawful for any person to drive an ambulance upon the public streets of the City, unless he has an ambulance driver's permit issued pursuant to this division.

(Code 1962, § 29-66; Ord. No. 91-4.5, 4-2-91)

Sec. 39-118. - Application.

Application for a permit required by this division shall be submitted to the Chief of Police on a form provided for that purpose. Such application shall be signed and sworn to before a Notary Public.

(Code 1962, § 29-67; Ord. No. 91-4.5, 4-2-91)

Sec. 39-119. - Qualifications of applicant.

An applicant for a permit required by this division must be eighteen (18) years of age or older and must have a Virginia chauffeur's license. Such applicant shall not be eligible if he has been convicted of a felony or of a misdemeanor involving moral turpitude within the past ten (10) years.

(Code 1962, § 29-67; Ord. No. 91-4.5, 4-2-91)

Sec. 39-120. - Fee.

The fee for an ambulance driver's permit shall be such as is prescribed from time to time by the Council.

(Code 1962, § 29-67; Ord. No. 91-4.5, 4-2-91)

Cross reference— Annual adoption of fee schedule, § 2-9.

Sec. 39-121. - Issuance or denial.

The Chief of Police shall investigate an application filed under this division and determine whether the applicant meets the qualifications required for the issuance of an ambulance driver's permit. If the applicant is so qualified, the Chief of Police shall issue such a permit, and if the applicant is not qualified, the Chief of Police shall notify the applicant, by writing to him at the applicant's address as given in the application. A denial of a permit shall be appealable to the City Manager within ten (10) days after denial by the Chief of Police.

(Code 1962, § 29-68; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Sec. 39-122. - Suspension or revocation.

The Chief of Police may suspend an ambulance driver's permit for up to fifteen (15) days for conviction of a violation of the provisions of this article, without a hearing. A hearing shall be held for any greater suspension or for a revocation and such action shall be appealable to the City Manager within ten (10) days from the date thereof.

(Code 1962, § 29-73; Ord. No. 85-3.4, 3-5-85; Ord. No. 91-4.5, 4-2-91)

Council Letter

City of Danville, Virginia



CL-1907

New Business Item #: E.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Full-Service Ambulance Operator's Permit for LifeCare

From: David R. Eagle, Fire Chief

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

LifeCare Medical Transports, Inc. (LifeCare) has applied to the City of Danville for a full-service ambulance operator's permit.

BACKGROUND

In accordance with Article III, entitled "Ambulances," of Chapter 39, entitled "Vehicles for Hire," of the Code of the City of Danville, LifeCare submitted an application for Ambulance Operator's permit to the City Clerk. Per Section 39-107 of the City Code, City Administration has conducted the prescribed investigation of the applicant and proposed ambulance services.

RECOMMENDATION

It is recommended that Council approve the attached Ordinance granting a full-service ambulance operator's permit to LifeCare, for a term of five years, beginning July 1, 2018, and ending July 1, 2023, subject to the conditions outlined in the Ordinance.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

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

WHEREAS, LifeCare Medical Transports, Inc., trading as LifeCare, has applied for an ambulance operator's permit, in accordance with the provisions of Article III, entitled "Ambulances," of Chapter 39, entitled "Vehicles for Hire," of the Code of the City of Danville, Virginia, 1986, as amended; and

WHEREAS, the Ambulance Committee reviewed the application for a full-service operator's permit filed by LifeCare, made an investigation and analysis, as required by Sections 39-101 and 39-107 of the City Code, and recommended that a permit be issued to LifeCare; and

WHEREAS, Council held a public hearing on this date, as required by Sections 39-108 and 39-109 of the City Code and heard the evidence presented by LifeCare, and the evidence presented by the City Administration and the argument by or on behalf of these applicants and the City Administration, as well as the comments of the interested public; and

WHEREAS, Council finds that the public convenience and necessity would be served by the issuance of a full-service ambulance operator's permit to LifeCare; and

WHEREAS, Council, therefore concludes that a full-service ambulance operator's permit should be issued to LifeCare.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the request by LifeCare Medical Transports, trading as LifeCare, for a full-service ambulance operator's permit be, and is hereby, approved and that a full-service ambulance operator's permit with a term of five (5) years, expiring on July 1, 2023, be granted, subject to the following conditions:

1. Compliance with all of the applicable provisions of Chapter 39 of the City Code and other applicable federal, state, and local laws, and the conditions set forth.

