



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

June 16, 2020

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

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

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

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

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

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

Time and Place of Meeting

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

Communications from Visitors

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

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group,

there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

Due to ongoing concerns related to COVID-19, the City of Danville will continue to accept comments for Communications from Visitors and for Public Hearings via their on-line portal at: danvilleva.gov/council or by phone using this number: (434) 857-3348, until further notice. Comments submitted via these formats will be collected and distributed to all City Council members, and published with the minutes of the June 16, 2020 meeting. Comments will be collected through June 15, 2020 at 5:00 p.m.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - Dr. Gary P. Miller

PLEDGE OF ALLEGIANCE TO THE FLAG

COMMUNICATIONS FROM VISITORS

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

CONSENT AGENDA

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
- B. Consideration of Approval of Minutes from Regular Council Meeting held on May 21, 2020.
Council Letter Number CL - 2344.
- C. Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for Department of Justice Coronavirus Emergency Supplemental Funding.
Council Letter Number CL - 2331.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Increasing Revenue from the United States Department of Justice Coronavirus Emergency Supplemental Funding (CESF) in the Amount of \$110,452 for use in Preventing, Preparing for and Responding to Coronavirus.

FINAL ADOPTION

- D. Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for CARES Act Funds for Mass Transit.
Council Letter Number CL - 2338.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Increasing Revenue from the CARES Act Funds in the Amount of \$2,299,878 to be Used to Cover Operating Expenditures for the Transportation Fund Appropriation
FINAL ADOPTION

OLD BUSINESS

- A. Consideration of Approving the Budget of the City of Danville, the Capital and Special Projects Plan, and the Budget Appropriation Ordinance for Fiscal Year 2021.
Council Letter Number CL - 2337.
1. A Resolution Approving the Budgets of the Various Funds of the City of Danville for the Fiscal Year Ending June 30, 2021.
FINAL ADOPTION
 2. A Resolution Approving the Fiscal Year 2021 Capital and Special Projects Plan for the City of Danville, Virginia
FINAL ADOPTION
 3. Budget Appropriation Ordinance for Fiscal Year 2021
FINAL ADOPTION
- B. Consideration of Approval of Selling the Pinnacles Hydroelectric Complex to Northbrook Energy.
Council Letter Number CL - 2307.
1. Public Hearing
 2. Reconsideration of a Resolution Approving and Authorizing the City of Danville, Virginia to Sell the Pinnacles Hydroelectric Complex to Northbrook Energy for the Amount of \$8,200,000.
 3. A Resolution Approving and Authorizing the City of Danville, Virginia to Enter into a Purchase Power Agreement and Interconnection Agreement with Northbrook Energy for the Energy, Capacity, and Renewable Energy Credits from the Pinnacles Hydro Facility.

APPOINTMENTS

- A. Consideration of Appointments to Boards and Commissions.
Council Letter Number CL - 2342.
1. A Resolution Reappointing Stephen Daniel as a Member of the Airport Commission.
 2. A Resolution Appointing Robert Jiranek as a Member of the Airport Commission.
 3. A Resolution Appointing Toshia Fitzgerald as a Member of the Danville Community College Board.
 4. A Resolution Reappointing Tammy Warren as a Member of the Danville Community Policy and Management Team.
 5. A Resolution Reappointing Demetrius Crews as a Member of the Danville Community Policy and Management Team.

6. A Resolution Reappointing Rufus Fuller as a Member of the Danville Pittsylvania Community Services Board.
7. A Resolution Reappointing Helm Dobbins as a Member of the Danville Utility Commission.
8. A Resolution Reappointing Vanessa Cain as a Member of the Danville Utility Commission.
9. A Resolution Reappointing Kathy Andrews as a Member of the Social Services Advisory Board.
10. A Resolution Reappointing Clarice Coleman as a Member of the Social Services Advisory Board.

NEW BUSINESS

- A. Consideration of Amending the Personnel System of the City of Danville.
Council Letter Number CL - 2330.

An Ordinance Amending the Personnel System of the City of Danville Providing for the Classification, Compensation, and Employee Development for Employment Positions of the City.

- B. Consideration of Authorizing the City Manager to Enter into an Agreement with the City of Eden for Water and Wastewater Services for Berry Hill Industrial Park.
Council Letter Number CL - 2306.

A Resolution Approving and Authorizing the City of Danville, Virginia to Enter into an Agreement with the City of Eden, North Carolina (Eden) to Provide Water and Wastewater Services for the Berry Hill Industrial Park in Pittsylvania County.

- C. Consideration of Amending Danville City Code Designating Seats Under the Carrington Pavilion as a No Smoking Area.
Council Letter Number CL - 2318.

An Ordinance Amending Chapter 25 Entitled "Parks and Recreation" of the Code of the City of Danville, 1986, As Amended, by Adding Section 23-13, Entitled "Regulation of Smoking in Outdoor Amphitheatres or Concert Venues; and Civil Penalty."

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-2344

Consent Agenda B.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 06/16/2020

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on May 21, 2020.

Council Letter Number CL - 2344.

Attachments

Meeting Minutes

May 21, 2020

The Second May meeting of the Danville City Council was held on May 21, 2020, at 7:01 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Adam J. Tomer, Vice Mayor J. Lee Vogler, Jr., and Madison J.R. Whittle (9). Council Member Campbell entered the meeting at 7:08 p.m. Council Members attended the meeting via Zoom.

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. Staff members attended the meeting via Zoom.

Mayor Jones noted, *"I want to thank our citizens who are tuning in tonight to watch our City Council meeting. I want to cover the following items before we begin the meeting tonight. Notice for this meeting was posted on May 8, 2020 in compliance with the Virginia Freedom of Information Act. The Agenda was posted on the City's website on May 14, 2020. The agenda for tonight's meeting may be found online at www.mydanvilleagendas.info. This meeting is being broadcast live on both River City TV and the City's Facebook page. As you know, declarations of emergency have been declared by the President, Governor, and City Manager. Because of this State of Emergency and the need for social distancing, the Council is conducting this meeting electronically under the authority of the City's Continuity of Operations Ordinance. Public comments and comments for public hearings were solicited prior to the meeting, copies were provided to each Council member before the meeting, and will be included with the meeting minutes. Also, all Council members are attending tonight's meeting electronically via Zoom and I will ask them at any time they wish to make comments to raise their electronic hand to be recognized and to identify themselves when speaking. All votes will be by roll call and recorded in the minutes as usual."*

INVOCATION

The Invocation was given by Dr. Gary P. Miller

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Jones read a Proclamation entitled, *High School Senior Celebration Week*, noting the week May 29, through June 6, 2020 in the City of Danville, Virginia was High School Senior Celebration Week.

COMMUNICATIONS FROM VISITORS

All Communications from Visitors are received by telephone or by submission of a form through the City of Danville website. No submissions were received for the May 21, 2020 meeting.

CONSENT AGENDA

Council Member Saunders **moved** for adoption of the following Consent Agenda items:

Approval of Minutes from the Regular Council Meeting held on April 21, 2020. Draft copies of the minutes had been distributed prior to the meeting.

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Budget Amendment – Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for a Grant for the Victim Witness Program

An Ordinance entitled, Ordinance No. 2020-05.02, presented by its First Reading on May 7, 2020, Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for a Grant from the Commonwealth of Virginia for a Victim Witness Program in the Amount of \$177,083 and Appropriating Same.

Budget Amendment – Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for a Domestic Violence Victim Program Grant

An Ordinance Entitled, Ordinance No. 2020-05.03, Presented by its First Reading on May 7, 2020, Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for a Grant from the Commonwealth of Virginia for a Domestic Violence Victim Program Grant in the Amount of \$44,635 and Appropriating Same.

The Motion was **seconded** by Vice Mayor Vogler and carried by the following vote:

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

OLD BUSINESS

City Manager Ken Larking noted yesterday, Council Members Miller and Saunders met with Dr. Jones and School Board Members Brandon Atkins and Elizabeth Leggett regarding the budget, the status of the Educational Compact, and the school system's budget plans for next year. The operational budget for DPS was \$22,812,500 which was a \$150,000 increase over the previous year. Their budget was impacted by reductions in state revenues due to COVID-19. They had indications earlier that there would be funding available to provide a 2% pay increase for teachers; unfortunately, that was on hold at this time, but included was an average 1.3% increase. In December, DPS had a draft of a budget request which called for an additional \$727,641 in local funds, but their request had been reduced since that time. He had recommended \$150,000, and that was targeted for salary increases for personnel in DPS. Staff will be getting information related to how DPS compares to other similar school systems regarding the percentage of their budget that was spent on administrative staff and instructional staff. They were told it was very comparable to other school systems. They also requested and received an analysis of the cost of DPS' lease for the School Board office; it shows that the cost per square foot was below market for the River District at about \$6.15 but they do plan to evaluate their options at the end of their lease term. The Education Compact also discussed the development of a master plan, and part of that plan was an evaluation of their capital including their schools and the school board office.

Council Member Saunders noted he was very pleased to see there would be a five year plan, with City Council and School Board members talking about the educational plan for the school system and the future. Mr. Saunders noted he concurred with the City Manager about the \$150,000 to the school system, there have been some reductions and they were waiting to see what the funding will be after the pandemic issues resolves. Council Member Miller stated there was a small bit of good news, the population of pupils actually increased this year, and that meant more money from the State. He thought the master plan was a good idea, it was a five year plan, and it will be reviewed every year to see if it needed to be changed. The School Board Chairman will

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report on the schools in October and also right before budget to give an interim report on how things were going as far as truancy, dropouts, improvements and what has happened in the last six months. DPS had wanted to receive a 2-3% increase from the state, but that did not happen, and to give a 1.3% increase for teachers was about \$330,000, so \$150,000 was about half of that. By giving the teachers increases in salaries they have been able to retain the teachers, over 90%, which means were less long term substitutes; Danville wants to keep attracting good teachers. They also asked if Galileo was going to be moved and they were committing to that as well, hopefully to the Langston area, but it would be a separate school. Mayor Jones thanked Council Member Saunders and Council Member Miller for serving on the Compact Committee.

APPROVAL OF THE FISCAL YEAR 2021 DANVILLE PUBLIC SCHOOLS BUDGET

Upon **Motion** by Vice Mayor Vogler and **second** by Council Member Miller, a Resolution entitled:

Resolution No. 2020-05.03, presented by its First Reading on May 7, 2020, Approving the Budget of the School Board of the City of Danville for the Fiscal Year Ending June 30, 2021,

was **presented** for adoption.

Vice Mayor Vogler thanked the City Manager, Mr. Saunders and Dr. Miller for the report on the meeting they had, and questioned the extra \$150,000, was that for raises just for the teachers or for personnel across the board and Mr. Larking noted the \$150,000 would cover a portion of the teacher pay increases but the school system as a whole plans to have step increases for all staff, which was a larger number. Mr. Vogler questioned if any additional positions were added this year and Mr. Larking stated they had discussed some mental health workers to be added; they originally proposed more, but they had to cut that back. The purpose was to have some mental health specialists in the school system to help with the special needs of a certain part of the student body. Mr. Vogler asked if there was any discussion on plans to reopen the schools in the fall, and Mr. Larking explained they have multiple plans because they don't know exactly what they will be facing when they go back. It depends on the pandemic at that time, their goal was to open in August. Mr. Vogler thanked all the teachers and staff at DPS, particularly the teachers who have done an amazing job working to keep the students engaged.

Council Member Shanks noted the increase Council gave the School Board last year covered part of the salary increases; that action was taken to fill those temporary positions with full time employees. The City Manager had stated that the rental rate for the office downtown was below market rate, and there was vacant space at Langston, and questioned were the properties like Glenwood, Taylor and Townes Lea owned by the School Board or by the City. Mr. Larking stated Glenwood and Townes Lea are owned by the City; staff has been trying to find potential users for both those buildings but have not been successful so far. They were examining a potential proposal right now but were worried it might not be in keeping with what the community wants for Glenwood. The Taylor building was owned by the school system and they have been in discussions with potential developers to develop that site into housing; so far the numbers have not worked for that. Mr. Larking noted from their discussions, DPS has a lease that ends on September 30, 2024, at their current site; their rent includes utilities and they pay \$276,420 per year for that building. They were going to lease until 2024 and have committed to examine their capital needs during the five year plan going forward. Mr. Shanks noted he was interested to hear they are exploring other opportunities.

Mr. Saunders noted a 90% retention rate of licensed teachers because of Council's assistance with their raises last year was really good news. There will be three new members on the school

board in July, and Mr. Saunders stated he would like them to come to a Council meeting to introduce themselves so Council can continue to strengthen their partnership as they move forward.

Council Member Whittle noted he had a couple meetings with the Superintendent and members of the school board. They said they had 250 homeless children and he wanted to know if that had been brought up in the Compact or in the new budget. Mr. Larking explained Council Member Saunders had asked about wrap around services provided by the school system. They discussed partnerships with various organizations in the City including governmental agencies and non profits, trying to help provide wrap around services to all students. There are some very challenged children in the community in situations they shouldn't be in; the schools provide some stability to those students. Dr. Jones and the school board members said they have increased the contact they have with students by providing them meals on a regular basis; they started out with seven sites and it was up to twelve where they are delivering food to students. They have found it was a great way to have contact. DPS did want to say that they probably haven't done a good enough job in letting everyone know about these partnerships and they will be working on promoting that in some way.

Mr. Shanks noted it was imperative that all the instructional positions were handled by qualified personnel. He thinks they made a big step last year for that to happen; this year's raises continue the process, at least for the instructional part of the budget. His concern was, under several of the past superintendents, there was an increase in administrative positions that concerned him and hopes as Danville moves forward, they continue to watch those administrative, non-instructional positions. Mr. Shanks questioned the future of Galileo, was it going to be at Langston and Mr. Larking stated right now DPS was saying it would be Langston if it were to be approved. It would require capital funds for renovation; there was the 1% local option sales tax that could be under consideration by voters in November. If that passes they would have the ability to move forward, it would take a period of time to make the improvements.

Vice Mayor Vogler noted the City of Danville faces challenges that other localities do not, looking at Martinsville, they face more challenges but their schools are fully accredited. They have to figure out why they were able to be successful and Danville was still facing challenges. In response to Mr. Vogler regarding the sales tax, Mr. Larking explained typically the School Board would request City Council place the item on the ballot for the referendum. Council would have to adopt a resolution that that would take place, it would go to Circuit Court which would get it to the registrar, and the registrar would place it on the ballot. If approved in November, Council would have a period of time to determine when it would be enacted. The City would get the help of their financial advisors to determine how much could be borrowed based on the revenue coming in, and that would determine what kind of renovations would occur. Sales tax revenue in the past has been about \$9M but has been reduced recently due to the pandemic and that will have to be examined closely. The school system was planning to engage with some outside partners to educate the public on what the needs were including renovations to GWHS, Langston and two other schools. Mr. Vogler noted he would like a joint meeting with the school board before this happens.

Mr. Shanks noted talking about the sales tax for the Langston renovations, he hopes that full consideration was given to the cost of updating the Langston campus versus the cost of the necessary work at the Galileo campus. He does not understand why the sales tax issue was not being considered for repairing Galileo; Galileo was successful, it was small and people say they want to make more room for Galileo. There were certain students that excel in a smaller classroom situation, Galileo has proven that and he hates to see that school campus given up. Mr. Shanks noted he thought City Council, the School Board and the citizens of Danville needed to have the

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opportunity to look at the plan, to see what the sales tax increase was proposing and hopes the community has that conversation.

Mayor Jones thanked Council for an outstanding dialogue, and to all the staff and teachers of DPS, Council appreciates all they were doing; Mayor Jones thanked Council Members Saunders and Miller for all they do.

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

VOTE: 7-1-1
AYE: Buckner, Campbell, Miller, Saunders,
Shanks, Vogler and Whittle (7)
NAY: Tomer (1)
ABSTAIN: Jones (1)

APPOINTMENTS

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

Resolution No. 2020-05.06 – Appointing Katherine Waller to the Danville Community Policy & Management Team as the Danville Health Department Representative.

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

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

NEW BUSINESS

APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO SELL THE PINNACLES HYDROELECTRIC COMPLEX TO NORTHBROOK ENERGY

Mayor Jones opened the floor for a Public Hearing regarding the Sale of the Pinnacles Hydroelectric Complex. Notice of the Public Hearing was published in the *Danville Register & Bee* on May 14, 2020. City Council did not receive any comments through their on line portal or telephone call in line, and the Public Hearing was closed.

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

RESOLUTION NO. 2020-05.07

APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO SELL THE PINNACLES HYDROELECTRIC COMPLEX TO NORTHBROOK ENERGY FOR THE AMOUNT OF \$8,200,000.

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

Council Member Shanks noted this idea surfaced about two years ago with the Utility Commission and he had been totally opposed to the concept. He felt it was important that the

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City maintain and enjoy the benefits of that facility. However, after hearing all the issues that are involved including some settlement issues, and the Federal Energy Regulatory Commission, regulations which will require a lot more work to meet their standards, it will be a very costly process for the City. In the meantime, this power plant has some value to someone else, they would sell that electricity back to the City and the City would not have the cost of going through the FERC process. In the meantime, the City has major needs for their utility system that the \$8.2M could help address. Although this was a difficult decision, he thought the aging plant was better run by a company that runs many facilities across the area. That was why the Utility Commission was recommending this and hopes City Council would follow through with this recommendation.

City Attorney Clarke Whitfield reminded Council pursuant to the Virginia Constitution, the sale of property requires seven affirmative votes of Council.

Mr. Whittle questioned was there any reason why the City couldn't put a couple of new generators below that and not have to lower the head of the dam to add some more power. Director of Utilities Jason Grey explained the plan was restricted by the pipeline size that comes from the lower dam; there was pipeline capacity generation amount restricted by the amount of water that can flow through that pipeline. The two mile pipeline would have to be upgraded in order to do something. Vice Mayor Vogler noted when he first heard about this he had some concerns, but Council Member Shanks made a lot of great points and he agrees with what he says. Mr. Vogler thanked Mr. Shanks for the years he has been the representative on the Utility Commission. Looking at the cost benefit moving forward, some of the things the City would be facing if they were still in possession of this, it makes more sense. Mr. Vogler noted he was comfortable with this and will be voting yes. Dr. Miller noted he would also like to compliment Mr. Shanks, he has done a great job on the Utility Commission. Dr. Miller stated he thought this was a win-win situation; the City retains the power, still gets credit on their energy portfolio for hydroelectric power, and there will be a fewer employees. This dam was built in 1936; each year, the City would have to put more money to maintain the dam, plus a lot of regulatory costs as well. The City will be relieving itself of a lot of liability by selling the dam.

The Motion **FAILED** by the following vote:

VOTE: 6-3
AYE: Campbell, Jones, Miller, Saunders,
Shanks, Vogler (6)
NAY: Buckner, Tomer, and Whittle (3)

Vice Mayor Vogler questioned if this could be brought back up again at a later date. Mr. Whitfield noted there should be a way to either renew the Motion or reconsider the Motion at a later meeting, but not at this evening's meeting. Mr. Whittle noted he did not have his comfort level with this, would like to take another bite at the apple if it comes back around and would like to study it a little bit more.

APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO ENTER INTO A PURCHASE POWER AGREEMENT AND INTERCONNECTION AGREEMENT WITH NORTHBROOK ENERGY - RESOLUTION NO. 2020-05.08

THIS AGENDA ITEM WAS NOT HEARD BY COUNCIL.

May 21, 2020

BUDGET AMENDMENT – CONSIDERATION OF AMENDING DANVILLE CITY CODE TO MAINTAIN THE REAL ESTATE TAX RATE

Mayor Jones opened the floor for a Public Hearing regarding Maintaining the Real Estate Tax Rate. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 15, 2020. City Council did not receive any comments through their on line portal or telephone call in line, and the Public Hearing was closed.

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

ORDINANCE NO. 2020-05.04

AMENDING AND REORDAINING SECTIONS 37-27, 37- 28 AND 37-29 OF THE DANVILLE CITY CODE THEREBY MAINTAINING THE REAL ESTATE TAX OF EIGHTY-FOUR (84) CENTS ON EVERY ONE HUNDRED DOLLARS OF ASSESSED VALUE EFFECTIVE JULY 1, 2020.

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

COMMUNICATIONS

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

Council Member Saunders thanked the voters who came out to the polls, and those who voted absentee in this unusual election at a very unusual time with regard to the pandemic. Also, special thanks to all the candidates who participated in these events, and a special thanks to the citizens for their cooperation and support. Many thanks to the City employees who continue providing services to the citizens. To those on the front lines, healthcare workers, fire, police, rescue workers, public works and others, Council thanks them all. To the City Manager, he continues to amaze him, it was almost incomprehensible to understand how he does all the things he does so well. He was extremely talented and blessed. To Mayor Jones, at such a time as this, he was destined to be their team and City leader; he does it so well.