2. The ambulance operator permit holder will keep such records and make such reports to the City Manager or his designee with respect to furnishing ambulance service under this ambulance operator permit as shall be required and requested by the City Manager or his designee. The City Manager or his designee may prescribe the form of such records and reports and shall have the right to inspect the records, facilities, and equipment of the ambulance operator permit holder at any time.

3. The ambulance operator permit holder will indemnify, keep and hold the City free and harmless from any and all liability for injury or damage to any and all persons, firms, and corporations and property arising out of or directly or indirectly resulting from the performance of this permit; and in the event any suit or proceeding shall be brought against the City, at law or in equity, either independently or jointly with the permit holder, on account of, founded upon or arising out of the performance of this permit, the permit holder will defend the City therein at the cost of the permit holder, and in the event of a final judgement or decree being obtained or entered in any such action of suit against the City, either independently or jointly with the permit holder, then the permit holder will pay such judgement, together with all costs and expenses of whatever nature, or comply with such decree, and hold the City harmless therefrom.

4. Should the ambulance operator permit holder breach any term, condition or provision of this permit and fail to correct, remedy or remove the condition that constitutes such breach within thirty (30) days after written notice thereof has been received by the permit holder from the City Manager or his designee, or should the permit holder become insolvent or a receiver or receivers be appointed for it, or should the permit holder make assignment for the benefit of its creditors and such insolvency is not remedied or such receivership or assignment

is not vacated within thirty (30) days, the City Manager or his designee may immediately terminate this permit.

5. Neither the permit nor the rights, privileges and obligations inuring to or assumed by the ambulance operator permit holder thereunder shall be assigned or transferred, directly or indirectly, and every such assignment or transfer shall be void and shall automatically and immediately terminate this permit.

6. The terms of the ambulance operator permit shall be for five (5) years, beginning July 1, 2018, and ending July 1, 2023, subject to annual review and, for good cause, revision with respect to services provided and rates charged thereunder, and thereafter automatically renewable for a term of one (1) year unless either party should notify the other in writing no less than sixty (60) days prior to the termination of such renewal period of its election not to renew the same.

7. The ambulance service required will serve the hospital, nursing homes, general public, and doctors' offices.

8. Ambulance service must conform to the City Code entitled "Ambulances," of Chapter 39, entitled "Vehicles for Hire," of the Code of the City of Danville, Virginia, 1986, as amended.

9. LifeCare shall provide a performance bond or letter of credit (in a form acceptable to the City Attorney) to secure performance under this permit.

10. LifeCare shall provide an audited financial statement and profit and loss statement for 2017 within ninety (90) days after this date.

11. The ambulance operator permit holder shall immediately notify the Fire Chief of any citation and/or suspension issued against LifeCare's state EMS agency certificate, and/or any employee's state EMS certification, issued by the Virginia Office of Emergency Medical Services.

12. The ambulance operator permit holder shall have a two-way radio communication system between the City of Danville Emergency Communication Center (ECC), LifeCare dispatch office, and each ambulance. All communication equipment will be maintained so that it will operate effectively and efficiently.

13. The ambulance operator permit holder will have available at all times, 24 consecutive hours each day of the year, at a minimum for service at least the following vehicles and equipment:

a. Four (4) ambulances, which meet the state minimum certification requirements, to answer advance life support calls;

b. Proper staff that meets the state EMS personnel regulations with additional current certification for Emergency Medical Technicians (EMT) in the following:

- 1) Emergency Vehicle Operating Course (EVOC);
- 2) CPR

c. Additional current certifications for Paramedic, or Enhanced Technicians in the following:

- 1) Advanced Cardiac Life Support (ACLS)
- 2) Pediatric Advance Life Support (PALS) or Pediatric Education for Pre-Hospital Professionals (PEPP)
- 3) CPR
- 4) Emergency Vehicle Operations Course (EVOC)

14. LifeCare shall operate a central business and response office within the City limits of Danville, said location must be approved by the City Manager or his designee.

15. LifeCare shall have at least one single-party telephone service for receipt and dispatch of ambulance and wheelchair services. The telephone shall be manned 24 hours a day to take calls from the public. The telephone number assigned to these services shall be listed and made available through publication for use of the general public.
16. Qualified personnel must be provided to efficiently operate telephone and radio communications systems and services for the immediate rendition of ambulance services.
17. Insurance shall be carried against loss and liability in connection with the performance of the ambulance service. (Minimum required—One million (\$1,000,000) for bodily injury to any one person in any one accident and not less than five-hundred thousand (\$500,000) for all bodily injuries resulting from any one accident, and one-hundred thousand (\$100,000) for property damage.) A copy of the insurance carried must be provided to the City Manager or his designee.
18. The City reserves the right to request a financial statement from the bidder or proof of financial stability.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to Form and
Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1919

New Business Item #: F.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Request for Tax Exempt Status by Ashlawn View, Inc.

From: Susan M. DeMasi, Clerk of Council

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

The City is in receipt of an application for Tax Exempt Status from Ashlawn View, LLC. Ashlawn View, LLC provides elderly persons and/or handicapped persons with a four bedroom housing facility and services specially designed to meet their physical, social and psychological needs, and promotes their health, security, happiness and usefulness in longer living.

The application is for real property located at 119 Ashlawn Drive, Parcel ID # 58688, with an assessed value of \$313,300 and \$2,506.40 in real property taxes.

RECOMMENDATION

Staff makes no recommendation since tax exemption is solely a function of the Danville City Council.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018 - _____._____

AN ORDINANCE TO DESIGNATE ASHLAWN VIEW, INC., AS BEING EXEMPT FROM LOCAL REAL PROPERTY TAXATION.

WHEREAS, Ashlawn View, Inc., has been providing services for the common good of the citizens of the City of Danville and other areas since 2010; and

WHEREAS, Ashlawn View, Inc., is a 501(c)(3) organization established for charitable purposes; and

WHEREAS, Ashlawn View, Inc., owns real property in the City of Danville and tangible personal property in the City of Danville; and

WHEREAS, Ashlawn View, Inc., does not have a current alcoholic beverage license for serving alcoholic beverages for use on any property being requested to be exempt from taxation; and

WHEREAS, Ashlawn View, Inc., asserts that no director, officer or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for other personal services with such director, officer or employee actually renders; and

WHEREAS, the net earnings of Ashlawn View, Inc., do not inure to the benefit of any specific individual but are used for the benefit of individuals which qualify for their services; and

WHEREAS, Ashlawn View, Inc., provides mental health, intellectual disability, substance abuse, and prevention services to the citizens of our City and County; and

WHEREAS, a substantial part of the activities of Ashlawn View, Inc., does not involve carrying on propaganda or otherwise attempt to influence legislation and that Ashlawn View, Inc., does not participate or intervene in any political campaign on behalf of any candidate for public office; and

WHEREAS, in accordance with Section 37-49.2 of the Code of the City of Danville and Section 58.1-3651 of the Code of Virginia 1950, as amended, the Council of the City of Danville has advertised and conducted a public hearing on the issue of granting an exemption from local property taxes to Ashlawn View, Inc.