Council Member Shanks noted his agreement with Council Members Saunders, Mayor Jones was doing an excellent job, he has faced some unusual circumstances and he excels at what he does. Mr. Shanks noted the City had an exciting business announcement on Monday, the negotiation with Caesars to operate a destination resort casino at the Schoolfield site. Mr. Shanks noted he was very excited and hoped the citizens of the City of Danville were as excited; they will make the final call. That was the way the legislation was written, the way Delegate Marshall, when he brought the concept to the City insisted upon. It became law that it was going to require a local referendum on whether a casino could operate in the city of Danville. What was equally important was that Danville did things differently than the four other localities in Virginia that have similar opportunities. Danville did things that resulted in the best outcome for the citizens of Danville; Mr. Shanks noted he was proud to be a part of that. It has tremendous financial potential for Danville and it was imperative that City Council did the right thing for the citizens, under his leadership. Every way Council took down this road, Mr. Larking led Council in the right direction, whether it was hiring a special lobbyist for this issue, or hiring consultants that specialized in casinos. Mr. Larking excelled at every aspect, he thinks he did a wonderful job.

Council Member Tomer noted his agreement with Council Member Shanks, the whole process of how Council selected a casino operator was unlike how any other area did it. He believes Danville did it the right way and that was in part because of the City Manager and how he helped lead Council down the right path. Mr. Tomer congratulated the individual that won in the recent City Council election and wanted to thank Council Member Shanks for his service to the City. Every meeting that he has been with him, he has always done his homework, always come prepared, always asked tough questions and his voice of fiscal responsibility will be missed on this Council. Mr. Tomer noted he wished Mr. Shanks the best of luck going forward, and thanked him for his service.

Vice Mayor Vogler noted his agreement with Council who had thanked the Mayor for his leadership. In the two years he has been Mayor he has faced unprecedented flooding, and now an unprecedented pandemic; he has handled it all in stride and been a great example for all Council, on how to handle the office with compassion and dignity for all citizens. To the City Manager, he has been reading about what other localities were doing to help local businesses, particularly restaurants or stores. These restaurants right now are only allowed to do outdoor eating which was easier for some than others, some have large patios, others don't. Some places are loosening regulations to allow restaurants to use some of their parking for seating, or some of the sidewalks and asked if the City was looking at doing any of these things. Mr. Larking noted staff has been looking into this for the past few weeks, about how the City could be more flexible and creative in helping the small businesses. Ms. Bobe, the Economic Development director has had several conversations related to that and he directed them to come back with ideas on how the City could be more flexible on how the businesses could use public spaces. They were also working with the Community Development and Planning Departments to look at how the City could at least temporarily relieve some of the regulations regarding land use for businesses who don't have sidewalks in front that might be better able to utilize parking spaces. Staff will balance that against the safety of the public in general. The Economic Development department established some grant programs to small businesses to help them be innovative and serve their public at this time where they haven't been able to in the past; Danville was one of the few localities that has done that. The funding from the CARES Act actually allows local governments to get reimbursed for those costs; even though the City was ready to do it on their own, they will be able to get some of that funding reimbursed and maybe expanded. The City was trying to do as much as they could for small businesses including the Standing Together Six Feet Apart program. The City has purchased decals for businesses and will be distributing them through the fire department. Mr. Vogler thanked the citizens of Danville who voted in this election for him to serve another term on Council; he was very excited to come back and continue to be a part of this great team. Peggy Petty and her staff did a great job doing all they could to make sure people could exercise their right to vote. Mr. Vogler congratulated Barry Mayo on his victory and looks forward to working with him, and thanked Mr. Shanks for his many years of service to the City, not only on the City Council, but the numerous boards and commissions that he has served on.

Council Member Whittle congratulated Barry Mayo and thanked the former school board members that were there doing a great job and the new ones coming in. Mr. Whittle noted Mr. Shanks' and his family grew up together and Mr. Shanks had encouraged Mr. Whittle to run for Council.

Council Member Buckner congratulated everyone on the election and thanked Mr. Shanks for his many years of service and dedication to the City. To Mr. Larking, he did an outstanding job along with Ms. Bobe and staff negotiating with Caesars Entertainment; they all look forward to the future of Danville, what this means for the economy and the people of the City, and he looked forward to getting the referendum passed.

Council Member Campbell noted his agreement with what has been said, stating he has disagreed

May 21, 2020

with Mr. Shanks many times, but it was good to disagree, and continue to be friends. The special announcement was outstanding, the future of Danville was bright. Council wanted to salute all the graduates and Reverend Campbell thanked all the people who worked with him for his re-election.

Council Member Miller congratulated all the winners of the election but there really aren't any losers in democracy. People spend time, money and effort to run, they are all winners. Adam Tomer said it best, Fred always does his homework, and whether you agree or disagree, you better come with some facts and figures if you are going to disagree with him. Also to the poll workers, they exposed themselves with people coming out to vote; they took protective action and Peggy Petty did a great job with that. The resort and casino was an economic shot in the arm potentially, it will bring a lot of jobs, hotel rooms, and an entertainment center. Dr. Miller encouraged citizens to attend the town halls that will be put on so they can see exactly what the benefit would be; it will be the citizens, not Council who decides. Dr. Miller questioned the status of the traffic light on South Main Street and Mr. Larking noted the City was moving forward on that; it was contingent on the funding which he believes the City has part of it in this year's budget and part in next year's budget.

Mayor Jones noted to Jason Grey, not to be discouraged, he and his staff have done a lot work on the Pinnacles, give Council some time. Mayor Jones stated teachers and some of the people in the school system feel as though they are not appreciated, and with the Virginia Department of Education in there right now, all their hard work seems denied. Mayor Jones thanked the Council Members, they have put their energies behind education, and wanted citizens to know they were serious about education. Council and the School Board together were going to do something about education. To Marc Aron and Arnold Hendrix along with the Public Works staff and many others, they have been out there all week long giving citizens information with regard to the flooding. Mayor Jones thanked all of City staff for what they were doing, and encouraged citizens to be safe.

The meeting adjourned at: 8:28 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2331

Consent Agenda C.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: United States Department of Justice 2020 Coronavirus Emergency Supplemental Funding (CESF) Program

From: Scott Booth, Police Chief

COUNCIL ACTION

First Reading: 06/02/2020

Final Adoption 06/16/2020

SUMMARY

The Coronavirus Emergency Supplemental Funding (CESF) Program will provide funding to assist eligible local units of government in preventing, preparing for, and responding to the coronavirus.

Funds awarded under the CESF Program are to be utilized to prevent, prepare for, and respond to the coronavirus. Allowable projects and purchases include, but are not limited to, overtime, equipment (including law enforcement and medical, personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in local jails and detention centers.

RECOMMENDATION

It is recommended that the Danville City Council adopt the attached Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance by anticipating revenues in the amount of \$110,452 from the United States Department of Justice 2020 Coronavirus Emergency Supplemental Funding (CESF) Program.

Attachments

Ordinance

PRESENTED:_____

ADOPTED:_____

ORDINANCE NO. 2020-_____._____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM THE UNITED STATES DEPARTMENT OF JUSTICE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) IN THE AMOUNT OF \$110,452 FOR USE IN PREVENTING, PREPARING FOR, AND RESPONDING TO CORONAVIRUS AS FOLLOWS:

WHEREAS, the City of Danville has been awarded the United States Department of Justice CESF grant in the amount of \$110,452; and

WHEREAS, the funding will provide reimbursement to the City for expenditures made by various City Departments including Constitutional offices in preventing, preparing for, and responding to the coronavirus; and

WHEREAS, the grant requires no matching funds.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2020 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenue to anticipate the receipt of funds in the amount of \$110,452 from the CESF, such revenue and appropriation to be as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
COVID-19 Federal Aid-CARES Act	61566000-48060	<u>\$110,452</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
COVID-19	1566999-50	<u>\$110,452</u>

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

BE IT FURTHER ORDAINED that this appropriation shall be a flexible budget for Federal, State, and other grant funding; and

BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2020 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-2338

Consent Agenda D.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: CARES Act Funds for Mass Transit

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: 06/02/2020

Final Adoption: 06/16/2020

SUMMARY

City Council is requested to approve an Ordinance to amend the Fiscal Year 2020 Budget Appropriation Ordinance by increasing revenue to cover eligible operating expenses, net fare revenues, for mass transit operating activities through the receipt of CARES Act funds.

BACKGROUND

The Commonwealth of Virginia was apportioned \$51,377,174 in Section 5311 CARES Act funding for rural transit systems in Virginia. On April 21, 2020, the Commonwealth Transportation Board approved the allocation of CARES Act funds to Virginia transit systems and the City of Danville was allocated \$2,299,879. However, thirty-five percent (35%) of the total apportionment amount will be held in reserve by the Commonwealth of Virginia for future awards and a supplemental allocation to the City of Danville is possible.

Funds available under the CARES Act can be used for all eligible operating expenses net fare revenues that occur on or after January 20, 2020. Eligible operating expenses are those costs necessary to operate, maintain and manage a public transportation system less depreciation charges. According to the Virginia Department of Rail and Public Transportation, CARES Act funding should be used to help offset changes in available state and local funding due to the impact of COVID-19.

The reserved funding is being held by the Virginia Department of Rail and Public Transportation for other needs not yet identified. Additional guidance will be provided by the Department as to the use of these funds becomes better defined.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance Amending the Fiscal Year 2020 Budget Appropriation by increasing revenue from the CARES Act funds for mass transit.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2020- __ . __

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM THE CARES ACT FUNDS IN THE AMOUNT OF \$2,299,878 TO BE USED TO COVER OPERATING EXPENDITURES FOR THE TRANSPORTATION FUND APPROPRIATION AS FOLLOWS.

WHEREAS, the City of Danville has been awarded a grant from the US CARES Act in the amount of \$2,299,878; and

WHEREAS, the funding will provide reimbursement to the City for all eligible operating expense activities (net fare revenues) for the Transportation Fund relative to expenditures incurred and revenue realized beginning January 2020 until expended; and

WHEREAS, the grant requires no matching funds.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2020 Budget Appropriation Ordinance be, and the same is hereby amended, by increasing revenue to anticipate the receipt of funds in the amount of \$2,299,878 from the CARES Act, such revenue and appropriation to be as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Transportation Fund CARES Act	5600000-48060	<u>\$2,299,878</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Transportation Fund Administration	5600000-6997	<u>\$2,299,878</u>

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

BE IT FURTHER ORDAINED, that this appropriation shall be a flexible budget for Federal CARES Act funding; and

BE IT FINALLY ORDAINED, that all other accounts and provisions of the Fiscal Year 2020 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-2337

Old Business A.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: City of Danville Budget, Capital and Special Projects Plan, and Budget Appropriation Ordinance

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 06/02/2020

Final Adoption 06/16/2020

SUMMARY

The Public Hearing for the Budget of the City of Danville and Capital and Special Projects Plan (CSP) is scheduled to be held on June 2, 2020.

BACKGROUND

The City Manager presented the Fiscal Year 2021 Proposed Budget in early April 2020. A Public Hearing was held on May 21, 2020 to maintain the current Real Estate Tax Rate of \$0.84 per \$100 of assessed value.

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 to the various funds for Fiscal Year 2021.

Attachments

Resolution

Resolution

Ordinance

Authorized Positions

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020-____.____

A RESOLUTION APPROVING THE BUDGETS OF THE VARIOUS FUNDS OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2021.

WHEREAS, the Budget of and for the City of Danville for Fiscal year 2021 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 (FROM)	PROPOSED EXPENDITURE	CONTRIBUTION/ TRANSFER TO GENERAL FUND
General Fund	\$115,651,690	
VDOT Special Revenue Fund	11,369,690	
Wastewater	12,269,920	706,860
Water	12,591,510	\$ 950,300
Gas	22,461,430	3,186,330
Power & Light	128,334,150	10,429,610
Telecommunications	1,265,730	81,000
Transportation	4,709,770	-0-
Central Services	352,540	-0-
Motorized Equipment	4,455,710	-0-
Insurance Fund	3,491,950	-0-
Sanitation Fund	3,977,730	-0-
Cemetery Fund	1,022,980	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, 2021 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. 2020-____.____

A RESOLUTION APPROVING THE FISCAL YEAR 2021 CAPITAL AND SPECIAL PROJECTS PLAN FOR THE CITY OF DANVILLE, VIRGINIA.

WHEREAS, the City Manager of the City of Danville 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 2021 is for planning purposes and does not obligate or commit the City to projects included in the plan beyond Fiscal Year 2021.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia that the Fiscal Year 2021 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. 2020____.____

**BUDGET APPROPRIATION ORDINANCE
FOR FISCAL YEAR 2021**

WHEREAS, the Budget of and for the City of Danville for Fiscal Year 2021 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 2, 2020 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 2021.

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, 2020 and ending June 30, 2021, be, and the same hereby are, as follows:

I. GENERAL FUND

Estimated Revenue FY 2021	\$115,651,300
Appropriations	<u>115,651,300</u>
Unappropriated	<u>\$ -0-</u>

II. VDOT STREET MAINTENANCE FUND

Estimated Revenue FY 2021	\$ 11,369,690
Appropriations	<u>11,369,690</u>
Unappropriated	<u>\$ -0-</u>

II. UTILITY FUNDS

	Wastewater	Water	Gas	Electric	Telecommunications
Operating Revenues	\$ 9,322,740	11,292,890	22,857,550	130,044,100	655,770
Expenditures	<u>12,269,920</u>	<u>12,591,510</u>	<u>22,461,430</u>	<u>128,334,150</u>	<u>1,265,730</u>
Excess of Revenues Over (Under) Expenditures	(2,947,180)	(1,298,620)	396,120	1,709,950	(609,960)
Add:					
Depreciation	2,145,750	1,752,540	1,542,230	8,871,610	482,230
Contribution/Transfer (To)/From General Fund	<u>(705,760)</u>	<u>(950,300)</u>	<u>(3,186,330)</u>	<u>(10,429,610)</u>	<u>(81,000)</u>
Increase (Decrease) In Fund Balance	<u>\$ (1,507,190)</u>	<u>(496,380)</u>	<u>(1,247,980)</u>	<u>151,950</u>	<u>(208,730)</u>

III. OTHER FUNDS

SUMMARY	Transportation	Central Services	Motorized Equipment	Insurance	Sanitation	Cemetery
Operating Revenues	\$3,545,600	257,400	3,551,780	3,530,350	3,779,350	983,420
Expenditures	<u>4,709,770</u>	<u>352,540</u>	<u>4,455,710</u>	<u>3,491,950</u>	<u>3,977,730</u>	<u>1,022,980</u>
Excess of Revenues Over (Under) Expenditures	(1,164,170)	(95,174)	(903,930)	38,400	(198,380)	(39,560)
Add (Deduct):						
Depreciation	<u>797,220</u>	<u>21,810</u>	<u>832,420</u>	<u>-0-</u>	<u>82,330</u>	<u>-0-</u>
Contribution/Transfer (To) From General Fund	\$ -0-	-0-	-0-	-0-	-0-	-0-
Increase (Decrease) In Fund Balance	<u>\$ (366,950)</u>	<u>(73,330)</u>	<u>(71,510)</u>	<u>38,400</u>	<u>(116,050)</u>	<u>(39,560)</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
DMV Fees	DMV Fees-P/Taxes
Landscape Projects	Donations - Grant Fund
Capital Expenditures	Utility Grants-in-Aid
from 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, 2020.

4. The accounting for funds designated within the General Fund or Special Revenue 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, 2020, 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, 2020 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 2021 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 2020 and in prior years for the City or School System which were encumbered by purchase order or contract as of June 30, 2020, 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

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

CARES Act Funds

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. At the discretion of the City Manager or the Budget Director in collaboration with the Director of Finance, 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 as of June 30, 2020.

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 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. This Ordinance shall become and be effective on and as of July 1, 2020.

AND BE IF FINALLY ORDAINED that a transfer from the Budget Stabilization Fund up to \$3,000,000 is hereby authorized to cover various revenue shortfalls per the guidelines of the Budget Stabilization Fund Policy.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
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	Youth & Gang Violence Coordinator (Funded by Grant)			
1		1.0	1		1.0	Director of Budget			
1		1.0	1		1.0	Executive Assistant			
1		1.0	1		1.0	Executive Secretary			
10	-	10.0	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	1		1.0	Senior Secretary			
3	-	3.0	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			
						*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			
24	-	24	24	-	24	TOTAL COMMUNITY DEVELOPMENT DEPARTMENT			

CITY OF DANVILLE						
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS						
FTE = Full-time Equivalent						
Fiscal Year 2020			Fiscal Year 2021			POSITION TITLE
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	
						Social Services Department (01520)
						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
2		2.0	2		2.0	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
4		4.0	4		4.0	Senior Eligibility Worker
1		1.0	1		1.0	Fraud Investigator
2		2.0	2		2.0	Administrative Assistant (One Grant Funded)
7		7.0	7		7.0	Employment Services Worker
1		1.0	1		1.0	Sr Employment Services Worker
1		1.0	-		-	SNAPET Coordinator
32	1.8	33.8	32	1.8	33.8	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 Administrative Specialist
1		1.0	1		1.0	Social Service Aide
1		1.0	1		1.0	Employment Service Aide
8	0.6	8.6	8	0.6	8.6	Administrative Specialist
98	2.4	100.4	97	2.4	99.4	Sub-Total
						Economic Development Department (01180)
						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	Economic Development Specialist
1		1.0	-		-	Special Project Manager
5	-	5.0	5	-	5.0	TOTAL ECONOMIC DEVELOPMENT DEPARTMENT
						FINANCE DEPARTMENT
						Customer Accounts
						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
12		12.0	12		12.0	Combination of:
						Customer Service Representative
						Customer Account Representative
5		5.0	5		5.0	Cashier
1		1.0	1		1.0	Division Director of Customer Service
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
30	-	30	30	-	30	