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

1. That the Council of the City of Danville, Virginia hereby designates, Ashlawn View, Inc., as a charitable organization within the context of §6(a)(6) of Article X of the Constitution of Virginia; and
2. That the real property located at 119 Ashlawn Drive, Parcel ID# 58688 is used for charitable purposes on a nonprofit basis and are hereby exempt from local property taxation; and
3. The effective date of these exemptions shall be the 1st day of July, 2018.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1912

New Business Item #: G.

City Council Regular Meeting

Meeting Date: 06/19/2018

Subject: Moral Obligation with Virginia Community Capital

From: Michael Adkins, Director of Finance

COUNCIL ACTION

Business Meeting: 06/19/2018

SUMMARY

In March 2013, City Council approved moral obligations for the Industrial Development Authority (IDA) related to borrowings for the up-fit of a shell building at 500 Cane Creek Parkway. The loans matured on March 31, 2018, and now the IDA has completed the process of negotiating a renewal of the related loans. On March 20, 2018, City Council adopted a Resolution to extend the existing moral obligation to allow time for the loan to be renewed. Virginia Community Capital has now provided the loan renewal to the IDA and as is customary, has requested a moral obligation from the City for this continued loan.

BACKGROUND

In 2013, the IDA secured loans for \$1,500,000 from Virginia Community Capital and \$500,000 from the Virginia Small Business Financing Authority for the up-fit of a shell building located at 500 Cane Creek Parkway. The loans were structured for payback over 20 years, but with 5-year maturities. The loans reached the first scheduled maturity on March 31, 2018. The IDA worked with Virginia Community Capital to consolidate and renew both loans for an additional five years. As is customary, Virginia Community Capital has requested a moral obligation from the City.

The IDA has been making the required debt service payments on the borrowing since inception of about \$13,000 per month. The renewed loan will be for an amount not to exceed \$1,274,032. Virginia Community Capital has reduced the interest rate from 5% to 4.5% for this next five-year term. The building has been leased to Unison Tube, LLC and lease revenue will be used to cover the debt service on this loan.

RECOMMENDATION

It is recommended that City Council approve the moral obligation with Virginia Community Capital.

Attachments

Resolution

Moral Obligation

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018-____.____

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A MORAL OBLIGATION AGREEMENT BY AND BETWEEN THE CITY OF DANVILLE, VIRGINIA AND VIRGINIA COMMUNITY CAPITAL.

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

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

APPROVED:

MAYOR

ATTEST:

Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

MORAL OBLIGATION AGREEMENT OF CITY OF DANVILLE

THIS MORAL OBLIGATION AGREEMENT made as of the ___ day of _____, 2018, by and between the **CITY OF DANVILLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “**City**”), and **VIRGINIA COMMUNITY CAPITAL**, a banking association (“**VCC**”), to-wit:

Background

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

B. The Authority previously borrowed funds from Virginia Community Capital for the purposes of purchasing and/or making improvements to real estate located to 500 Stinson Drive, Danville, Virginia (the “**Property**”), in an effort to induce key tenants to locate particular aspects of their operations in the City’s Cyber Park, thereby promoting development and the economy of the City. The previous loan associated with the Property is set to mature and the Authority seeks to refinance the loan with VCC.

C. In furtherance of the foregoing, the Authority has obtained a commitment from Virginia Community Capital to refinance the Property loan for a term of sixty (60) months in an amount not to exceed One Million Two Hundred Seventy Four Thousand Thirty Two and 00/100 Dollars (\$1,274,032.00) (the “**Loan**”), and, as part of that commitment, VCC requires the Moral Obligation of the City to repay the Loan with VCC in the event that the Authority fails to do so.