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						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	2		2.0	Accountant II			
1		1.0	1		1.0	Accountant III			
1		1.0	1		1.0	Payroll Technician			
			4		4.0	Combination of:			
						Account Clerk			
1		1.0				Senior Account Clerk			
2		2.0				Accountant I			
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			
2		2.0	2		2.0	Combination of:			
						Senior Purchasing Clerk			
						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			
56	-	56	56	-	56	TOTAL FINANCE DEPARTMENT			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						FIRE DEPARTMENT			
						Emergency Communications (01330)			
	0.5	0.5		0.5	0.5	CERT Coordinator			
1		1.0	1		1.0	Emergency Communications Manager			
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			
						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	7.2	67.2	Fire Fighter			
1		1.0	1		1.0	Administrative Assistant			
1		1.0	1		1.0	Senior Secretary			
124	-	124.0	124	7.2	131.2	Sub-Total			
145	0.5	145.5	145	7.7	152.7	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			
						22nd District Court Services			
1		1.0	1		1.0	Intake Diversion Specialist			
1	-	1	1	-	1	TOTAL CIRCUIT COURT			
						Human Resources (01110)			
1		1.0	1		1.0	Director of Human Resources			
4		4	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 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021			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 Technical Services			
						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			
						PC Administrator			
						Network Analyst			
						Sr. IT Support Technician			
						IT 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			
6		6.0	6		6.0	Correctional Lieutenant			
19	1.1	20.1	19	1.2	20.2	Combination of:			
						Correctional Officer I			
						Correctional Officer II			
2		2.0	2		2.0	Senior Account Clerk			
38	1.2	39.2	38	1.3	39.3	Sub-Total			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						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			
4		4.0	4		4.0	Shift Supervisor			
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			
2		2.0	2		2.0	Alternative Detention Case Worker (Grant Funded)			
27	4.4	31.4	27	3.9	30.9	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			
47	4.5	51.5	47	4.0	51.0	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			
4		4.0	4		4.0	Police Captain			
9		9.0	9		9.0	Police Lieutenant			
12		12.0	12		12.0	Police Sergeant			
17		17.0	17		17.0	Police Corporal			
89		89.0	88		88.0	Police Officer (Four positions unfunded)			
			1		1.0	Crime Prevention/Community Engagement Specialist			
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			
2		2.0	2		2.0	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			
149	2.6	151.6	149	2.6	151.6	Sub-Total			
234	8.3	242.3	234	7.9	241.9	TOTAL POLICE DEPARTMENT			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021			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 Administration			
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	Administrative Assistant			
1		1.0	1		1.0	Senior Secretary			
1		1.0	-		-	Secretary			
2		2.0	2		2.0	Custodian			
1	0.3	1.3	1		1.0	Administrative Specialist			
	0.6	0.6		0.7	0.7	Recreation Program Supervisor			
	0.3	0.3		0.3	0.3	Recreation Facility Operator			
1		1.0	1		1.0	Outdoor Recreation Program Supervisor			
	0.2	0.2		0.2	0.2	Intern			
11	1.4	12.4	11	1.2	12.2	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)			
-	0.9	0.9	-	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		2.5	2.5	Recreation Leader			
1	1.5	2.5	1	2.5	3.5	Recreation Program Supervisor			
	0.2	0.2		0.1	0.1	Recreation Instructor			
	1.6	1.6		1.8	1.8	Recreation Site Supervisor			
	2.5	2.5		0.9	0.9	Recreation Facility Operator			
9.0	10.4	19.4	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	-	5.5	5.5	Public Service Worker			
-		-	1		1.0	Public Service Worker/Operator			
15	1.8	16.8	15	5.5	20.5	Sub-Total			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
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	0.5	1.5	Custodian			
1		1.0	-		-	Account Clerk			
			1		1.0	Senior Account Clerk			
	1.3	1.3		1.4	1.4	Administrative Specialist			
	1.4	1.4		2.1	2.1	Recreation Leader			
2	2.6	4.6	2	3.1	5.1	Recreation Program Supervisor			
	0.6	0.6		0.3	0.3	Recreation Aide			
	0.1	0.1		0.5		Van Driver			
		-		0.2	0.2	Recreation Instructor			
10	6.3	16.3	10	8.0	17.5	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	4.8	8.8	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	5.4	19.4	Sub-Total			
						TOTAL PARKS & RECREATION			
61	27.8	88.8	61	34.7	95.2				
						PUBLIC WORKS DEPARTMENT			
						Cemetery Maintenance (fund 59) (59110)			
1		1.0	1		1.0	General Supervisor			
2		2.0	2		2.0	Cemetery Supervisor			
10		10.0	10		10.0	Combination of:			
						Groundskeeper			
						Public Service Worker			
						Public Service Worker/Operator			
13	-	13.0	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	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			
9	-	9.0	9	-	9.0	Sub-Total			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						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			
16		16.0	16		16.0	Combination of:			
						Automotive Equipment Mechanic III			
						Welder			
						Automotive Equipment Mechanic II			
						Automotive Service Technician			
						Automotive Equipment Mechanic I			
						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	P/W Crew Supervisor			
1		1.0	1		1.0	CCTV Technician			
8		8.0	8		8.0	Combination of:			
						Heavy Equipment Operator			
						Motor Equipment Operator III			
						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	Combination of:			
						Sanitation Operator I			
						Sanitation Operator II			
3	-	3.0	3	-	3.0	Sub-Total			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						P/W Sanitation-Residential Refuse Collection (Fund 58) (5811)			
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			
						Public Service Worker/Operator			
						Solid Waste Collector			
13	-	13.0	13	-	13.0	Sub-Total			
						P/W Sanitation-Yardwaste (Fund 58) (58130)			
8		8.0	8		8.0	Combination of:			
						Sanitation Operator I			
						Sanitation Operator II			
						Public Service Worker/Operator			
8		8.0	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			
7		7.0	7		7.0	Combination of:			
						Construction Inspections Supervisor			
						Survey Party Supervisor			
						Public Works GIS/CAD Engineering Technician			
						Public Works Project Engineer			
						Construction Inspector			
						Engineering Aide			
						Engineering Technician			
12	-	12.0	12	-	12.0	Sub-Total			
						P/W VDOT- Grounds Maintenance (Fund 15-247) (15210)			
1		1.0	1		1.0	General Supervisor			
1		1.0	1		1.0	P/W Crew Supervisor			
15		15.0	15		15.0	Combination of:			
						Motor Equipment Operator II			
						Motor Equipment Operator I			
						Public Service Worker/ Operator			
						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			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						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	P/W Crew Supervisor			
1		1.0	1		1.0	Code Enforcement Inspector			
			1		1.0	Business Analyst			
27		27.0	26		26.0	Combination of:			
						Heavy Equipment Operator			
						Motor Equipment Operator III			
						Motor Equipment Operator II			
						Motor Equipment Operator I			
						Public Service Worker/ Operator			
						Groundskeeper			
35	-	35.0	35	-	35.0	Sub-Total			
						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			
4		4.0	4		4.0	Combination of:			
						Motor Equipment Operator III			
						Motor Equipment Operator II			
						Motor Equipment Operator I			
						Public Service Worker/ Operator			
9	-	9.0	9	-	9.0	Sub-Total			
180	-	180	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		1.0	1		1.0	Transportation Services Division Director			
2		2.0	2		2.0	Transportation Supervisor			
1		1.0	1		1.0	Transportation Dispatcher			
1		1.0	1		1.0	Senior Account Clerk			
1		1.0	1		1.0	Transportation Grants Specialist			
30	0.6	30.6	30	5.5	35.5	Combination of:			
						Transit Driver I			
						Transit Driver II			
1		1.0	1		1.0	Account Clerk			
38	0.6	38.6	38	5.5	43.5	Sub-Total			
42	3.6	45.6	42	8.5	50.5	TOTAL TRANSPORTATION DEPARTMENT			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						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	Facilities & Fleet 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			
10	-	10.0	10	-	10.0	Sub-Total			
						Utilities - Customer Service (Fund 54) (50120)			
		-			-	Division Director of Customer Service			
		-			-	AMI Support Technician			
		-			-	Sr Customer Service/Training Representative			
		-			-	Combination of:			
						Senior Utility Billing Clerk			
						Utility Special Billing Clerk			
						Utility Billing Clerk			
		-			-	Customer Service Representative			
-	-	-	-	-	-	Sub-Total			
						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			
3		3.0	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			
-		-	-		-	Utility Plant Maintenance Worker			
14	-	14.0	14	-	14.0	Sub-Total			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						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			
						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			
7		7.0	6		6.0	Combination of:			
						Water and Gas Crew Supervisor			
						W&G Construction Crew Supervisor			
						Water and Gas Welder/Crew Supervisor			
11		11.0	15		15.0	Combination of:			
						Heavy Equipment Operator			
						Motor Equipment Operator III			
						Motor Equipment Operator II			
						Motor Equipment Operator I			
						Construction Worker			
3		3.0	1		1.0	Public Service Worker			
23	-	23.0	24	-	24.0	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	Project Manager			
2		2.0	-		-	W&G Corrosion Technician			
-		-	1		1.0	Construction Inspector			
2		2.0	2		2.0	Water and Gas GIS Engineer Tech.			
8	-	8	8	-	8	Sub-Total			
						Water & Gas Meters & Regulators (Fund 53) (53240)			
1		1.0	1		1.0	Water & Gas Systems Control Superintendent			
3		3.0	2		2.0	Water and Gas Meter Tech.			
4	-	4.0	3	-	3.0	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			
						Electric Administration (Fund 54) (54100)			
1		1.0	1		1.0	Division Director of Power & Light			
1	-	1.0	1	-	1.0				

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						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			
						Electric Engineering (Fund 54) (54110)			
1		1.0	1		1.0	Electric Engineering Tech Supervisor			
1		1.0	1		1.0	Electric Engineering & Operations Manager			
1		1.0	1		1.0	Electric Engineering Technician/Compliance Coordinator			
1		1.0	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			
			1		1.0	Senior Electric Engineer			
2		2.0	1		1.0	Electric Engineer			
11	-	11.0	11	-	11.0	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			
1		1.0	1		1.0	AMI Support Technician			
3		3.0	3		3.0	Combination of:			
						Electric Meter Technician III			
						Electric Meter Technician II			
						Electric Meter Technician I			
5	-	5.0	5	-	5.0	Sub-Total			

CITY OF DANVILLE									
FY 2021 PROPOSED AUTHORIZED FULL-TIME AND PART-TIME FTE POSITIONS									
FTE = Full-time Equivalent									
Fiscal Year 2020			Fiscal Year 2021						
Full-Time Positions	Part-Time FTEs	Totals	Full-Time Positions	Part-Time FTEs	Totals	POSITION TITLE			
						Electric Substations (Fund 54) (54130)			
		-			-	Electric Substation Superintendent			
1		1.0	1		1.0	Electric Substation Supervisor			
12		12.0	12		12.0	Combination of:			
						Utility Operator			
						Electric T & D Equipment Technician			
						Electric Substation Technician			
13	-	13.0	13	-	13.0	Sub-Total			
						Telecommunications (Fund 55) (55110)			
1		1.0	1		1.0	Division Director of Telecommunications			
1		1.0	1		1.0	Broadband Network Engineering Technician			
2	-	2.0	2	-	2.0	Sub-Total			
154.0	-	154.0	154.0	-	154.0	TOTAL UTILITIES DEPARTMENT			
						CONSTITUTIONAL OFFICES			
2		2.0	2		2.0	Registrar			
9	1.5	10.5	9	1.5	10.5	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			
137	1.5	138.5	137	1.5	138.5	TOTAL CONSTITUTIONAL OFFICES			
1,061	42	1,103	1,061	60	1,121	GRAND TOTAL			
						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			
693	42.0	735.0	692	55.7	747.7	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			
38	0.6	38.6	38	5.5	43.5	Transportation Fund			
27	-	27.0	27	-	27.0	Sanitation Fund			
13	-	13.0	13	-	13.0	Cemetery Fund			
11	-	11.0	11	-	11.0	Wastewater Fund (Sewers)			
16	-	16.0	16	-	16.0	Water Fund			
47	-	47.0	47	-	47.0	Gas Fund			
89	-	89.0	89	-	89.0	Electric Fund			
2	-	2.0	2	-	2.0	Telecommunications Fund			
1,041	42.6	1,083.6	1,040	61.2	1,101.2				
6	-	6.0	6	-	6.0	CDBG Fund			
137	1.5	138.5	137	1.5	138.5	Constitutional Officer			
1,184	44.1	1,228.1	1,183	62.7	1,245.7	GRAND TOTAL			

Council Letter

City of Danville, Virginia



CL-2307

Old Business B.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: Asset Purchase Agreement and Purchase Power Agreement with Northbrook Energy for the Pinnacles Hydro Complex

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 06/16/2020

SUMMARY

Northbrook Energy has proposed to the City of Danville, to purchase the 10 megawatt Pinnacles facility in Patrick County, Virginia for \$8,200,000 and to sell the energy, capacity and renewable energy credits back to the City for \$58.31/megawatt-hour with a 2% annual escalation. Since this is "behind the meter," there is no transmission or capacity charge. Also, the contract allows for the City to sell renewable energy credits on this asset, which will further reduce costs for rate payers. Northbrook Energy recently purchased five hydroelectric facilities from Duke Energy in North Carolina and South Carolina, and looks to incorporate this facility into their fleet of assets pending City Council's approval. If approved by City Council, the sale of Pinnacles will require approval from the Federal Energy Regulatory Commission, since this is behind the meter.

BACKGROUND

The Pinnacles Hydro Complex is located in Patrick County, Virginia and consists of approximately 3,600 acres of City owned property. The City manages two 120 foot dams that store water for power generation. The Talbott Dam consists of a 1.4 mile penstock that brings water to a 10 megawatt power house. The facilities were constructed in 1938 in order to supply 100% of Danville electric needs. Today, the facility is used as a peaking resource during periods of high demand and provides approximately 2.5% of the City's electric needs.

RECOMMENDATION

Staff recommends that Danville City Council approve selling the Pinnacles Hydroelectric complex to Northbrook Energy for \$8,200,000, and purchasing the energy, capacity, and renewable energy credits from the facility at \$58.31/megawatt-hour with a 2% annual escalation.

Attachments

Resolution

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO SELL THE PINNACLES HYDROELECTRIC COMPLEX TO NORTHBROOK ENERGY FOR THE AMOUNT OF \$8,200,000.

WHEREAS, the Utility Commission recommends the sale of the Pinnacles Hydro Complex to Northbrook Energy in order to lower operating costs and to deliver long-term benefits to the City; and

WHEREAS, the sale of Pinnacles is in the best interest of the ratepayers of Danville Utilities by providing behind-the-meter generation in an effort to save on rising transmission, capacity, and congestion charges; and

WHEREAS, selling the Pinnacles facility to Northbrook Energy will assist Danville Utilities in accelerating capital improvement projects and ensuring system reliability; and

WHEREAS, by Northbrook Energy is a reputable independent power producer that has been in the hydroelectric energy industry for more than 30 years; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that is does hereby approve and authorize the City of Danville to sell the Pinnacles Hydroelectric Complex facility to Northbrook Energy for the amount of \$8,200,000; and

BE IT FURTHER RESOLVED, that the City of Danville agrees to accept Northbrook Energy selling back to the City of Danville ten megawatts of hydroelectric generation to provide renewable energy and capacity within the Danville Utilities service territory; and

BE IT FURTHER RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager, be, and is hereby, authorized and directed to execute or sign any and all necessary documents to be executed or to facilitate the above referenced transaction.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO ENTER INTO A PURCHASE POWER AGREEMENT AND INTERCONNECTION AGREEMENT WITH NORTHBROOK ENERGY FOR THE ENERGY, CAPACITY, AND RENEWABLE ENERGY CREDITS FROM THE PINNACLES HYDRO FACILITY.

WHEREAS, the Utility Commission recommends entering into a twenty-five year purchase power agreement and interconnection agreement with Northbrook Energy for the ten megawatts of hydroelectric generation at \$58.31/mWh which provides renewable energy and capacity to the City within the Danville Utilities territory; and

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

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that it does hereby approve and authorize the City of Danville to enter into a twenty-five year purchase power agreement and interconnection agreement with Northbrook Energy, for ten megawatts of hydroelectric generation which provides renewable energy and capacity within the Danville Utilities service territory; and

BE IT FURTHER RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager, be, and is hereby, authorized and directed to execute the purchase power agreement and interconnection agreement documents necessary to complete the above referenced transactions.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2342

Appointments A.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: Consideration of Appointments to Boards and Commissions

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Work Session Meeting: 06/02/2020

SUMMARY

Consideration of Appointments to the following Boards and Commissions.

Council Letter Number CL - 2342.

1. Airport Commission
2. Danville Community College Board
3. Danville Community Policy & Management Team (CPMT)
4. Danville Pittsylvania Community Services Board
5. Danville Utility Commission
6. Social Services Advisory Board

Attachments

Resolutions

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____.

**A RESOLUTION REAPPOINTING STEPHEN DANIEL AS A MEMBER OF THE
AIRPORT COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Stephen Daniel be, and he is hereby reappointed as a member of the Airport Commission for a three year term commencing July 1, 2020 and ending June 30, 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____:____

**A RESOLUTION APPOINTING ROBERT JIRANEK AS A MEMBER OF THE
AIRPORT COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Robert Jiranek be, and he is hereby appointed as a member of the Airport Commission for a three year term commencing July 1, 2020 and ending June 30, 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____.

**A RESOLUTION APPOINTING TOSHIA FITZGERALD AS A MEMBER OF
THE DANVILLE COMMUNITY COLLEGE BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Toshia Fitzgerald be, and she is hereby appointed as a member of the Danville Community College Board for a four year term commencing July 1, 2020 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____:____

**A RESOLUTION REAPPOINTING TAMMY WARREN AS A MEMBER OF THE
DANVILLE COMMUNITY POLICY AND 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 and Management Team for a one year term commencing July 1, 2020 and ending June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____:____

**A RESOLUTION REAPPOINTING DEMETRIUS CREWS AS A MEMBER OF
THE DANVILLE COMMUNITY POLICY AND 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 and Management Team for a one year term commencing July 1, 2020 and ending
June 30, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____:____

**A RESOLUTION REAPPOINTING RUFUS FULLER AS A MEMBER OF THE
DANVILLE PITTSYLVANIA COMMUNITY SERVICES BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Rufus Fuller be, and he is hereby reappointed as a member of the Danville Pittsylvania Community Services Board for a three year term commencing July 1, 2020 and ending June 30, 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____:____

**A RESOLUTION REAPPOINTING HELM DOBBINS AS A MEMBER OF THE
DANVILLE UTILITY COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Helm Dobbins be, and he is hereby reappointed as a member of the Danville Utility Commission for a three year term commencing July 1, 2020 and ending June 30, 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – __. __

**A RESOLUTION REAPPOINTING VANESSA CAIN AS A MEMBER OF THE
DANVILLE UTILITY COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Vanessa Cain be, and she is hereby reappointed as a member of the Danville Utility Commission for a three year term commencing July 1, 2020 and ending June 30, 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____:____

**A RESOLUTION REAPPOINTING KATHY ANDREWS AS A MEMBER OF
THE SOCIAL SERVICES ADVISORY BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Kathy Andrews be, and she is hereby reappointed as a member of the Social Services Advisory Board for a four year term commencing July 1, 2020 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 – ____:____

**A RESOLUTION REAPPOINTING CLARICE COLEMAN AS A MEMBER OF
THE SOCIAL SERVICES ADVISORY BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Clarice Coleman be, and she is hereby reappointed as a member of the Social Services Advisory Board for a four year term commencing July 1, 2020 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2330

New Business A.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: City of Danville Personnel Ordinance

From: Sara Weller, Director of Human Resources

COUNCIL ACTION

Business Meeting: 06/16/2020

SUMMARY

Amendments to the City of Danville's Personnel System are submitted no less than annually to City Council for adoption. Proposed changes for Fiscal Year 2021 include revisions to the City of Danville's Personnel System Regulations, compensation plan, and classification plan.

BACKGROUND

The original Personnel System of the City of Danville was adopted in 1983. The System includes the City's Personnel System Regulations, compensation plan, and classification plan. Since initial adoption, the System has been continually revised as legal or business needs require.

Changes to the Personnel System are recommended for FY 2021. The majority of the proposed changes are a result of the comprehensive compensation, classification, and benefits study completed by the Berkley Group in FY 2020. This study was done to ensure the City is offering a competitive employment package for recruitment and retention purposes. The City's last comprehensive study was completed in 2012. Recommended changes are as follows:

Personnel System Regulations:

Recommended changes for the Personnel Regulations are minimal. Fire Chief Coffey submitted changes to the Fire Department's promotional process in section 6.3.3. In addition, clarification on the approved programs of study qualifying eligible public safety employees for educational incentive (i.e. school pay) is added to Section 6.4. If adopted, the change to Section 6.4. only affects employees hired on or after July 1, 2020. Both changes are submitted as an attachment for Council's review.

Compensation System:

A new compensation system is recommended for adoption. The system is a result of the Berkley Group's comprehensive study. Every range in the proposed system has a higher minimum and maximum than the current system making the ranges more competitive. Using data collected through a market study, the Berkley Group, with input from City management and Human Resources, assigned positions to the new ranges. Positions were placed at or above 90% of the average market minimum based on data from the study and internal equity. With the new system, the lowest hourly rate paid by the City is \$10 per hour, which is more in line with what is considered a living wage for this area. The proposed compensation system is submitted as an attachment for Council's review.

Classification System:

Reviewing, updating, and reformatting the City's current class descriptions is a part of the Berkley Group project. Because the overall changes to class descriptions are minimal, the majority being formatting changes only, descriptions are not being submitted individually for Council approval. Adoption of the attached ordinance reflects this and grants Council approval for the City to format, edit, and create class descriptions to align the classification system with the compensation system.

RECOMMENDATION

It is recommended that City Council adopt the attached ordinance reflecting changes the City of Danville's Personnel System.

Attachments

Ordinance

Personnel Regulations

Schematic List

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2020-____.____

AN ORDINANCE AMENDING THE PERSONNEL SYSTEM OF THE CITY OF DANVILLE PROVIDING FOR THE CLASSIFICATION, COMPENSATION, AND EMPLOYEE DEVELOPMENT FOR EMPLOYMENT POSITIONS OF THE CITY.

WHEREAS, certain revisions need to be made to the Personnel System of the City of Danville for the purpose of providing for the Classification of and Compensation for the employment positions of the City, responsibilities hereunder and the administration thereof, and to make other appropriate changes in the provisions of the Personnel System of the City of Danville, as adopted and ordained in Ordinance No. 83-11.16, adopted November 28, 1983; and

WHEREAS, revisions to the Classification system including formatting, editing, and the creation of new class descriptions is necessary for alignment with the Compensation system; and

WHEREAS, the City Manager upon recommendation of the Director of Human Resources may, during the fiscal year, make necessary adjustments to the Classification system without presentation of each class description to the Council of the City of Danville.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Personnel System of the City of Danville be, and is hereby, amended and reordained, as attached hereto and made a part hereof as if fully set out herein; and

BE IT FURTHER ORDAINED, that all Chapters, Sections, Subsections, Sub-subsections, Paragraphs, Subparagraphs, Class Descriptions, and provisions of said Personnel System of the City of Danville, as heretofore amended, which are not amended or repealed by this Ordinance, shall continue in full force and effect unless and until the same be, and are hereby, reordained; and

BE IT FINALLY ORDAINED that this Ordinance shall become and be effective
on and as of July 1, 2020.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY



SECTION 1. GENERAL PROVISIONS

1.0. Purpose

The purpose of the Personnel System is to establish the principles and procedures that will serve as the basis for the personnel administration for the City of Danville. It is intended to provide for a fair, efficient, and functional system of personnel administration. However, this Personnel System is not an employment contract and is not intended to create any contractual or property rights. Because of rapid changes in the economy and the needs of our employees and the City of Danville, it may be necessary to depart from the policies and benefits set forth in this Personnel System without prior notice where appropriate. The City of Danville may also revise these policies and benefits from time to time without notice. The grievance procedure provides the exclusive means of resolving disputes regarding the interpretation and application of these policies.

The City of Danville shall, in the administration of this System, strive to ensure that no discrimination shall exist against any individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, pregnancy, childbirth or related medical conditions, age, marital status, political affiliation, national origin, disability, genetic information, or any other characteristic protected by federal, state, or local law. The City of Danville will strive to ensure that no discrimination shall exist against any individual based on any factors unrelated to the performance of the duties of employment.

1.1. Employees Serve Only at the Will of the City Manager

Nothing contained in the Personnel System Ordinance, or in any rule or regulation in regards to it, shall give or suggest a permanent job status to any City employee, or require discharges to be for cause, as all hiring, discipline and discharge of all employees are required by the Charter of the City of Danville to be at the will and pleasure of the City Manager.

1.2. Organization for Personnel Administration

The City Manager is designated as the Personnel Officer of the City and as such shall be responsible for the administration, interpretation, and application of the Personnel System. The day-to-day operation of the System shall be under the direction of the Director of Human Resources, who shall maintain a complete system of personnel files and records and perform such other duties as may be required and to whom all matters relating to Personnel shall be directed.

1.3. Personnel Excluded from the Personnel System

The provisions of the Personnel System are not applicable to members of the Council, other elected officials of the City, the City Manager, the City Attorney, members of Boards and Commissions nor, pursuant to the authority and requirements of Section 15.2-1506, and Section 15.2-1507 of the Code of Virginia, 1950, as amended, to the employees of Constitutional Officers, the School Board of the City of Danville, nor to the Social Services Department of the City of Danville except to the extent and in the manner authorized and approved for such Division by the Commonwealth of Virginia, nor to such other persons, officers, employees, and positions when the same are expressly or by context excluded from application of such provisions.

The provisions of Sections 7 (Discipline) and 10 (Grievance Procedure) of the Personnel System and any other provisions inconsistent with the provisions of the City Charter do not apply to Assistant City Attorneys. In applying the provisions of the Personnel System to Assistant City Attorneys, the City Attorney will perform the functions which would otherwise be performed by the City Manager.



The provisions of Sections 7 (Discipline) and 10 (Grievance Procedure) do not apply to the department directors, the division directors, the Deputy City Manager, the Executive Assistant/Secretary, or any other deputy or executive assistant of the City Manager.

1.4. Administrative Policies and Procedures

The City Manager may set forth rules and regulations that are necessary to the administration of the Personnel System. In addition, department directors may design and enforce policies pertaining to the employees of their departments provided that the policies are not in conflict with the provisions of the Personnel System or other ordinances. Any conflict between such rules, regulations and provisions shall be resolved by the City Manager. These departmental regulations and provisions may be revised from time to time without notice.

1.5. Prohibited Practices

1.5.1. False Statements

Any false statement, certificate, mark, rating, or report willfully and knowingly made upon or in regard to any application, test, certification, or appointment under the Personnel System is prohibited, and any person doing so shall be held responsible for their actions.

1.5.2. Nepotism

The City limits the employment and work assignments of employees that are considered immediate family, as defined in Section 11 (Definitions). Guidelines for employment of immediate family members are outlined in the City Manager's Administrative Policies and Procedures.

City employees are prohibited from attempting to influence the employment of a relative and may be subject to discipline for their actions.

1.6. Personnel Forms and Records

1.6.1. Forms

Every personnel action affecting the status of any City employee shall be reported to the Department of Human Resources on the forms provided for the purpose. All personnel forms should be prepared and submitted promptly and kept current.

1.6.2. Records

Personnel records pertaining to each City employee shall be maintained by and in the Department of Human Resources. The Personnel files shall include any federally mandated training records that are required of all City employees. Mandatory training records that are job specific shall be maintained in the Departments. All personnel records of the City are the property of the City and shall be controlled by the City. The personnel records maintained in the Department of Human Resources are the official personnel records of the City.

1.6.3. Access and Dissemination

Access to, distribution of, and purging of information contained within the personnel records of the City shall be in accordance with the Privacy Protection Act of 1976 as the same may be amended from time to time.

The following individuals and agencies shall have regular access to the personnel records of the City to the extent and for the purposes specified:



The City Manager, Deputy City Manager, Director of Human Resources, City Attorney, and the members of their respective staffs as may be necessary to perform their duties;

The current employee or former employee may have access to their personnel file;

Department directors shall have access to the records of the employees under their authority and supervision.

Department directors shall have access to the personnel records of employees that are being considered for a promotion, transfer, reclassification, or other personnel action pertaining to their department.

Special legal counsel to the City, to the extent necessary for their representation of the City;

The members of a Grievance Procedure panel to the extent deemed necessary to resolve a grievance;

Judicial and administrative agencies, such as the courts, the Social Security Administration, and the Department of Labor, of federal, state, or local governments to the extent permitted by law;

Federal, state, and local law enforcement agencies in the investigation or prosecution of a violation or potential violation of the law; and

The Unemployment Compensation Division of the Virginia Employment Commission for the specific purpose of the resolution of a claim; and

The Department of Social Services of the Commonwealth of Virginia, or the equivalent department, division, or office of any other State, for the purpose of providing information as to the address or income of persons responsible for the payment of child or child and spousal support.

There shall be no dissemination of any personal information contained within an employee's personnel record to any person or organization that does not have regular access unless the employee waives, in writing, this protection and allows the City to open such records for inspection and copying.

The City's Department of Human Resources may either by letter or telephone:

Verify employment and provide the position title, dates of employment(s), if the person is employed, and salary, if the employee's salary is in excess of that prescribed by the Privacy Protection Act of 1976.

The City may, at its election, provide additional personal information, with written consent of the employee, when additional information is needed by financial institutions or similar organizations to assist employees in obtaining credit or similar purposes that will benefit the employee.

However, no information regarding an employee's performance shall be released, except as provided herein.

A record of dissemination shall be made a part of the employee's personnel records. This record shall include the name, address, telephone number, organization, and the person making the inquiry. The record shall also include the possible dissemination of this information, the use for which the information is intended, and the specific consequences for the employee which are known to the City of providing this information, as best the person who provides the information can determine.



Those persons having authority to examine any personnel records may, by appointment do so in the Department of Human Resources during its normal business hours or make proper arrangements to have such information transmitted. An employee requesting duplication of their personnel record may be charged, within reason, for the cost of the duplication.

1.7. Operation of City Owned Motor Vehicles

The Rules and Regulations pertaining to the operation and use of City owned vehicles are set forth in the City's Vehicle Policy Statement as approved by the City Manager.

1.8. Payment of Mileage

All off-duty employees who are required by their department director to report to work at designated areas as a result of an emergency shall be compensated for mileage to and from the area designated by the department director. In addition, employees who are authorized, in advance, the use of a privately owned vehicle for City business, other than emergencies, shall be compensated for such mileage. Reimbursement for such mileage shall be requested on the appropriate forms provided for that purpose, at a reasonable rate set by the City Manager.

1.9. Residency Requirement

The following positions require that the employee be a resident of the City of Danville:

City Manager
Deputy City Manager
City Attorney
Assistant City Attorney
Department Directors

This provision shall not apply to department directors serving in such capacity on the effective date of the original Ordinance.

No other City employees are required to reside within the City limits of the City of Danville. It is recognized, however, that some jobs require an employee to be available for work at times other than his or her normal work schedule or in emergency situations. Authorized leave shall not be granted for absence due to residing an excessive distance from the normal work site nor will excessive distance be an acceptable reason for releasing an employee from their rotation on an on-call schedule.

1.10. Employee Bulletin Boards

Employee bulletin boards shall be maintained at the normal reporting station within each department and shall be kept current and up to date at all times. It is the employee's responsibility to read the bulletin board or, in a case of illiteracy, have it read to him/her. Failure to observe any notice properly posted shall not be a basis for a grievance or complaint. Department directors shall insure such bulletin boards are maintained current and up to date.

1.11. Personal Appearance

City of Danville employees should take pride in their appearance, hygiene, and dress and strive to present a favorable image to the public. Certain positions, such as Fire and Police, must conform to very strict guidelines as outlined by their respective department directors. Other employees should recognize the fact that by virtue of being a City employee, their appearance, hygiene, and dress should be appropriate for their assigned position.



The City, however, further recognizes that different dress is appropriate for different occasions, types of jobs, ages of individuals, personal characteristics and personal style. Each City employee should strive to dress appropriately for their assigned position. An employee's appearance, hygiene, and dress should not restrict or distract from their ability to perform their job, or from the ability of other employees to perform their job.

Personal protective and/or safety equipment should be worn at all times when performing any task that requires it. If the job requires wearing a uniform, then the required uniform is to be worn at all times during scheduled duty hours. If at any time an employee's appearance, hygiene, or dress fails to maintain the standards expected for his or her assigned position, the supervisor and/or department director should discuss the matter with the employee as to the inappropriateness of his or her dress, hygiene, or appearance and the changes in dress, hygiene, or appearance which are required. After such discussion, if the individual does not conform to appropriate dress, hygiene, or appearance, then appropriate disciplinary action shall be taken in accordance with Section 7 (Discipline) of these regulations.

1.12. Non-Discrimination and Equal Opportunity Statement

City of Danville's Personnel System Regulations and Administrative Policies and Procedures have been adopted to ensure fair and consistent personnel practices. The City shall provide Equal Opportunity to employees, applicants, and citizens on the basis of fitness and merit, without regard to race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, political affiliation, disability, genetic information, marital or veteran status, or any other characteristic protected in accordance with applicable Federal and State Equal Opportunity Laws (except where such is a bona fide occupational qualification).

Non-Discrimination/Equal Opportunity shall apply in all program areas including but not limited to recruitment, hiring, promotions, performance evaluations, disciplinary actions, demotions, terminations, training programs, educational, social and recreational programs and use of City facilities.

All City of Danville Personnel Regulations and Administrative Policies and Procedures shall be administered in accordance with this Non-Discrimination and Equal Opportunity clause. Any person covered by this policy who believes a provision of the policy has been violated may make a complaint to their department director, if applicable, or to the Department of Human Resources. The department director and/or the Director of Human Resources will take necessary action to investigate complaints.

1.13. Sexual Harassment

Sexual harassment is a prohibited practice in the City of Danville. Specific guidelines for defining sexual harassment and procedures for reporting a complaint and conducting investigations are outlined in the City Manager's Administrative Policies and Procedures.

1.14. Harassment

The City of Danville strives to maintain a work environment in which people are treated with dignity, decency and respect. The work environment should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Specific guidelines for defining harassment and procedures for reporting a complaint and conducting investigations are outlined in the City Manager's Administrative Policies and Procedures.



1.15. Safety Policy

It shall be the policy of the City to furnish for each employee a safe and healthy workplace, free from recognized hazards that are likely to cause death or injury. Furthermore, the City shall comply with all occupational safety and health standards as provided by Federal, State, or local statute. The City Manager may, by Administrative Policies and Procedures, establish policies and procedures regarding safety. Department Directors are responsible for creating and enforcing safety policies and procedures applicable to their department in accordance with Federal, State, and local law.

1.16. Workplace Threats and Violence

The safety and security of employees of the City of Danville is very important. Threats, threatening behavior, or acts of violence against employees, visitors, guests or other individuals by City employees will not be tolerated. Specific guidelines for defining workplace violence and procedures for reporting a complaint and conducting investigations are outlined in the City Manager's Administrative Policies and Procedures.



SECTION 2. RECRUITMENT, SELECTION, AND PROBATION

2.0. General

The Director of Human Resources shall create, direct, and coordinate a comprehensive employment program involving the participation of the City Manager, the Director of Human Resources, and the department director.

2.1. Authorized Positions

No person may be employed by the City in any position unless the position is authorized in the Position Classification and Compensation Plan and is funded in the current budget.

2.1.1. Two Employees in One Position

There are two conditions under which one position may be occupied by two employees simultaneously, provided sufficient funds are available in the departmental budget to pay both such employees:

Appointment of a new employee in the same position held by another employee for a reasonable time so that the new employee can receive instruction, provided the job is of such complex nature as to require such instruction;

When an employee is on an approved extended leave, with or without pay, or suspension pending disposition of an alleged felony or misdemeanor involving moral turpitude, their position may be treated as a vacancy during the period of such absence. The position may be filled on a temporary basis.

2.1.2. Abolishing a Position

A position may be abolished from the Position Classification and Compensation Plan, except when the position is provided for by law. If it is determined a position should be abolished, the City Manager shall make such recommendation to the City Council as provided for in these regulations.

When a filled rather than vacant position is to be abolished, the lay-off provisions provided herein shall be followed. If a position is established for a specific period of time, it is considered to be abolished when the period of time has elapsed.

2.1.3. Applications for Employment

To be considered for employment by the City, an application must be completed and submitted via the City's online hiring system on or before the closing date specified in the job posting.

2.1.4. Disqualification of Applicant

The Director of Human Resources, for cause, may reject an applicant, remove his/her name from consideration for employment, or may consult with the City Manager in taking steps to remove such person already recommended for hire.

2.2. Hiring Procedures



2.2.1. General Provisions

The Director of the Human Resources Department shall coordinate all requests to advertise for vacancies in the department to ensure recruitment and selection are without regard to race, color, religion, sex, pregnancy, age, marital status, veteran status, natural origin, political affiliation, disability, genetic information, or other characteristics protected by federal, state, or local law. The City of Danville will strive to ensure that no discrimination shall exist against any individual based on any factors unrelated to the position.

The selection of an applicant to fill a vacant position shall be the responsibility of the department or division in which the vacancy occurs.

The Department of Human Resources shall assist each department in interviewing, referrals, pre-employment reference checks, police record checks, testing, physical examinations, and any other information required. When requested, the Department of Human Resources will assist in the actual selection of applicants.

A police record check and appropriate reference checks are required for new employees prior to employment. A physical examination may be required. Any testing required for a position shall be coordinated with the Department of Human Resources.

The Department of Human Resources will notify the Virginia Employment Commission of the selection of those individuals hired.

In the event it should be necessary to deviate from the hiring procedures for a particular position, the department director must submit, in writing, to the City Manager, an explanation of the circumstances and request a deviation. Upon approval by the City Manager, the hiring procedures may be deviated from, or waived entirely.

Employees of the City who have suffered injuries as a result of an on-the-job accident may receive consideration for other City positions, as so qualified. The Director of the Human Resources Department shall make such referrals for the various positions as deemed necessary based on medical evaluations as part of the Alternative Work Program.

2.2.2. Regular Full-time Positions (Excluding the Uniformed Positions in the Police and Fire Departments)

When a vacancy exists and the affected department requests to advertise, the position shall be advertised for no less than nine calendar days. The department director may request to advertise the position internally or internally and concurrently to the public. The local Virginia Employment Commission, minority, educational and community based organizations, and other available sources may be utilized.

All applications will be submitted online to the Department of Human Resources via the City's online hiring system. The applications and any attachments will be sent electronically to the department director and/or authorized staff in the department for review. The department, after considering all applications received for the position, will submit its recommendation to the Department of Human Resources.

If the position is initially advertised only within the City and a City employee is not selected, the vacancy will be opened to the public and listed with the local office of the Virginia Employment Commission and other advertising resources as appropriate.



After the department has completed its review of all applications received, the department director will submit recommendations for hire to the Department of Human Resources for appropriate action.

2.2.3. Regular Positions within the Uniformed Police and Fire Department

When a vacancy exists in a regular position within the uniformed divisions of the Police and/or Fire Department, and it is determined such vacancy shall be filled, the position shall be made available to regular employees in accordance with the City's Promotional Procedures as provided for in Section 6 (Employee Development). If the vacancy is not filled by these procedures, the position will be advertised as necessary to maintain authorized staffing requirements.

Examinations, either written or oral, and agility exercises, as determined by the City's Human Resources Office and appropriate division of the Police or Fire Department shall be administered to applicants, including City employees. When a written examination is administered by the City, a satisfactory score shall be determined prior to testing and shall remain constant. Test scores of those applicants who score at or above the established score shall remain in effect for a period of three years from the date of testing. Any applicant who fails to achieve the minimum established score on the written test shall be allowed to retest the following year or once during the original three-year period. Candidate's applications remain active, generally three years.

Failure to respond or a negative response shall result in the applicant's name being purged from the eligibility list.

Applicants may be required to complete a special application, in addition to the standard application for employment. Prior to selection, all applicants being considered shall satisfactorily complete the pre-employment requirements. These requirements shall include, but not be limited to police record checks, polygraph test, personal reference checks, employer reference checks, physical examination, substance abuse testing, psychological evaluation, background investigation, and strength and agility testing as applicable.

2.2.4. Part-time and Temporary Positions

When a department has need of, and is budgeted for a part-time or temporary position, the position will be advertised within the City the same as full-time regular positions.

2.2.4.1. Use of Private Employment Agencies

When a department has a need for temporary assistance as a result of turnover, extended leave of an employee, special projects which demand immediate attention or action, or as a result of delays in the filling of full-time regular positions, the department director, in lieu of utilizing the City's hiring procedures, may secure the services of a reputable and established employment agency selected in accordance with Chapter 30 (Procurement Code) of the City Code that specializes in providing temporary services to various organizations. The department director requesting temporary assistance shall request the assistance of the Director of Human Resources in securing such services.

The City Manager will have the authority, without prior approval of Council, to transfer any portion of funds appropriated for salaries to the outside services account for the purpose of the cost of providing temporary services to a department or division in lieu of utilizing the City's normal hiring procedures.

2.2.4.2. Full-Time Employment Service Agreements



After established recruitment methods have been utilized and a department has been unsuccessful in recruiting qualified applicants, a department director may solicit the services of a private employment agency selected in accordance with Chapter 30 of the City Code for the referral of qualified applicants.

Any applicant referred from a private employment agency shall satisfactorily complete the City's pre-employment requirements, as required by applicants referred from other sources.

Fees for this service shall be paid only from the non-salary accounts of the department having the vacancy.

2.2.5. Reoccurring Vacancies

Any position becoming vacant within six months from the date the position was initially filled may, at the election of the department/division director and approval of the Director of Human Resources, be filled from the applicants who applied for the initial vacancy.

Applications received for full-time regular positions may be used to fill part-time and temporary vacancies in the same position.

2.2.6. Examinations

2.2.6.1. Use of Examinations

All testing shall be administered under the supervision of the Director of Human Resources who may select individuals to serve as examiners. Final test material shall be available to the Director of Human Resources, department director, or their designated representative. Every precaution shall be exercised by all persons participating in the examination process to maintain the highest integrity possible. The identity of persons taking examinations shall be concealed by use of identification numbers whenever practicable.

2.2.6.2. Standardized Testing

A series of standardized testing may be utilized for selected classifications of Fire, Police, Corrections, professional and management level positions as determined by the City Manager, Director of Human Resources, and respective department director.

These tests shall be used in measuring and evaluating various aspects of an individual's intelligence, personality, behavior, vocational preference, and interest and aptitude for various positions.

These tests shall be administered by a professional person or persons properly certified and licensed.

All applicants eligible for an examination shall be given appropriate notice.

In the event an examination is postponed, the Director of Human Resources shall give notice to the applicants concerned.

Results of an examination shall be valid for the time indicated at the time of the testing.

2.2.6.3. Provisional Offer of Employment



Prior to the receipt of pre-employment information regarding physical examinations and psychological examinations all applicants shall complete and sign a Provisional Employment Release Form. Provisional employment shall be explained to the applicant and the applicant shall abide by the conditions and requirements set forth in the release form.

2.2.7. Physical Standards

2.2.7.1. General

Employment and personnel decisions shall be made by the City without regard to disabilities, as defined by the Americans with Disability Act, except in those instances in which the duties of the position require strict health and/or physical standards.

The expenses of all physical examinations required pursuant to this Subsection shall be paid by the City.

2.2.7.2. Pre-Employment Physical Examinations

It shall be the policy of the City to provide, in so much as possible, a work environment free from recognized substance abuse (i.e., alcohol, illegal drugs, prescription drugs, or any other substance which could impair an employee's ability to safely and effectively perform their job), which increases the potential for accidents, absenteeism, substandard performance, poor employee morale, or tends to undermine the public confidence in the City's workforce.

It shall also be the policy of the City to insure, in so much as possible, that the physical condition of all potential employees of the City is such that they can safely and effectively perform the duties and responsibilities of the position for which they are applying or selected.

The City Manager may, by Administrative Policies and Procedures and in accordance with State and Federal law, establish the policy and procedure for physical examinations and substance abuse testing for all potential employees of the City.

A physical examination may be a prerequisite for employment by the City. The City Manager and the Director of Human Resources shall determine those positions for which a physical examination is required as a precondition for employment. For those positions for which a physical examination is so required, the examination shall be made by a physician selected by the City. A physical examination may also be required of any applicant when it is determined to be in the best interest of the City.