Agreement

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

1. In the event the Authority fails to repay the indebtedness created by the Loan provided by VCC in accordance with the terms of repayment stated therein, the City hereby acknowledges that, to the extent permitted by law, it has a moral obligation to pay VCC such amounts otherwise due from and payable by the Authority. In the event of nonpayment by the Authority, VCC, by its duly authorized representative, shall submit an appropriation request to the City in the amount sufficient to make current payments on the Loan then due VCC by the Authority and to protect and maintain the Authority’s ownership interest in the Property (the “**Deficiency Amount**”). Subject to the making of an appropriation pursuant to the provisions of this Paragraph 1, the City shall pay VCC the amount of such appropriation as soon as practicable.
2. Virginia Community Capital shall apply any funds so appropriated and paid to it by the City pursuant to this Agreement toward the Authority’s obligations under the Loan provided by VCC pursuant to this Agreement.
3. Continuing until such time as there is no longer a Deficiency Amount, the City Manager of the City (the “**City Manager**”) shall include the Deficiency Amount due VCC with respect to the

Loan in his budget submitted to the City Council for the following fiscal year as an amount to be appropriated to or in respect of the Property Loan. The City Manager shall deliver to VCC, within fifteen (15) days after the adoption of the City's budget for each fiscal year in which a Deficiency Amount was requested as provided herein, but not later than July 15 of each year, a letter, on letterhead of the City Manager's Office, stating whether the City Council has appropriated for payment to VCC an amount equal to the Deficiency Amount.

4. If at any time VCC believes there is a Deficiency Amount or that amounts appropriated by City Council are insufficient to fulfill the Authority's Loan obligations, VCC shall notify the City Manager of the Deficiency Amount or such insufficiency and the City Manager shall request a supplemental appropriation from City Council in the amount necessary to make such payment.
5. The City Manager shall present each request for appropriation pursuant to Paragraph 4 above to City Council and City Council shall consider such request at City Council's next regularly scheduled meeting at which it is possible to satisfy any applicable notification and all other legal requirements. Not later than five (5) business days after such meeting, the City Manager shall notify VCC as to whether the amount so requested was appropriated. If City Council shall fail to make any such appropriation, the City Manager shall add the amount of such requested appropriation to the amount to be requested in the next fiscal year.
6. City Council hereby undertakes a non-binding obligation to appropriate such amounts as may be requested from time to time pursuant to Paragraphs 3, 4 and 5 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The City Council, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations.
7. Nothing herein contained is or shall be deemed to be a lending of the credit of the City to VCC, the Authority, the Property or to any other person or entity (unless specifically set forth otherwise), and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the City, nor shall anything herein contained legally bind or obligate the City Council to appropriate funds for the purposes described herein.
8. Any notices or requests required to be given hereunder shall be deemed given if hand-delivered or sent by registered or certified mail, postage prepaid, addressed as follows:

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

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

If to Virginia Community Capital 110 Peppers Ferry Road, N.W.
Christiansburg, VA 24073
Attention: President

1. If any clause, provision, or paragraph of this Agreement shall be held illegal or invalid by a court, the illegality or invalidity of such clause, provision, or paragraph shall not affect any of the remaining clauses, provisions, or paragraphs hereof, and this Agreement shall be construed and enforced as if such illegal or invalid clause, provision, or paragraph had not been contained herein. In the event that any question should arise as to whether any provision contained herein shall be in violation of law, then such provision shall be construed as the agreement of the parties hereto to the full extent permitted by law.
2. The parties agree that this Moral Obligation Agreement shall supersede and replace that Moral Obligation Agreement between the parties dated March 19, 2013, made in connection with a 2013 loan to the IDA for initial renovation of the Property (the "**2013 Moral Obligation Agreement**"), and upon the approval and execution of this Agreement and closing of the Loan referenced herein the 2013 Moral Obligation Agreement shall terminate and be of no further force and effect.

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

[SIGNATURE PAGE FOLLOWS]

CITY COUNCIL, CITY OF DANVILLE

By: _____
Name: Ken Larking Title: City Manager

(SEAL)

Attest:

City Clerk

VIRGINIA COMMUNITY CAPITAL

By: _____
Name: Cindy G. Snider Title: Loan Officer

(SEAL)

Attest:

Title: _____