2.2.7.3. Post-Employment Physical Examinations

Physical examinations may also be required periodically of any employee whose demeanor, physical appearance, or work performance reasonably causes the Director of Human Resources, and/or the employee's department director to believe that such physical examination would be in the best interest of the City.

Further, the City Manager may by Administrative Policies and Procedures, which is in accordance with State and Federal law, establish policies and procedures for physical examinations and substance abuse testing when an employee's behavior and/or job performance indicates a potential substance abuse problem.

2.2.7.4. Substance Abuse Policy



The fact that the pervasive presence of alcohol and substance abuse is in our society and the adverse effect of an employee's health, safety, and productivity in the workplace requires the establishment of an effective, fair, and lawful policy governing City employees. Therefore, any policy established by Administrative Policies and Procedures shall, in a manner consistent with State and Federal law, strive to protect the interest of the City and the rights and privacy of the individual.

2.2.8. Types of Appointments

Each position of employment with the City shall constitute at least one of the following as defined in the Personnel System:

Full-time Employee;	Probationary Employee;
Part-time Employee;	Temporary Employee;
Regular Employee;	

2.2.9. Employment Date

Whenever possible appointments should be made at the beginning of a pay period. The employment date of an employee is the date the new employee reports for work on his/her current appointment. When an employee is appointed to a regular-full-time position from a part-time or temporary position, the employment date shall be the date of the regular appointment.

2.2.10. Probationary Period

2.2.10.1. Purpose

Each employee shall be subject to a period of probation upon employment or upon reassignment to another position. This probationary period is an integral part of the selection process and shall be utilized by the department director and supervisor(s) as an opportunity to observe the new employee's work, to train and aid the new employee in adjusting to the position, and to reject any employee whose performance fails to meet required work standards. An employee, by authority of the department director may be placed on probation at any point of their employment for the purpose of correcting performance when the employee is not meeting the required standards of the position in which they are employed. Employees placed in probationary status as a result of their unsatisfactory performance shall be entitled during such probationary period to all rights and benefits currently provided prior to the established probation.

2.2.10.2. Definition

"Probationary Period" means that period of time prescribed for a given position for the purpose of testing, trial and evaluation, subject to rejection.

Successful completion of a probationary period confers no right to employment upon any employee.

2.2.10.3. Duration

For regular employees, except certain employees in the Juvenile Detention Division, Adult Detention Division, and uniformed and investigative positions in the Police Department, Telecommunicators and uniformed employees of the Fire Department, and certain employees in Social Services, the probationary period shall be for six months.

For regular, sworn law enforcement officers of the Police Department, and for regular security employees of the Adult Detention Division of the Police Department, the probationary period shall be for 18 months commencing with the date of employment. For regular, sworn law enforcement officers of the Police Department who are placed in undercover assignments upon employment,



the probationary period shall be for the duration of the undercover assignment and for 18 months following completion of the undercover assignment. Promotions within the police department shall be on a six month probationary period from the date of promotion for performance evaluation purposes only.

For Telecommunicators and uniformed employees of the Fire Department, regular security employees of the Juvenile Detention Division of the Police Department and for regular non-clerical employees of Social Services, the probationary period shall be for one year.

For temporary and part-time employees, the probationary period shall be for the duration of their employment.

2.2.10.4. Evaluation and Completion of Probationary Period

During the probationary period, the department director and/or supervisor(s) shall evaluate the performance of the probationary employee, using the prescribed rating forms.

Prior to the completion of the Probationary Period for Regular Full-time Employees, the department director shall determine and recommend whether the employee shall be removed from probationary status and receive the rights, privileges, benefits, and responsibilities of Regular Full-time Non-probationary employees, including access to the City's Grievance Procedure. Completion of the probationary period shall not imply any tenure or right of employment upon any employee. Upon approval of the City Manager, or his designated representative, the status change from Regular Full-time Probationary Employee to Regular Full-time Employee shall be made. This recommendation shall be made within the prescribed probationary period outlined in Section 2.2.10.3. If approved, the recommendation shall be effective upon the completion of the prescribed probationary period, subject to any extension.

2.2.10.5. Rejection of Probationary Employee

New appointment

At any time during the initial probationary period or extension thereof, an employee whose performance does not meet the required standards of the City may be dismissed. The department director shall give notice as required under the disciplinary procedures provided in Section 7 (Discipline) herein.

Reassignment to Another Position

When an employee is reassigned to another position and the employee's performance does not meet the required standards of the position, the employee shall revert to his/her previous position provided that position has not been filled, at a rate of pay to which he would have been entitled had he not been reassigned. If such position has been filled, the employee may apply for advertised positions for which he or she is qualified, and will be compensated at a rate of pay determined by the department director and the City Manager within the range for such position in accordance with Section 4 (Uniform Compensation).

2.2.10.6. Extension of Probationary Period



The probationary period of a regular employee is an important and integral part of the selection process. As such, extensions and/or additional probationary periods should only be considered under extremely difficult circumstances.

Any department director wishing to extend the length of, or set additional probationary periods, shall submit such request and reasons for the extension to the Director of Human Resources. The Director of Human Resources, after a review of the circumstances of the request, shall act on the request or refer it to the City Manager for action.

2.2.10.7. Employee Status During Probationary Period

Regular employees serving the required probationary period upon initial employment are entitled during such probationary period to benefits of non-probationary regular employees with the exception of Annual Leave, access to the City's Grievance Procedure, and access to Tuition Reimbursement. Employees such as Fire and Police personnel, who have completed six months service but have not completed the probationary period required for their position, shall nevertheless be entitled to the benefit of Annual Leave as is available for other regular, non-probationary employees and shall be allowed to apply for Tuition Reimbursement.

Regular employees serving the required probationary period upon initial employment shall not be afforded the job protection as non-probationary employees. They shall have no right of appeal of disciplinary action, and no right to access the City's Grievance Procedure.

A probationary employee may apply for a job vacancy within his/her department or division or within other departments or divisions of the City during the initial probationary period, however, appointment to another position requires the written approval of both department directors.

Employees serving the required probationary period as a result of their promotion or voluntary transfer shall be entitled during such probationary period to all rights and benefits provided to non-probationary employees except as provided in Section 7 (Discipline).

By definition, part-time and temporary employees are considered probationary employees throughout the duration of their employment. As such, they shall have no right of appeal of disciplinary action, no right of access to the City's grievance procedure, nor shall they be provided promotional opportunities to Regular Full-time positions except as provided in above, and in 2.2.2. of this Section. Part-time and temporary employees shall be entitled to such benefits as provided in Section 2 (Recruitment, Selection, and Probationary Period) herein.



SECTION 3. POSITION CLASSIFICATION PLAN

3.0. Purpose and Scope

The Position Classification Plan groups together those positions of the City requiring similar experience, training, duties and degree of responsibilities to ensure equitable and uniform compensation for all positions. The position Classification Plan consists of a Schematic List of Classes and Assignments and a job description for each position within the City. These documents are contained in a separate document. The Plan requires job descriptions establishing the specifications required of and for each position of the City, as well as an assignment to a salary grade. Both are created using information obtained through a job evaluation.

Job evaluation is a process of determining the relative worth of all positions in an organization. Job evaluation is completed prior to creating a job description for a position or assigning it to a pay grade. The process assigns relative but not absolute values to jobs based on job requirements, responsibilities, and the expectations of the position. This process establishes measures of the job when performed at a proficient level. Job evaluation in itself does not produce a specific salary. Rather, it is the basis for establishing a salary range which allows differences in performance and service to be rewarded at different rates within a prescribed salary range. Recognizing that the requirements, responsibilities, and the expectations of positions change periodically, a re-evaluation may be required. The process of job evaluating and re-evaluating positions is outlined in the City Manager's Administrative Policies and Procedures.

The City Manager shall review the Position Classification Plan periodically to ascertain whether it corresponds with existing conditions in the City's employment service and recommend to the City Council necessary and desirable revisions to keep the Plan current and realistic. The department director shall inform the City Manager and the Director of Human Resources of any material changes in the nature of the duties, responsibilities, working conditions and other factors affecting the classification of any position within his/her department.

Adjustments or revisions to the Position Classification Plan or to the Position Classification Schedules shall be by Ordinance amending the appropriate sections.

The City Manager shall be responsible for the interpretation and application of the Position Classification Plan according to the principles set forth herein.



SECTION 4. UNIFORM COMPENSATION PLAN

4.0. Purpose and Scope

The compensation of employees of the City occupying classified positions shall be on the basis of the provisions and appropriate schedules contained herein. The rates of pay prescribed by such schedules are based upon full-time employment at normal duty cycles for the respective positions, unless otherwise provided therein.

It shall be the responsibility of the City Manager to review the Uniform Compensation Plan periodically to ascertain whether the compensation rates prescribed by the Plan are comparable to the prevailing rates for similar positions in the labor market generally and to recommend to the Council necessary and desirable revisions to the Plan.

4.1. Composition of the Uniform Compensation Plan

The Uniform Compensation Plan of the City shall consist of a Schematic List of Classes and Assignment to Salary Grade, which shall set forth and include the Class Title, Class Code and Pay Ranges for each position within the Position Classification Plan.

4.2. Interpretation and Application of the Uniform Compensation Plan

The City Manager shall be responsible for the interpretation and application of the Uniform Compensation Plan.

4.2.1. Starting Rate Upon Initial Employment

New employees with the minimum experience level for the job should normally be compensated at the minimum of the approved pay grade. Individuals with exceptional qualifications, extraordinary work experience or depth of skill level may be compensated above the entry rate within the pay grade; however consideration should be given to internal equity and the market rate of that position.

Additionally, market conditions or specific duties can create situations requiring a need to provide compensation above the minimum of the pay grade. All such decisions should be contingent upon available funding.

In all cases the starting salary will be within the classification's pay range.

The following guidelines apply to starting salaries:

Starting salaries within 20% of the minimum of the pay range can be requested by the supervisor and Department Director along with appropriate justification and must be approved by the Director of Human resources.

When an applicant's relevant experience significantly exceeds the minimum requirements or a special skill requirement is identified, a starting salary up to the midpoint of the pay range can be requested by the Department Director by submitting the request with appropriate justification to the City Manager and the Director of Human Resources. The City Manager, in consultation with the Director of Human Resources, must approve the salary offer if it is higher than 20% of the minimum of the pay range.

The City Manager should approve a starting salary above the midpoint only in circumstances where there has been difficulty in recruiting for the position or if the applicant has special skills, background, or experience significantly beyond the minimum qualifications. Documentation should be maintained in the personnel file of the incumbent.



Employees assigned to work on rotating shifts or, who may be assigned to work on alternate shifts other than a normal duty cycle, shall not be entitled to a shift differential adjustment due to being assigned to such shift. The rate of pay shall be determined as provided herein.

4.2.2. Starting Rate in a New Position

4.2.2.1. Promotion

When an employee receives a promotion, as defined in Section 11 (Definitions), the employee shall be compensated within the new grade under the same guidelines as new employees. In all cases, the amount of a promotional increase should: (1) be determined using the same guidelines for establishing a rate of pay for a new hire and (2) be an amount sufficient to reach the salary range minimum for the new classification or a minimum of a ten percent increase, whichever is the greatest.

In most situations, when an employee is temporarily appointed to a higher position, as defined in section 4.9., the employee will receive a salary sufficient to reach the salary range minimum for the temporary classification or a minimum of a ten percent increase, whichever is greatest. If an employee is temporarily appointed to a higher position and the employee does not meet the minimum requirements for the position, the employee's rate of pay shall be determined by the respective department director in consultation with the Director of Human Resources and shall correspond with the duties of the new position, the employee's experience and qualifications, employment record, and current rate of pay. Such increase shall not be less than five percent of the employee's current rate of pay.

In the event of a temporary appointment, with less than a ten percent increase in pay and the promotion is subsequently made full-time, the employee's rate of pay may be increased to meet the difference up to ten percent or the minimum of the grade of the position promoted in to plus any performance increases received in the interim since the temporary promotion. Such increase shall not be retroactive. The employee's anniversary date shall be changed to the date of the promotion.

4.2.2.2. Transfer

4.2.2.2.1. Lateral Transfer

When an employee receives a lateral transfer, as defined in Section 11 (Definitions), there shall be no increase in pay.

4.2.2.2.2. Transfer Downward

When an employee receives a transfer downward, as defined in Section 11 (Definitions), the employee's rate of pay shall be determined by the department director and decreased by five to ten percent depending on qualifications, current rate of pay and reasons for the request. In no event shall the employee's rate of pay exceed the maximum rate allowed for the new position without the written approval of the City Manager. If such transfer is from a position previously promoted into and the employee received an increase equal to or greater than ten percent at the time of the promotion, then the employee's rate of pay shall be reduced or decreased by a like amount.

4.2.2.3. Demotion

If an employee is demoted to a lower pay range, either voluntarily or involuntarily, the employee's pay will be adjusted to at least the maximum of the range in the new salary grade or by at least 5%, whichever is the greater reduction in pay. Further changes in pay for employees may be



determined on an individual basis. Demoted employees will serve a six months probationary period, during which time their ability to perform successfully in the new position will be determined.

No employee shall be compensated in excess of the maximum rate of pay established for a position.

4.2.2.4. Reclassification

4.2.2.4.1. Reclassification Downward

When a position is determined to be improperly classified and is reclassified to a lower pay range, the rate of pay for an employee in such position shall remain at the employee's rate of pay prior to such reclassification; provided, that such rate shall not exceed the maximum limit of the new pay range for the position. Future pay rate increases for such employee shall not be given until the employee's rate of pay is within the new pay range.

4.2.2.4.2. Reclassification Upward

When a position is determined to be improperly classified and is reclassified to a higher pay grade, the rate of pay for an employee in such position shall be increased by five percent or the minimum of the new pay range, whichever is greater.

4.2.2.5. Starting Date for Salary Change

Any salary change, except for disciplinary reasons, shall be effective on the first day of an employee's duty cycle, or the first day of the month, whichever is applicable.

4.3. Maximum Pay Rate

No employee of the City shall be compensated in excess of the maximum rate prescribed for the position except when an employee temporarily accepts higher level duties and responsibilities and no classified position exists to place the employee, the City Manager may authorize the employee to exceed the maximum rate of pay for his or her position for a limited period of time.

Any employee whose current rate of pay exceeds the salary range of his or her position shall not be affected except to limit any future pay increase until his or her rate of pay is within the established salary range

4.4. Anniversary Date

4.4.1. Determination of Employee's Anniversary Date

The anniversary date shall be the calendar date the employee was initially employed, promoted, transferred, reclassified, or had his or her position reallocated upwards with at least a five percent increase in pay.

4.4.2. Change in Employee's Anniversary Date

An employee's anniversary date shall be changed only upon the direction of the City Manager or upon written request of the employee's department director and approval by the City Manager.



4.5. Overtime Work and Compensation

4.5.1. General

4.5.1.1. Authorization

A department director may authorize overtime work only when it is necessary in order to meet a City emergency or other requirements and necessities of his/her department.

When an employee accumulates the maximum hours allowable for his/her normal duty cycle as provided for in Section 5 (Benefits and Working Conditions), the department director may at his/her discretion relieve the employee from duty prior to the end of such duty cycle in an effort to minimize overtime within the department. A department director may at his/her discretion deny approval of authorized leave within a duty cycle in an effort to minimize overtime within the department.

4.5.1.2. Effect of Partial Closings of City Offices and Facilities

The time an employee is required to remain on duty while other employees of the City have been excused from their duties for the convenience of the City or for the safety of employees or the general public because of snow, ice, or other hazardous or emergency conditions, shall not constitute compensable overtime work unless such time otherwise exceeds the employee's normal duty cycle.

Compensation for work during emergency closings of City offices and facilities shall be determined by the City Manager.

4.5.1.3. Effect of Authorized Leave

For purposes of calculating an employee's overtime compensation, the time that the employee is excused from duty for authorized Annual Leave, Sick Leave, and Authorized Leave With Pay shall be considered and included as time during which the employee worked.

Police and Fire employees shall include all hours in which an employee works or is in a paid status, to be counted as hours of work for the purpose of calculating overtime, as required by State law.

4.5.2. Exempt Employees

Exempt employees are required to be available for duty at all times; and for work in excess of their normal duty cycles, when such work is not of an emergency nature, they shall receive no specific compensation. However, in the discretion of the responsible department directors, or the City Manager, such employees may be granted, in recognition of excessive duty hours, reasonable time off from duty. Exempt positions are determined in accordance with the Fair Labor Standards Act.

Whether the work is of an emergency nature shall be determined by the department director with approval of the City Manager.

4.5.3. Non-Exempt Employees

Non-exempt employees shall be compensated for work in excess of their normal duty cycles in the form of either compensation or compensatory leave depending upon the specific position and whether the employee is salaried or hourly. Non-exempt positions are determined in accordance with the Fair Labor Standards Act.

4.5.3.1. Overtime Compensation for Hourly Paid Non-Exempt Employees



For the time that a non-exempt hourly paid employee is required to and does work in the performance of duty in excess of his or her normal duty cycle, the employee shall be compensated at a rate equal to 150 percent of his or her regular hourly pay rate.

4.5.3.2. Overtime Compensation for General Salaried Non-Exempt Employees

For each hour worked in excess of his or her normal duty cycle, rounded to the nearest quarter hour, such employee shall receive one and one-half hours Compensatory Leave, accumulated to a maximum of 100 hours.

Every effort should be made by department directors to encourage the use of accumulated Compensatory Leave when business needs allow. If an employee has accumulated Compensatory Leave in excess of 100 hours, compensation for the excess hours shall be in terms of money rather than Compensatory Leave and shall be at a rate equal to 150 percent of his or her hourly pay rate for each hour or part thereof, rounded to the nearest quarter hour, of overtime work.

If an employee's accumulated Compensatory Leave Balance reaches 100 hours, then such balance shall be paid in terms of money, at the employee's hourly rate, reducing the Compensatory Leave balance to 50 hours.

4.5.3.2.1. Certain Employees in the Fire and Police Departments

Non-exempt uniformed employees in the Police Department and Fire Department who work in excess of his or her normal duty cycle shall be compensated at a rate equal to 150 percent of his or her hourly pay rate for each hour or part thereof, rounded to the nearest quarter hour, of overtime work.

For employees of the Fire Department, each hour worked in excess of his or her normal duty cycle, rounded to the nearest quarter hour, such employee shall receive their choice of 150 percent of his or her hourly rate of pay for each hour or part thereof rounded to the nearest quarter hour of overtime work or one and one-half hours Compensatory Leave, accumulated to a maximum of 100 hours, if the time worked in excess of his or her normal duty cycle is a result of an emergency recall to duty as a result of an emergency. The Fire Chief shall in his sole discretion determine if any recall to duty resulted from an emergency.

If such employee has accumulated Compensatory Leave in excess of 100 hours that employee shall be compensated in terms money rather than Compensatory Leave and such pay shall be at a rate equal to 150 percent of his or her hourly pay rate for each hour or part thereof, rounded to the nearest quarter hour of overtime work.

For employees of the Fire and Police Department any additional pay received during the applicable pay cycle shall be included when computing the employee's hourly rate of pay. However, pay received for State functions such as an employee's response to a hazardous material spill when employees are employees of the State shall not be included when computing the employee's hourly rate of pay for the City.

4.5.3.2.2. Certain Employees in the Juvenile Detention Division and the Adult Detention Division in the Police Department and the Emergency Communications Division of the Fire Department

Non-exempt employees in the Juvenile and Adult Detention Divisions and the Emergency Communications Division who are required to and do work in excess of his or her normal duty cycle shall be compensated at a rate equal to 150 percent of his or her hourly pay rate for each hour of part thereof, rounded to the nearest quarter hour, of overtime work.



4.5.3.2.3. Non-exempt General Employees

For non-exempt general employees, whose normal duty cycle is within a work week of seven consecutive days, overtime work for which such an employee shall receive overtime compensation as prescribed herein shall consist of the time that the employee is required to and does work in excess of 40 hours during any such duty cycle.

For non-exempt employees of the Fire Department whose normal duty cycle is seven days, overtime work for which such an employee shall receive overtime compensation as prescribed herein shall consist of the time that the employee is required to and does work in excess of 40 hours during any such duty cycle.

4.6. Designations of Exempt and Non-Exempt Positions

Each position of the City is designated as exempt or non-exempt as provided for by the "Schematic List of Classes and Assignment to Salary Grade".

4.7. Payment for Accumulated Compensatory Leave

Payment for authorized Compensatory Leave accumulated and not taken shall be paid to an employee upon separation from City service, upon moving from a non-exempt to an exempt position, and upon transfer from one department to another department. When payment for accumulated compensatory leave is authorized and made for these purposes, it shall be calculated hour for hour at the average regular rate received by such employee during the last three years of the employee's employment or the final regular rate received by such employee, while classified as non-exempt, whichever is higher.

4.8. Call Duty

Department Directors are responsible for determining the need for call-duty within their department. Establishment of on- call rosters and method of notification is the responsibility of each respective department director, or designee.

Non-exempt employees who are assigned to normal call duty, during which they are required to be available for work at any time upon call, shall be compensated as follows:

Payment for time actually worked when called in for duty begins when the employee reports to the job site and ends when the employee is released from duty. The job site is the location an employee begins work for the City, such as a City building or a location in the City's service area.

Initial travel to the work site and travel when the employee is released from duty is not considered work time. However, if called to a work site, the employee will receive 45 minutes of compensation to account for travel time each time the employee is called-in to duty from home when on call-duty. These 45 minutes will be included as time worked when calculating overtime pay.

If an employee is not on assigned call-duty, but it is necessary to call the employee to duty to assist a call-duty employee, then the employee will receive 45 minutes of compensation to account for travel time. These 45 minutes will be included as time worked when calculating overtime pay.

For each *calendar day* of assignment to call duty, a non-exempt hourly paid employee shall be paid an amount equal to the employee's regularly hourly rate of pay for one hour, whether or not actually called for duty, in addition to being compensated for the time actually worked. Actual time worked over the employee's prescribed duty cycle while on call will be subject to the overtime provisions herein.



For each calendar day of assignment to call duty, a non-exempt salaried employee shall be granted one hour of Compensatory Leave, whether actually called to duty or not, in addition to being compensated for the time actually worked. Actual time worked over the employee's prescribed duty cycle while on call will be subject to the overtime provisions herein.

Uniformed Police and Fire employees and certain positions in Juvenile Detention, Adult Detention, and Emergency Communications receive overtime pay as described in 4.5.3.2.1. and 4.5.3.2.2. of this Section.

4.9. Compensation for Temporary Acting Appointments

Any employee temporarily assigned to a higher position, shall be compensated in accordance with 4.2.2.1 of this Section. To qualify for the higher rate of pay, the temporary assignment must be regular and continuous for 30 calendar days.

If an employee is subsequently assigned to such higher position on a permanent basis, the employee shall be compensated in accordance with 4.2.2.1. of this Section.

When an employee temporarily accepts higher level duties and/or responsibilities and no classified position exists to place the employee, his or her rate of pay may be increased by five percent for the time he or she is performing at the higher level. To qualify for this higher rate of pay the temporary assignment must be regular and continuous in character for 30 calendar days.

An employee may be temporarily assigned to the work of the same or lower position without a reduction in pay.

In unique circumstances, as a result of a vacancy, an employee may be temporarily assigned significant responsibilities from another position in same pay grade as the employee's regularly assigned position. If the temporary assignment is regular and continuous in character for 30 calendar days and the employee also maintains his or her regular responsibilities, then, with approval from the Director of Human Resources, the employee may receive up to a 10% temporary increase in pay.

4.10. Compensation for Supervisory Personnel

Employees of the City who are promoted into supervisory positions are compensated in accordance with the provisions of 4.2.2.1. of this Section. If the compensation is deemed inappropriate for an individual supervisory appointment, the department director may submit a written request for additional compensation to the Director of Human Resources.

Such request should outline the circumstances, reasons for the request, requested compensation, impact on other supervisory positions and the department, and any other information deemed necessary.

The Director of Human Resources, after a review of the request, shall forward it to the City Manager who may approve, deny, or modify the same to accommodate the individual situation.

Any compensation granted shall not exceed the maximum pay rate prescribed for the position.

4.11. Payroll Deduction

The City Manager shall authorize the Finance Director to make established deductions from an employee's gross pay to cover Federal and State income Taxes, FICA, contributions to the



Retirement System, and any other legally required deduction. With the authorization of the employee, the Finance Director shall make payroll deductions for benefit premiums, contributions to the United Way, and participation in the Credit Union. Individual deductions for other than the above shall be made only upon approval of the City Manager.

4.12. Uniform Allowance

The basic reason behind the City furnishing a uniform is for City personnel who day-in and day-out meet the public and/or enter into private property to be easily identifiable by appropriate clothing or the nature of the work demands special consideration.

Procedures for the authorization for the issue, maintenance, replacement and use of uniforms shall be outlined by Administrative Policies and Procedures.

4.13. Amendments to the Uniform Compensation Plan

Adjustments or revisions to the Uniform Compensation Plan or to the Compensation Schedules shall be by Ordinance amending the appropriate Sections.

4.14. Payment Upon Separation or Change in Employment Status

Upon separation from the City service or change from regular to part-time or temporary status, employees shall be compensated for accrued Annual Leave not taken, provided such employee has completed six months of service with the City, and for any holidays or Compensatory Leave due regardless of length of service.

In addition, any employee retiring or laid off from City employment, shall be paid a sum of \$1.50 per hour up to a maximum of 960 hours for each hour of unused Sick Leave; provided, however, that no retiring employee is entitled to payment if he or she has elected to receive retirement service credit for unused Sick Leave pursuant to Subsection (e) of Section 32-6, entitled "Creditable service", of Article I, entitled "In General", of Chapter 32, entitled "Retirement System", of the Code of the City of Danville, Virginia, 1986, as amended.

4.15. Deductions Upon Separation

Upon separation from the City, the Finance Director shall deduct and withhold from an employee's pay check any amount owed the City in payment for unearned leave, group insurance premiums, unreturned equipment and tools, unreturned uniforms, and any other indebtedness to the City. The final paycheck shall not be issued until the extent of any indebtedness is determined and cleared. If any indebtedness is determined after an employee has been separated from the City and has received their final paycheck, the Director of Human Resources shall give proper notice to the person, informing such person of the indebtedness and requesting payment. If such correspondence is unsuccessful in clearing the indebtedness, legal action may be initiated at the direction of the City Manager.



SECTION 5. EMPLOYEE BENEFITS AND WORKING CONDITIONS

5.0. Objective of the Benefits

The City's benefit provisions have been designed with the health and well being of its employees in mind. While privileges and other benefits add to the security of employees, they also assist the City in attracting and retaining capable employees. Employees are expected to consider the needs of the City in requesting leave and utilizing the benefit provisions.

Should emergencies arise and the requirements of the City demand it, leave may be suspended temporarily in order to meet those needs. Similarly, changes in the needs of the economy and the needs of employees and the City of Danville may necessitate departure from the benefits set forth in this Personnel System without prior notice where appropriate. The City of Danville may also revise these benefits from time to time without notice.

5.1. Hours of Work

5.1.1. Public Office Hours

The offices of the City government shall be open to the general public from 8:00 a.m. until 5:00 p.m. each day except Saturdays, Sundays, and designated holidays.

Each department director, within staffing limitations, shall assure that the office of his department are adequately staffed to serve the general public at all times during public office hours and are at no time during regular operating hours unattended.

5.1.2. Duty Schedules

Each department shall prepare and post within the respective work areas of the department the schedule of the duty hours of and for department's employees and shall assure compliance with such schedules.

A department director may implement alternative work schedules on a temporary basis if necessary, such as snow removal, seasonal changes, energy shortages, etc. Employees who may be affected by such a need should be advised upon employment and periodically of the potential of having to temporarily implement alternative work schedules.

5.2. Access to Work Areas

Employees shall enter and depart from their assigned work areas only at the scheduled time. Each department director is authorized to designate a waiting area for use by the department's employees prior to their beginning of, and after the conclusion of their scheduled duty hours.

5.3. Overtime Work Restricted

Work by a non-exempt employee in the performance of duty shall be restricted to the employee's scheduled duty hours only.

Non-exempt employees shall not perform job related work at home unless specifically authorized in advance by the employee's supervisor and permission is granted from the respective department director.



Any employee who fails to comply with any applicable provisions of this section and any supervisor who permits the same shall be subject to disciplinary action.

5.4. Incentive Work Schedules

Certain operations of the City, such as refuse collection, where tasks are assigned on a designated schedule, an employee who completes his or her assigned schedule may be released from duty upon completion of the schedule. When relieved from duty as a result of the completion of the day's work schedule, an employee shall be compensated as though he or she worked the normal duty cycle. In the event that the employee actually works beyond the normal duty cycle for that pay period, he or she shall be entitled to his or her regular rate of pay for such time actually worked in excess of the normal duty cycle, subject to the overtime provisions of Section 5.

5.5. Normal Duty Cycles

5.5.1. General Employees

For general employees of the City, excluding certain employees in the Emergency Communications Division in the Fire Department, the normal duty cycle consists of 40 hours of duty within a work week of seven consecutive calendar days from 12:00 a.m. each Saturday to 11:59 p.m. the following Friday, inclusive, or such period as may be established by the department directors to meet the needs and work schedules of their respective departments.

The normal duty cycle of Emergency Communications Telecommunicators and Emergency Communications Telecommunicator Supervisors in the Emergency Communications Division in the Fire Department consists of 40 hours of duty scheduled within a work week of seven consecutive calendar days from each Saturday to the following Saturday, or such period as may be established by the department director to meet the needs and work schedule of the department.

5.5.2. Regular positions within the Uniform Police and Fire Department

For all non-exempt employees of the Fire and Police Departments, the normal duty cycle shall be determined by the responsible department director and approved by the City Manager administered in accordance with all Federal, State, and local laws including the Fair Labor Standards Act.

All non-exempt administrative and clerical personnel of the Fire Department are classified as general employees for whom the normal duty cycle is set forth above.

All exempt personnel of the Fire Department and Police Departments will work a duty cycle as assigned by the responsible department director.

5.5.3. Adult Detention Division and Juvenile Detention Division

For security employees of the Adult Detention Division and of the Juvenile Detention Division of the Police Department, the normal duty cycle shall be determined by the responsible department director and approved by the City Manager and administered in accordance with all Federal, State, and local laws including the Fair Labor Standards Act.

Administrative, clerical, and janitorial personnel of the Adult Detention Division and of the Juvenile Detention Division are classified as general employees for whom the normal duty cycle shall be as set forth above.



5.6. Breaks

5.6.1. Break

All non-exempt full-time employees shall be allowed a compensable ten minutes break from duty during each morning and again each afternoon of the employee's duty day, to be scheduled as the responsible department director may, in his discretion, direct.

All non-exempt part-time employees may be allowed a compensable ten minute break to be scheduled as the responsible department director may, in his discretion, direct, dependent upon daily work schedules.

5.6.2. Meal Break

Full-time employees whose compensation is calculated by the hour shall be allowed during each duty day a non-compensable meal recess of 30 minutes.

Full-time employees whose compensation is calculated and paid by the month shall be allowed during each duty day a non-compensable meal recess to be scheduled as the responsible department director may, in his discretion, direct.

Part-time employees may be provided a non-compensable meal recess at the discretion of the responsible department director. The amount of hours worked within the day should be taken into account when considering providing a meal recess for part-time employees. Any non-compensable meal recess provided should be no less than 30 minutes.

5.7. Time Records

Each department shall establish and maintain complete, accurate and correct records of the time that each of its non-exempt employees worked. Each non-exempt employee shall accurately record all time worked each day using the City's electronic timekeeping system, myTime. The records shall be reviewed and the accuracy acknowledged by the electronic approval of the supervisor. If a supervisor is unable to approve a time record, then the department director, or designee, shall approve the record so as not to prohibit payroll from being processed. Any non-exempt employee that does not have access to myTime, such as temporary or some part-time employees, should fill out a paper record and submit it to the department's payroll clerk to enter into the myTime system. Both the employee and supervisor shall review and sign-off on any paper records of time worked. If an employee believes there is an error in his or her time record, then the employee shall notify the departmental payroll clerk immediately.

With the exception of requesting leave, exempt employees will not utilize myTime to keep a record of time worked. It is at the department director's discretion to require paper time records of exempt employees, excluding department and division directors.

5.8. Leave

5.8.1. Annual Leave

5.8.1.1. General Provisions for All Employees

Each employee of the City, except temporary, part-time, and seasonal employees, shall be entitled to receive Annual Leave with pay as set forth in the Annual Leave Schedule.

No eligible employee shall be entitled to use any accumulated Annual Leave until completion of six months continuous employment. No eligible employee shall be paid for any accumulated Annual Leave if his/her employment is terminated prior to six months employment.



All requests for Annual Leave must be approved by the department director prior to the use of such leave, on the forms provided, except in emergency situations. Absence on account of sickness, injury, or disability may, at the request of the employee, be charged against Annual Leave.

Any employee, that has financial responsibilities as their normal duties, shall be required to take at least one continuous normal work week of paid leave as approved by the department each calendar year. For the purpose of complying with this provision, financial responsibility means any employee who regularly receives, handles, or distributes funds on behalf of the City.

Annual Leave shall be charged hour-for-hour as it is taken. Fractional hours taken shall be rounded to the nearest one quarter hour.

Employees may not exceed the limits set forth in the Annual Leave Schedule. Leave in excess of such limits shall be forfeited by the employee. If a monthly paid employee exceeds the limits of the schedule the employee takes leave after the 14th of the month within that same month, the denied leave will be reinstated to their leave accumulation balance.

An employee absent on account of sickness, injury, or disability for himself or for family medical reasons may qualify for protection under the Federal Family Medical Leave Act (FMLA). Therefore, such absences shall be reported to the Human Resources Department by the employee and/or the employee's department. The Human Resources Department will determine appropriate steps for moving forward based upon Federal law and the City's FMLA procedures, which are defined through the City Manager's Administrative Policies and Procedures.

An employee Absent Without Leave or placed on Leave Without Pay, suspension, or other unpaid leave shall forfeit his/her Annual Leave accrual for that period as provided for in 5.16. (Leave Reporting) of this Section. An employee on Leave Without Pay, or other approved unpaid leave for a period of three consecutive months or more, and performs no job duties during this period and the employee completes the appropriate length of service as set forth in the Annual Leave schedule during this period, the employee will not be entitled to the additional week of Annual Leave. If the employee returns to work they will accrue leave based on years of service but will forfeit the additional week.

5.8.1.2. Monthly Paid Employees

A monthly paid employee shall be given credit for the complete month provided employment was effective on or before the fifteenth calendar day of the month; otherwise, no credit shall be given until the first day of the following month.

A monthly paid employee shall be given credit for the complete month of separation provided the separation date was on or after the fifteenth day of the month; otherwise, no credit shall be given for that month.

5.8.1.3. Weekly Paid Employees

A weekly paid employee shall be given credit for the complete week provided employment was effective on the Monday of that week; otherwise, no credit shall be given until the first day of the following week.

A weekly paid employee shall be given credit for the complete week of separation provided the separation date was effective on the employee's last work day of the payroll week; otherwise, no credit shall be given for that week.

5.8.2. Annual Leave Schedule



Annual Leave Schedule for regular hourly paid employees whose regular duty cycle consists of a 40 hour—7 day week.

<u>Length of Service</u>	<u>Annual Accrual Rate</u>	<u>Weekly Accrual Factor</u>	<u>Maximum Accumulation</u>
<1 year	80 Hours	1.53847 Hours	120 Hours
1 – 4 Yrs	120 Hours	2.30770 Hours	160 Hours
5 – 9 Yrs	160 Hours	3.07693 Hours	200 Hours
10 – 14 Yrs	200 Hours	3.84616 Hours	240 Hours
15+ Yrs	240 Hours	4.61539 Hours	280 Hours

Annual Leave Schedule for regular monthly paid employees whose regular duty cycle consists of a 40 hour—7 day week.

<u>Length of Service</u>	<u>Annual Accrual Rate</u>	<u>Monthly Accrual Factor</u>	<u>Maximum Accumulation</u>
<1 year	80 Hours	6.66667 Hours	120 Hours
1 – 4 Yrs	120 Hours	10.00000 Hours	160 Hours
5 – 9 Yrs	160 Hours	13.33334 Hours	200 Hours
10 – 14 Yrs	200 Hours	16.66667 Hours	240 Hours
15+ Yrs	240 Hours	20.00000 Hours	280 Hours

Annual Leave schedule for employees of the Police Department whose duty cycle consists of either *144.5 hours of duty within a period of 24 consecutive days*, 147 hours of duty within a period of 24 consecutive days, or 171 hours of duty within a period of 28 consecutive days, and **employees of the Juvenile Detention Division and Adult Detention Division** whose duty cycle consists of 171 hours of duty within a period of 28 consecutive days.

<u>Length of Service</u>	<u>Annual Accrual Rate</u>	<u>Monthly Accrual Factor</u>	<u>Maximum Accumulation</u>
<1 year	96 Hours	8.00000 Hours	144 Hours
1 – 4 Yrs	144 Hours	12.00000 Hours	192 Hours
5 – 9 Yrs	192 Hours	16.00000 Hours	240 Hours
10 – 14 Yrs	240 Hours	20.00000 Hours	288 Hours
15+ Yrs	288 Hours	24.00000 Hours	336 Hours

Annual Leave schedule for non-exempt employees of the Fire Department whose duty cycle consists of 159 hours of duty within period of 21 consecutive days and exempt employees assigned to the 21 day shift cycle.

<u>Length of Service</u>	<u>Annual Accrual Rate</u>	<u>Monthly Accrual Factor</u>	<u>Maximum Accumulation</u>
<1 year	112 Hours	9.33334 Hours	168 Hours
1 – 4 Yrs	168 Hours	14.00000 Hours	224 Hours
5 – 9 Yrs	224 Hours	18.66667 Hours	280 Hours
10 – 14 Yrs	280 Hours	23.33334 Hours	336 Hours
15+ Yrs	336 Hours	28.00000 Hours	392 Hours

At the completion of each of the below milestones, eligible employees shall be entitled to one additional week (40 hours for general employees, 48 hours for Police Department employees on a 24 or 28 day cycle, and 56 hours for Fire Department employees on a 21 day cycle) of annual leave, and shall begin accruing annual leave at the next higher rate as appropriate for the milestone.



Milestones:

- 1 year of continuous employment with the City
- 5 years of continuous employment with the City
- 10 years of continuous employment with the City
- 15 years of continuous employment with the City

5.8.2.1. Fire Department Annual Leave Policy

In addition to the general provisions for all employees, the provisions of this Section apply to Fire Department employees working on a 24 hour/21 day cycle.

Each shift working a 24 hour/21 day cycle shall schedule Annual, Holiday, or Compensatory Leave on a shift basis with the approval of the Fire Chief.

Leave shall be scheduled by seniority and not by rank.

The Fire Chief shall also approve the leave of all non-shift personnel in the Fire Department.

The Fire Chief shall control the number of Firefighters off on Annual, Holiday or Compensatory Leave at any one time.

Any conflict resulting in the interpretation of Annual Leave Policy shall be resolved by the City Manager or his designated representative.

5.9. Sick Leave

Sick Leave is a privilege granted to City employees and is not a right of any employee. Sick Leave is granted at the discretion of the department director and may be refused if not justified in the judgment of the department director. Each department director has a duty to ensure that Sick Leave is used for the intended purpose. A physician's statement may be required for any employee at any time by a department director when and if there is a reason to believe that there is abuse of the Sick Leave privilege or to protect the health and well being of other employees. In the event proof of illness is requested and not presented, such absence shall be reported as Absence Without Leave and shall be basis for disciplinary action.

Misuse or abuse of the Sick Leave privilege shall be addressed firmly and consistently by all management personnel under the supervision of the department director. Any disciplinary action, up to and including dismissal, may be applied to an employee who intentionally misuses or abuses the Sick Leave privileges.

5.9.1. General Provisions for All Employees

Each employee of the City, except temporary, part-time, and seasonal employees shall be entitled to receive Sick Leave with pay as set forth in the Sick Leave Schedule. Sick Leave shall be maintained on an accrual system at a rate prescribed in 5.9.4. of this Section. Sick Leave may be accumulated to an unlimited maximum.

Sick Leave shall be charged hour for hour as it is taken. Fractional hours taken shall be rounded to the nearest one quarter hour.

An employee on pre-approved Annual Leave that becomes ill or injured may have the Annual Leave charged against their accumulated Sick Leave. The department director may, in their discretion, request and be provided with a physician's statement supporting the illness or injury.



An employee using Sick Leave shall notify his or her immediate supervisor of this absence and the reason prior to their scheduled duty time. Failure to notify his or her immediate supervisor may be cause for denial of pay for absence and the employee may be subject to disciplinary action.

An employee Absent Without Leave or placed on Leave Without Pay, suspension or other unpaid leave shall forfeit his/her Sick Leave accrual for that pay period as provided for in 5.16 (Leave Reporting), of this Section.

An employee absent on account of sickness, injury, or disability for himself or for family medical reasons may qualify for protection under the Federal Family Medical Leave Act (FMLA). Therefore, such absences shall be reported to the Human Resources Department by the employee and/or the employee's department. The Human Resources Department will determine appropriate steps for moving forward based upon Federal law and the City's FMLA procedures, which are defined through the City Manager's Administrative Policies and Procedures

5.9.1.1. Monthly Paid Employees

A monthly paid employee shall be given credit for the complete month provided employment was effective on or before the fifteenth calendar day of the month; otherwise, no credit shall be given until the first day of the following month.

5.9.1.2. Weekly Paid Employees

A weekly paid employee shall be given credit for the complete week provided employment was effective on the Monday of that week; otherwise, no credit shall be given until the first day of the following week.

5.9.2. Sick Leave Use

5.9.2.1. General

An employee eligible for Sick Leave may use this leave, upon approval of the department director, for illness, injury, disability caused or contributed by pregnancy and the recovery there from, exposure to contagious disease, illness or death in the employee's family, and medical or dental appointments or outpatient tests.

5.9.2.2. Sick Leave Use for Family

5.9.2.2.1. Family and Medical Sick Leave Use

Sick Leave can be used to care for family members for illness, injury, disability caused by pregnancy and recovery, medical or dental appointments or outpatient tests prescribed by a physician, military exigency leave, or military caregiver leave. An employee's family for this purpose shall be in accordance with the provisions of family member's eligible under the Family and Medical Leave Act, which includes an employee's parent, spouse, and/or child under the age of 18.

5.9.2.2.2. Death in the Family

Leave for a death in the family of an employee shall be limited to a maximum of three consecutive days, one day of which must be the day of the funeral, for each occurrence. An employee's family for this purpose shall be as follows: an employee's children's spouse, grandchildren, brother or sister, brother or sister-in-law, aunt or uncle, parents-in-law, grandparents, spouse's grandparents, spouse's brother or sister, spouse's aunt or uncle. If extenuating circumstances exist whereby this time would be insufficient to meet the needs of the employee, the employee may use Annual Leave, Compensatory Leave, or unused Holidays.



Leave for a death in the family of an employee's spouse, parent, or child shall be limited to a maximum of five days for each occurrence. If extenuating circumstances exist whereby this time would be insufficient to meet the needs of the employee, the employee may use Annual Leave, Compensatory Leave, or unused Holidays.

When Sick Leave is used for a death in the family it shall be reported as Bereavement Leave.

5.9.3. Sick Leave Schedule

<u>CLASSIFICATION OF EMPLOYEE</u>	<u>ACCRUAL FACTOR</u>
Sick Leave schedule for regular hourly paid employees whose regular duty cycle consists of a 40 hour 7 day week	1.84616 Hours Per Week
Sick Leave schedule for regular monthly paid employees whose regular duty cycle consists of a 40 hour 7 day week	8.00000 Hours Per Month
Sick Leave schedule for employees of the Police Department whose duty cycle consists of either 147 hours of duty within a period of 24 consecutive days or 171 hours of duty within a period of 28 consecutive days and employees of the Juvenile Detention Division and Adult Detention Division whose duty cycle consists of 171 hours of duty within a period of 28 consecutive days	9.60000 Hours Per Month
Sick Leave schedule for non-exempt employees of the Fire Department whose duty cycle consists of 159 hours of duty within a period of 21 consecutive days and exempt employees assigned to the 21 day shift cycle.	11.20000 Hours Per Month

5.10. Military Leave

All employees of the City who are former members of the armed services or members of the organized reserve forces of any of the armed services of the United States, National Guard, or naval militia shall be entitled to military leave from their respective duties, without loss of seniority, accrued leave, or performance rating on all days during which they are engaged in federally funded military duty, to include training duty, or when called forth by the Governor pursuant to the provisions of Section 44-75.1 or Section 44-78.1 of the Code of Virginia, 1950, as amended.

There shall be no loss of pay during such leaves of absence except that paid military leave for federally funded military duty, to include training duty, shall not exceed 15 work days per federal fiscal year, and except that no employee of the City shall receive paid military leave for more than 15 work days per federally funded tour of active military duty. Duty exceeding 15 work days during such time shall, at the election of the employee, be charged against accrued Annual Leave, Compensatory Leave, or unused Holidays. When all leave has been exhausted or employee elects not to use accumulated leave, the employee shall be placed on military leave without pay. When relieved from such duty, they shall be restored to positions held by them when ordered to duty. Regular employees entering military service shall have their job status protected in full compliance with current Federal or State statutes.



This policy shall apply retroactively to any employee of the City who was previously engaged in federally funded active military duty on or after August 1, 1990.

For the purposes of this section with respect to employees of the City who do not normally work approximately equal workdays on five or more days of each calendar week, the term “workday” shall mean 1/260 of the total working hours such employee would be scheduled to work during an entire federal fiscal year, not taking into account any City holidays, Annual Leave, military leave, or other absences.

5.11. Civil Leave

An employee shall be granted Civil Leave with Pay for the following reasons:

When called to serve on a jury. If an employee is excused from jury duty during his/her regular duty schedule, such employee will be expected to return to their reporting station, unless specifically excused from duty.

When subpoenaed to appear before the court on official City business or when summoned as a witness in any administrative or judicial proceeding of which the employee is not a party.

While performing emergency civilian duty in connection with National Defense.

Other Court appearances shall be Leave Without Pay or upon proper request may be changed to an employee’s accumulated Compensatory Leave or Annual Leave, except for exempt employees who have exhausted all accumulated leave balances. These exempt employees will not have their pay docked for any absences of less than a day.

Any questions as to whether Civil Leave is appropriate for absence from work shall be determined by the Director of Human Resources.

5.12. Official Leave

An employee who is absent from their normal duty while on official business of the City shall be granted Leave With Pay.

5.13. Compensatory Leave

Eligible employees shall be granted Compensatory Leave for overtime work as provided for in Section 4.

An employee absent on account of sickness, injury, or disability for himself or for family medical reasons may qualify for protection under the Federal Family Medical Leave Act (FMLA). Therefore, such absences shall be reported to the Human Resources Department by the employee and/or the employee’s department. The Human Resources Department will determine appropriate steps for moving forward based upon Federal law and the City’s FMLA procedures, which are defined through the City Manager’s Administrative Policies and Procedures.

5.14. Special Leave

The City Manager may authorize special leaves of absence with or without pay. These requests must be submitted in writing to the Director of Human Resources, who will then forward the request to the City Manager for approval.

5.15. Leave Without Pay



A department director may authorize Leave Without Pay to an employee if conditions warrant it due to:

Light work schedules;

Adverse weather conditions hampering work flow;

If work is not available;

Special request of the employee for personal reasons;

Illness or death not eligible for other leave or other legitimate reasons.

Department directors should use discretion in authorizing Leave Without Pay.

Prior to the approval of Leave Without Pay, consideration should be given to the availability of Sick, Annual, or other paid leave.

Leave Without Pay shall not reflect unfavorably on an employee's performance evaluation, be cause for disciplinary action, or to be cause to adjust an employee's anniversary date; however, an employee on Leave Without Pay shall forfeit the accrual of Sick and Annual Leave as prescribed in this Section.

An employee on leave for family and/or medical reasons may be placed on Leave without Pay for the duration of such family and/or medical leave. Leave Without Pay may be used after having exhausted any paid leave including Annual Leave, Sick Leave, Compensatory Leave, Holidays, and any other paid leave, or an employee may be placed on leave without pay if an employee chooses not to use paid leave for qualifying family and/or medical reasons.

5.16. Leave Reporting

All leave shall be reported on the appropriate leave reports on a timely basis. This report will be the source document for determining the amount of leave taken by an employee. The Finance Department provides the appropriate codes for each type of leave available for reporting purposes. Departments are responsible for reporting the leave using the correct code for the type of leave used.

An employee Absent Without Leave or placed on Leave Without Pay, suspension, or other unpaid leave shall forfeit his/her Sick and Annual Leave accrual for that pay period as indicted below:

Sick Leave shall be forfeited at a rate of .04600 hours for each hour of unpaid leave time.

Annual Leave shall be forfeited at the following rate for each hour of unpaid leave time for the appropriate length of service:

<u>Length of Service</u>	<u>Annual Leave forfeited for each hour of Unpaid Leave</u>
<1 year	.03833
1 – 4 Yrs	.05749
5 – 9 Yrs	.07666
10 – 14 Yrs	.09582
15+ Yrs	.11499



5.17. Absence Without Leave

An employee shall be reported as Absent Without Leave for failure to report for work at the assigned time and location without approval of his/her supervisor.

Absence Without Leave is unacceptable and shall be cause for disciplinary action. Consideration will be given to instances when the employee was unable to notify their supervisor due to an emergency beyond the employee's control. The department director may determine if the situation was an emergency.

An employee Absent Without Leave shall forfeit the accrual of Sick and Annual Leave as provided for in this Section. As stated in Section 9.10, an employee with three consecutive days of Absence Without Leave has Quit his or her employment with the City.

5.18. Family and Medical Leave

Eligible employees shall be provided leave in accordance with the Family and Medical Leave Act of 1993 as amended (FMLA). The City's FMLA procedures are defined through the City Manager's Administrative Policies and Procedures.

Some FMLA qualifying events may be eligible for paid leave granted by the City. Guidelines for receiving paid FMLA leave are defined through the City Manager's Administrative Policies and Procedures.

5.19. Workers' Compensation

The City provides Workers' Compensation benefits as mandated by Federal and State law to all employees. This program provides compensation and medical payments in the event that an employee qualifies for benefits and is unable to work due to a work related illness or injury. The City's Workers' Compensation procedures are defined through the City Manager's Administrative Policies and Procedures.

5.20. Federal Insurance Contributions Act (FICA)

All regular, part-time and temporary employees of the City are covered by FICA (Social Security, including Medicare) except for regular Public Safety employees designated with a PS Retirement Code on the Compensation Schedule of the Personnel System (Section 4.1.) Full-time Public Safety employees hired after March 31, 1986 are covered by the Medicare portion of FICA.

5.21. Retirement

On January 1, 1946, the City Council of the City of Danville established the Employees' Retirement System for the purpose of providing retirement benefits for full-time City employees and their beneficiaries. Membership is mandatory for all regular employees.

The Employees' Retirement System is administered by the Department of Human Resources and the Finance Department of the City under the guidelines established by Ordinance.

Retirement Certificates may be given to all retirees of the City, including normal, early or disability retirement.



The department director should notify the Department of Human Resources in advance of anyone retiring from their department. The Department of Human Resources will prepare the Certificate for presentation. Presentation may be made at the regular scheduled meeting of City Council if the employee so desires. If the employee elects not to receive the retirement certificate from City Council, the department director may present it at his/her discretion.

Pursuant to the authority and requirements of Section 15.2-1511.1. of the Code of Virginia, 1950, as amended, if a local employee develops a life-threatening health condition, the local employer shall provide such employee written notification of all relevant benefit options and programs available to him, within ten days of the date that the employer was given notice of the serious health condition by the employee or his agent, unless such information is otherwise provided annually by the local employer. The employer shall provide appropriate forms to the employee so that the employee can communicate any election of benefit options to the employer in writing on the forms. A department director, upon learning that an employee he supervises has developed a serious health condition, shall notify the Human Resources Department of the serious health condition within one business day. Upon notification, the Human Resources Department shall provide written notification of all relevant benefit options and programs available to the employee unless such information is provided annually to all employees by the City.

5.22. Benefit Plans

The benefit plans offered by the City are designed with the health and well-being of all City employees in mind. Generally speaking, a full-time employee may elect to participate in the City's voluntary benefit plan(s) that best suit his/her needs. Participation in the plan is not mandatory. Part-time and temporary employees shall not be eligible to participate.

An eligible employee electing not to participate in the City's voluntary benefit plan(s) upon initial employment may be able to enroll in the plan(s) at a later date provided they meet the eligibility requirements at the time they elect to participate.

Premiums will be deducted from the employee's pay check for any coverage an employee elects. Employees are responsible for reviewing their paycheck stub each pay period to ensure appropriate deductions are made for employee benefits. If underpayment for voluntary benefits is discovered by either the City or the employee the City will withhold the amount owed from the employee's pay. If overpayment for voluntary benefits is discovered by either the City or the employee the City will reimburse the employee the amount of overpayment.

In accordance with the provisions of 5.18., of this Section, an employee not returning to duty from family and/or medical leave without pay shall be responsible for payment of the City's portion of their health insurance for the time the employee was on Leave on Without Pay.

If an employee is covered under two group hospitalization programs, a coordination of benefits will be determined by the insurance carriers. No duplication of benefits shall exist.

5.22.1. Health Insurance Portability and Accountability Act

The Department of Human Resource shall prepare the City-wide policy that complies with the Health Insurance Portability Accountability Act and shall have such policy reviewed by the City Attorney's Office and signed into effect by the City Manager. Such policy shall be available to all departments and divisions within the City.

5.23. Holidays

5.23.1. Designation of Holiday



The public offices of the City shall be closed on the following dates or parts thereof, and on any other day proclaimed as a holiday by City Council:

New Year's Day	Columbus Day
Martin Luther King, Jr. Day	Veterans Day
Easter Monday	1/2 day Day before Thanksgiving
George Washington Day	Thanksgiving Day and the day after
Memorial Day	Christmas Eve
Fourth of July	Christmas Day
Labor Day	Employee Birthday

Within each calendar year, the Commonwealth of Virginia may grant additional holiday time which is not scheduled on its adopted holiday calendar for that year, for example extra time around the Christmas or New Year's holidays. When this occurs, the public offices of the City shall also be closed.

Days or parts of days during which the public offices of the City are closed by directive of the City Manager because of emergency conditions shall not constitute nor be considered as a Holiday within the meaning of this section.

5.23.2. Holiday Falling on a Saturday, Sunday or Other Holiday

In the case of conflict with other Holidays, scheduled leave, or staffing requirements of a department, the respective department director shall have the authority to reschedule any Birthday Leave of any employee.

When a designated holiday falls on a Saturday or Sunday, the following days shall be observed as such holiday:

If such holiday falls on a Saturday, the preceding Friday shall be observed.

If such holiday falls on a Sunday, the following Monday shall be observed.

The following guidelines shall apply to the employee's birthday observed as a holiday:

The employee shall have their birthday off, with pay, if such birthday falls on a scheduled work day.

If the employee's birthday falls on a Saturday, the preceding Friday shall be observed.

If the employee's birthday falls on a Sunday, the following Monday shall be observed.

If the employee's birthday falls on another designated holiday, the employee shall be entitled to have another day off, with pay, to be scheduled by their department.

An employee may request to use his or her birthday holiday on any workday within his or her birthday month rather than on his or her actual day of birth. Such request is subject to the same approval as other paid leave.

5.23.3. Compensation for Work Performed on Holiday

Each employee of the City, except temporary and part-time employees, shall be compensated for the time such employee is required to and does perform work or render services for the City on any holiday designated above, in the following manner:

5.23.3.1. Salaried Employees



Each eligible salaried employee who is required to work on a designated holiday shall be entitled to time off with pay equivalent to the hours worked on the holiday but not to exceed eight hours.

5.23.3.2. Hourly Paid Employees

Each eligible hourly paid employee, who is required to work on a designated holiday shall receive his or her regular rate of pay for hours actually worked in addition to eight additional hours for the holiday.

5.23.4. Forfeiture of Holiday Pay

An employee who is entitled to compensation for any designated holiday, shall forfeit their right to compensation if they are Absent Without Leave for any portion of such employee's last regularly scheduled work day preceding such holiday or for any portion of such employee's next regularly scheduled work day following such holiday or if such employee is suspended for more than five working days or suspended indefinitely and the suspension is in effect either on the day preceding the holiday or the employee's next regularly scheduled work day following such holiday.

5.23.5. Holidays Used for Family and Medical Leave

An employee on leave for family and/or medical reasons in accordance with the provisions of 5.23., of this Section, shall exhaust all accrued holidays prior to being placed on Leave Without Pay.

5.23.6. Holidays for Fire Department Personnel

The provisions of 5.23. above, shall not apply to non-exempt employees of the Fire Department whose normal duty cycle consists of 159 hours of duty within a period of 21 consecutive days and exempt employees assigned to the 21 day shift cycle. Such employees, in lieu of holidays, shall be entitled to 126 hours of Holiday Leave annually at the beginning of each calendar year to be scheduled by the Fire Chief.

Any holidays granted to regular City employees, in addition to those designated in 5.23. above, shall be provided to Fire Department employees on a proportionate basis to those granted regular City employees.

An employee on leave for family and/or medical reasons in accordance with the provisions of the Family Medical Leave Act, shall exhaust all accrued holidays prior to being placed on Leave Without Pay.

5.24. Benefits Limited by Type of Employment

Regular employees of the City shall be entitled to all rights and benefits herein provided.

Temporary and part-time employees shall not be entitled to the rights and benefits herein provided, except for Workmen's Compensation, participation in a Flexible Benefits (Cafeteria) Plan as provided in 5.25., and for family and/or medical leave in accordance with the provisions of 5.18, of this Section.

Persons employed under a federal, state, or local grant shall be classified by the provisions of the grant or other such benefits the City may have the option of, and elect to, provide.

5.25. Flexible Benefit (Cafeteria) Plan



Section 125 of the Internal Revenue Code of 1954, as amended, authorizes the establishment of Cafeteria Plans whereby participants may choose between or among two or more benefits consisting of cash and statutory nontaxable benefits.

It is the intention of Council that the City participate in a Cafeteria or flexible benefit plan to the extent authorized by the Internal Revenue Code and that Council shall retain the right or the authority to at any time terminate, modify or otherwise amend said plan in its sole discretion to the extent permitted by the Internal Revenue Code.

Said Cafeteria or flexible benefit plan shall be established by separate ordinance.

Employees of the City may, at their election, participate in all, or part of, such established Cafeteria Plan as provided by Council. Employees may have their compensation reduced by an amount necessary to cover certain fixed benefit costs such as health insurance premiums and non-fixed benefit costs such as dependent day care, non-covered (by the City's health insurance plan) medical, dental, vision, and other medical care, with pre-tax dollars rather than after-tax dollars.

5.26. Smoking

The City of Danville strives to provide its employees with a comfortable and productive work environment and to enhance an awareness of the concerns of smokers and nonsmokers alike in order for each to be responsive to the needs of both groups. A mutually comfortable environment for City employees is dependent upon the thoughtfulness and cooperation of both smokers and non-smokers.

The City Manager may by Administrative Policies and Procedures establish procedures for smoking in certain work sites giving appropriate recognition to the needs and concerns of both smokers and nonsmokers and to ensure that the proper respect and courtesy is extended to each employee.

5.27. Deferred Compensation Plan

It is the intention of the City Council for employees of the City, at their election, to participate in and be a part of the Deferred Compensation Plan of the International City Manager's Association. Contributions to the Plan shall be through payroll deduction.



SECTION 6. EMPLOYEE DEVELOPMENT

6.0. General Training Policy

The City Manager, Director of Human Resources, and department directors shall work together to promote employee training and development. Department directors shall recommend plans for, and cooperate with, the City Manager and other supervisory officials in the administration of employee training programs that improve City services and in addition, employees may also become better qualified for promotion to higher level positions. To accomplish these goals, cooperative arrangements with other public agencies, including educational institutions, may be made.

6.1. Orientation of New Employees

The Director of Human Resources shall establish, set up, and promote orientation activities for new employees. Orientation familiarizes them with their obligations, general functions and rights as City employees. Department and job-related orientations may be conducted directly by the respective department directors. The Director of Human Resources may request, when applicable, the assistance of department directors or their staff to make presentation in their area of expertise.

6.2. Tuition Reimbursement

The Department of Human Resources shall develop appropriate guidelines for administering the Tuition Reimbursement Program. Such guidelines shall be subject to the review and approval of the City Manager.

6.3. Promotional Procedures

6.3.1. General

As with the selection of applicants to fill entry level positions, promotions shall be the responsibility of the department director from whose department the vacancy occurred. The Department of Human Resources shall assist in advertising, screening, and referral of employees to insure that all interested employees are given consideration. In all cases, the City shall strive to select the person most qualified to fill a vacant position. Procedures for filling positions are provided for in Section 2 (Recruitment, Selection, and Probation).

6.3.2. Promotion Within the Police Department

It is recognized that skill and knowledge tests, when used in conjunction with other testing instruments, may significantly aide in the overall development of a professionally staffed department and the proper utilization of human resources.

Therefore, promotions within the Police Department shall be made on the basis of fitness and merit. Instruments to measure fitness and merit may include: written examinations, computer skills, oral interviews, longevity, leadership potential assessment, in-basket technique, and education.

Each individual's rating shall be on the basis of 100 points maximum as allocated by the Chief of Police among the various testing instruments which may include:

Written Examination

Computer Skills

Leadership Potential Assessment

Oral Interview

Longevity

Education

Maximum of 4 points

Maximum of 4 points



In-Basket Technique

Because different ranks require different skill levels and because skill levels within each rank will change over time with training and development, the number of points allocated to each or any of the testing instruments will likely change with each promotion process.

The allocated points for each testing instrument to be used will be announced by the Chief of Police at least 15 days prior to the first test given.

The Chief of Police will review Performance Evaluations and any discipline records in the final assessment.

Promotional examinations will be offered to all eligible personnel as the need arises for the selection and placement of advanced positions within the Police Department.

Results of the promotional examination shall be valid for any promotions made within a twelve month cycle from the date the written examination is given. No further written promotional examinations will be given within the twelve month cycle unless all qualifying candidates are exhausted due to staff requirements and/or other reasons.

Eligibility for all promotional examinations shall require the necessary experience and training required to perform the duties of the position.

The Oral Interview Panel shall consist of at least three persons: selected by the Police Chief. **Confidential** rating sheets shall be completed by each interviewer and shall not be subject to review.

Longevity shall be allocated on the following basis:

3 Years Continuous Service	1 Point
4 Years Continuous Service	2 Points
5 Years Continuous Service	3 Points
6 Years or more Continuous Service	4 Points

Education points will be allocated based on the following format:

Any college credit	1 Point
Associate Degree	2 Points
Bachelor's Degree	3 Points
Master's Degree or above	4 Points

The results of the scores from the testing instruments shall be totaled. The individuals with the five highest total points shall be considered equally for promotion.

Subsequent promotions shall be made from a list of the five individuals with the highest total points of all the remaining eligible candidates.

These promotional policies shall be in effect for the following classes:

Police Corporal
Police Sergeant
Police Lieutenant
Police Captain



The following classes are appointive at the discretion of the Police Chief and the City Manager:

Police Officer
Major
Lieutenant Colonel

The Police Chief shall be appointed by the City Manager.

Notices of testing including points allocation as determined by the Chief of Police shall be placed in the Police Department at least 15 calendar days prior to testing.

6.3.3. Promotion Within the Fire Department

6.3.3.1. General

It is recognized that professionally developed tests when used in conjunction with other personnel procedures, may significantly aid in the overall development of an efficiently staffed department and the proper utilization of human resources. Therefore, promotions within the Fire Department shall be made on the basis of written examinations, skill tests, panel interviews, longevity/education, and supervisory and performance evaluations, as required.

Personnel participating in promotional testing will be exempt from the Task Book completion requirement until June 30, 2023. On July 1, 2023, and thereafter, all non-appointed personnel in this ordinance will be required to complete their respective Task Book prior to participating in promotional testing.

The Fire Department will conduct annual promotion testing during the 2nd quarter of the year. In the event of a vacancy, and no valid test in effect, testing shall take place, a list of qualified candidates established, and promotion made within 120 days. If a vacancy occurs, and a valid test is in effect, promotions shall be made within 30 days of its availability. A list of all eligible candidates shall be posted at least 30 days prior to any written examination.

Final results from the testing process, establishing a list of qualified candidates, shall be valid for a period of 12 months from the date of the written test. However, a candidate may elect to extend their final score for a total of 24 months from the date of their written exam. After 24 months the candidate must retest to be considered for additional promotions.

~~Established procedure shall be followed for all promotions, unless 30 days written notice is provided before any promotional process begins.~~

~~A list of all eligible candidates shall be posted at least 30 days prior to any written examination.~~

~~If there is a valid test in effect, promotions shall be made within 30 days of its availability.~~

~~If there is no valid test in effect, testing shall take place and a list of qualified candidates established and promotion made within 120 days.~~

~~All testing to determine a list of qualified candidates shall be applicable for a period of 18 months from the date of the first promotion.~~

Each candidate's test results shall be available for examination and review by that candidate, with the following limitations:

Review of written examination must be made within three business days from the date test results are received.



Review will be limited to one session, not to exceed 90 minutes.

Panel interviewer rating sheets are confidential and shall not be subject for review by any person.

Answer keys will be available for review unless prohibited by security agreement.

All passing scores shall be posted for each section of the promotional procedure after all interested candidates have reviewed their written examination within the three business days allowed.

All candidates must correctly answer at least ~~65~~ 70 percent of the questions on any written examination to be eligible for further consideration for promotion.

The following classes are appointive at the discretion of the Fire Chief and City Manager:

Assistant Fire Chief
Battalion Chief
Fire Marshal
Assistant Fire Marshal
Fire Lieutenant/Assistant Training Officer

~~Assistant Fire Marshal~~
~~Fire Marshal~~
~~Fire Lieutenant/Assistant Training Officer~~
~~Battalion Chief~~
~~Assistant Fire Chief.~~

The Fire Chief shall be appointed by the City Manager.

6.3.3.2. Promotion to Fire Fighter/Engineer

~~Fire Fighters, having successfully completed the Relief Driver Program, or who have been exempted from the program, with three years or more continuous service with the Danville Fire Department, effective as of the date of the first promotion shall be eligible for consideration to the class of Fire Fighter/Engineer.~~

~~Each individual's rating for the position of Fire Fighter/ Engineer shall be on the basis of one hundred (100) points allocated as follows:~~

Fire Fighters, meeting the following criteria shall be eligible for consideration to the class of Fire Fighter/Engineer:

- Successfully completed the DFD Task Book 60 days prior to the date of the promotional process written test. This is to insure sufficient time to establish eligible candidates.
- Completed five years or more continuous years of service with the Danville Fire Department, effective as of the promotional process written test.

Fire Fighter/ Engineer candidate test scores shall be based on one hundred (100) points allocated as follows:

Written Examination	40 Points
Longevity/ Education	10 Points
Skill Test (Rodeo)	<u>50 Points</u>
Total	100 Points



Example of written test scoring: If the test has one hundred (100) questions, the questions shall count one point per question; 200 points shall count one-half point per question.

~~Longevity and education points shall be combined, for a maximum total of 10 points. Longevity shall be allocated on the basis of one-half point for each year of continuous service with the Danville Fire Department effective as of the date of the first promotion. Education points will be allocated as follows:~~

Any college credit	1 Point
Associate Degree	2 Points
Bachelor's Degree	3 Points
Master's Degree or above	4 Points

~~The passing scores from the written exam and longevity/education shall be combined and the top 15 candidates, to include combined ties only at the fifteenth place, shall be eligible for the skill test. Any other ties within the top 15 candidates will be considered individually as one of the 15 candidates~~

The scoring for the skill test shall be:

Pumping ability	15 points
Driver Skills Test	15 points
Incident Command	10 points
Streets and hydrants	5 points
Fire Department Policy and Guidelines	5 points
Total	50 points

~~A time schedule shall be set for the skill test and the candidate will have their choice of any in-service apparatus.~~

Longevity shall be allocated on the basis of one-half point for each year of continuous service with the Danville Fire Department effective as of the date of the start of the written testing process for a maximum total of 10 points.

All candidates passing the written exam shall be scheduled for a skills test.

The scoring for the skill test shall be:

Pumping ability	20 points
Driver Skills Test	15 points
Incident Command	15 points
Total	50 points

~~Score of s~~Skill test scores shall be available on an individual basis within 24 hours of completion of test or as soon thereafter as possible.

~~Scores from the written examination, skill test(s), and longevity shall be combined and the selection shall come from those candidates with the five highest total points and ties. After a promotion is made, a new name shall be added to the top five list so that there are always five candidates to select from.~~

Scores from the written examination, longevity, Pumping Ability, Driver Skills, and Incident Command shall be combined. The selection shall come from those candidates with the five highest total points and ties. After a promotion is made, a new name shall be added to the top five list so that there are always five candidates to select from, or the list is exhausted.



Selection(s) for promotion shall be made from this list for a period of 12 months from the date of the written test.

The Fire Chief shall confer with the department's Chief Officers and the promotional decision shall be made.

6.3.3.3. Promotion for Fire Captain

~~Firefighter/Engineers with two or more years of service in the position of Firefighter/Engineer and Fire employees holding the rank of Lieutenant with two or more years of service in the rank of Lieutenant are eligible to apply for the position of Fire Captain. Service requirements must be met as of the effective date of the promotion to Fire Captain.~~

~~Each individual's rating for the position of Fire Captain shall be on the basis of one hundred (100) points allocated as follows:~~

Written Examination	35 Points
Longevity/Education	10 Points
Assessment Center (Skill Test)	30 Points
Oral Examination	20 Points
Fire Department Policy and Guidelines	5 Points
Total	100 Points

Firefighter/Engineers, and Fire employees holding the rank of Lieutenant, meeting the following criteria are eligible to apply for the position of Fire Captain:

- Successfully completed the DFD Task Book 60 days prior to the date of written test portion of the promotional process. This is to insure sufficient time to establish eligible candidates.
- Completed 2 years or more continuous years of service with the Danville Fire Department, effective as of the written test portion of the promotional process.

Fire Captain Candidate test scores shall be based on one hundred (100) points allocated as follows:

Written Examination	30 Points
Longevity	10 Points
Assessment Center (Skill Test)	40 Points
Oral Examination	10 Points
In Box/Out Box	10 Points
Total	100 Points

Written examination scoring shall be the same for the Fire Fighter/Engineer examination.

~~Longevity and education points shall be combined for a maximum of ten points. Longevity shall be allocated on the basis of one-half point for each year of continuous service with the Danville Fire Department. Education points will be allocated as follows:~~

Any college credit	1 Point
Associate Degree	2 Points
Bachelor's Degree	3 Points
Master's Degree or above	4 Points

~~The passing scores from the written exam and longevity/education shall be combined and the top ten candidates continue to the assessment or skill test, and oral interview.~~

Longevity shall be allocated on the basis of one-half point for each year of continuous service with the Danville Fire Department effective as of the date of the start of the written testing process for a maximum total of 10 points.



All candidates passing written exam shall continue to the assessment, or skills test, and oral interview.

~~The structured assessment center (skill test) shall be conducted by a three member panel. Two of those members should be from an outside fire agency. The center shall include a fire ground scenario where the candidate is placed in the role of Incident Commander. Emphasis should be on size up strategy and tactics, personnel and engines needed, placement and communications. After this scenario is completed, an evaluation exercise will be conducted involving the Danville Fire Department Policy and Guidelines. The same assessors shall be used for all candidates.~~

The structured assessment center (skills test) shall be conducted by a three-member panel. Two of those members should be from an outside fire agency. The center shall include a fire ground scenario where the candidate is placed in the role of Incident Commander. Emphasis should be on size-up, strategy and tactics, resource management, communications, and addressing incident priorities; Life Safety, Incident Stabilization, and Property Conservation. At the completion of this scenario, the candidate will then participate in an evaluation Danville Fire Department In-Box/Out-Box exercise. The In-Box/Out-Box exercise will measure candidates' competency in managing business or administrative related scenarios. The same assessors shall be used for all candidates.

After completion of the assessment center, candidates shall go before an oral interview board. The interview board shall consist of a three-member panel consisting of people outside the department, skilled in human resource management/supervision, public relations and handling citizen complaints. The same interview panel shall be used for all candidates.

~~Once the assessment center and oral interview are completed, the scores of the written examination, longevity/education, assessment center, and oral interview shall be combined and the top five and ties be posted and the selection for promotion be made from this list for a period of 18 months from the date of the first promotion.~~

Once the assessment center and oral interview are completed, the scores of the written examination, longevity, assessment center, oral interview, and In Box/Out Box exercise shall be combined, and the top five and ties be posted. After a promotion is made, a new name shall be added to the top five list so that there are always five candidates to select from, or the list is exhausted.

The selection for promotion shall be made from this list for a period of 12 months from the date of the written test.

The Fire Chief shall confer with the department's Chief Officers and the promotional decision shall be made.

~~Each time a candidate is selected an additional name should be added to the list so that there will always be five candidates to select from.~~

6.4. Educational Incentive Program for Employees of the Police Department and Fire Department

Each employee in the Police Department and Fire Department assigned to one of the classes listed in this section shall be entitled to receive an increment to his or her regular compensation after successfully completing one-half of an approved ~~two-year~~ program of study at an approved regionally accredited educational institution. Approved programs of study vary by the department, but may include criminal justice, criminology, public administration, fire science, fire administration, emergency management, and paramedicine. The Fire Chief and Police Chief, in conjunction with the Director of Human Resources, may approve other relevant programs of study for the



educational incentive. The increment shall be in an amount equal to five percent of the employee's rate of pay on the date such portion of the program of study is completed and shall become payable on and as of the next pay cycle thereafter.

Upon successful completion of the full ~~two-year~~ program of study, the employee shall be entitled to receive an additional increment to his or her regular compensation in an amount equal to five percent of the employee's rate of pay on the date of such completion, to be payable on and as of the first day of the next duty cycle thereafter.

A new employee assigned to one of the eligible classes in these departments who has successfully completed the prescribed program of study or portion thereof prior to his or her employment in such class shall be entitled, to an increment of compensation equivalent to that herein provided for other like qualified employees. It is at the discretion of the department director whether such compensation is granted upon initial employment or upon successful completion of the probationary period. If such compensation is granted upon successful completion of the probationary period it will not be retroactive to the initial date of hire.

The approval and granting of such increments to the compensation of an eligible employee is conditioned upon the employee first providing to the City such proof as it may require of the employee's successful completion of the prescribed program of study or portion thereof.

All such increments shall be considered separate and apart from regular compensation for purposes of calculating other increases in compensation. Such increments shall, however, be adjusted in an amount equal to the average increase in the compensation when authorized and approved by the Council for all City employees.

The positions eligible for the compensation increments provided by this section are:

Police Officer
Police Corporal
Police Sergeant
Police Lieutenant
Police Captain
Animal Control Officer
Fire Fighter
Fire Fighter/Engineer
Fire Marshal
Assistant Fire Marshal
Fire Captain
Fire Lieutenant/Assistant Training Officer
Battalion Chief of EMS and Training
Battalion Chief
Assistant Fire Chief
Fire Code Inspector



SECTION 7. DISCIPLINE

7.0. Persons to Whom These Procedures Are Not Applicable

The procedures described in this Section are not applicable to those employees of the City excluded under the provisions of Section 1 (General Provisions) of this Personnel System nor to probationary, part-time, or temporary employees except as specifically provided herein.

7.1. Covered Employees

The provisions of the Personnel System pertaining to the discipline of employees shall apply to all employees of the City, excluding those employees referred to above. The Grievance Procedure provides the exclusive means of resolving disputes about these policies. These disciplinary procedures and the Grievance Procedure are intended only to provide an opportunity to resolve employee complaints. They are not intended to provide any contractual or property rights to employment. As stated above, hiring, discipline, and discharge of all employees are required by the Charter of the City of Danville to be at the will and pleasure of the City Manager. The City Manager may implement this Section by appropriate regulations.

7.2. General Disciplinary Policy

It is the policy of the City to act with integrity and justice toward each employee, recognizing his or her individuality as a human being and right to fair, decent, and understanding supervision. Each employee is expected to comply with instructions, established policies, procedures, rules and regulations. The supervisor is responsible for seeing that each employee assigned does his or her job properly and in accordance with work regulations. Conduct detrimental to the efficient, effective and responsible operations of the City, its departments, employees or agencies, to the safety and well-being of City employees or the general public, to the good will and reputation of the City or to the public interest and welfare, shall be punishable by warning, reprimand, suspension, forfeiture of or reduction in pay, demotion, and dismissal, depending upon the seriousness of the offense.

In some instances a specific incident may justify severe disciplinary action in and of itself up to and including dismissal. However, the action to be taken depends on the seriousness of the incident and the whole pattern of the employee's past conduct and performance. Disciplinary action may take any of the following forms and is not necessarily restricted to the order set forth as described below.

Discipline shall be documented on the appropriate forms as provided by the Department of Human Resources.

7.3. Disciplinary Procedure

7.3.1. Oral Reprimand and Warning

It is the responsibility of the immediate supervisor to recognize and handle disciplinary cases. Employees who violate a rule are not problem employees unless they are habitual offenders. A consultation between the employee and the supervisor is desirable. An oral reprimand is a discussion whereby the supervisor and employee try to reach an understanding of the causes for the offense and to outline and impress upon the employee the need for corrective action. It can eliminate misunderstandings immediately and set the desired standards of conduct and performance. For minor offenses, it is not necessary to describe in detail the reason for such an action; however, it is necessary to indicate in a memorandum to file the date and nature of the warning and a copy of the memorandum shall be forwarded to the Department of Human Resources for subsequent consideration in the event of further disciplinary action.



7.3.2. Written Reprimand

Should oral reprimands fail to achieve improved behavior, a written record is needed. A written reprimand shall outline the nature of the employee's offense, state the efforts made previously to correct the problem and set forth future actions that may be taken if the matter is not corrected. It should be signed by the employee at the time of review and be retained in the department. A copy of the written reprimand shall be sent to the Director of Human Resources to be entered in the employee's personnel record. However, written reprimands more than two years old shall only be considered in subsequent disciplinary actions and not for any other purpose. Written reprimands may be initiated and written by the employee's immediate supervisor, division director, or department director.

7.3.3. Suspension

If the undesirable conduct continues after the above steps have been taken, or if an offense or action of an employee is deemed severe enough in itself to warrant immediate attention, the employee may be suspended with or without pay for a period not to exceed 30 work days, except as described below.

Suspension may be initiated by the employee's immediate supervisor, division director, or department director.

If an employee is arrested for a felony, a misdemeanor involving moral turpitude, or a charge involving other illegal activity or offense, or if an employee is charged with civil violations such as child abuse or civil rights violations, or with other wrongful conduct, and after a review of the charges conducted by the employee's department, with the assistance of the Director of Human Resources, it is determined that the nature of the alleged offense is such as to constitute a possible risk or detriment to the security, safety, best interest or well-being of the City, its employees, property or material or to the general public, then the employee shall be immediately suspended with or without pay, and shall remain on indefinite suspension pending the outcome of the alleged charge or charges in a court of law. If the employee is found to be not guilty of the charges alleged, then the employee may be reinstated with or without back pay and benefits. However, a determination by a court that an employee is not guilty of the charges shall not require the City to reinstate him or her, if in the opinion of the appropriate supervisor suspension is appropriate despite the dismissal of charges against the employee.

An employee who is placed on suspension without pay shall forfeit the accrual of Sick and Annual Leave as provided for in Section 5 (Employee Benefits and Working Conditions).

An employee who is placed on indefinite suspension or a suspension for more than five work days shall forfeit holidays as provided for in Section 5 (Employee Benefits and Working Conditions).

7.3.3.1. Procedures Prior to Suspension for Five Work Days or Less

Written notice of the proposed action, the reason for the proposed action and the City's actual basis for the proposed action shall be given to the employee prior to the imposition of the suspension. If, however, in the opinion of the employee's supervisor, the conduct of the employee justifies immediate suspension and the continued presence of the employee would be detrimental to the operation of the department, then the employee may be immediately suspended from duty after oral notice to the employee. In such a case written notice of the suspension as described above shall be promptly given to the employee in person or by mail to the employee's current address as shown on the records of the Department of Human Resources. The person initiating the suspension



shall grant the employee the opportunity to respond in writing or in person to the allegations made against him but shall not delay imposition of the suspension.

7.3.3.2. Procedures Prior to Suspension for More Than Five Work Days

Written notice of the proposed action, the reason for the proposed action and the City's factual basis for the proposed action shall be given to the employee prior to the imposition of the suspension. Where the proposed suspension will exceed five work days, the person initiating the suspension shall grant the employee the opportunity to respond in writing or in person to the allegations made against him prior to the imposition of the suspension. If, however, in the opinion of the employee's supervisor the conduct of the employee justifies immediate suspension and the continued presence of the employee would be detrimental to the operations of the department, then the employee may be immediately suspended from duty, with pay, after oral notice to the employee. In such a case written notice of the suspension as described above shall be promptly given to the employee in person or by mail to the employee's current address as shown on the records of the Department of Human Resources. Such suspension shall be converted to suspension without pay two work days after delivery of the written notice.

7.3.3.3. Procedures Prior to Indefinite Suspension

Although disciplinary suspension without pay may generally not be imposed for a period exceeding 30 work days, employees may be placed on indefinite suspension pending the outcome of charges of wrongful conduct, as described in 7.3.3. of this Section. In addition, an employee may be placed on indefinite suspension pending a determination by the department director whether to dismiss the employee. In such cases, written notice of the proposed action, the reason for the proposed action and the City's factual basis for the proposed action shall be given to the employee prior to the imposition of the suspension. The person initiating the suspension shall grant the employee the opportunity to respond in writing or in person to the allegations made against him prior to the imposition of the suspension. If, however, in the opinion of the person initiating the suspension the conduct of the employee justifies immediate suspension and the continued presence of the employee would be detrimental to the operation of the City, then the employee may be immediately suspended from duty with pay, after oral notice to the employee. In such a case written notice of the suspension as described above shall be promptly given to the employee in person or by mail to the employee's current address as shown on the records of the Department of Human Resources. Such suspension shall be converted to suspension without pay not less than two work days after delivery of the written notice.

7.3.4. Demotion for Cause or Reduction in Pay for Cause

Sometimes an employee's actions impair his or her ability to perform his or her assigned duties, but may not hamper the ability to work at lower paid duties. In such case, a demotion for cause may be appropriate. However, a demotion shall never be used as a form of disciplinary action when the demotion will result in the displacement, or may result in the displacement, of another employee. Therefore, demotion as a form of disciplinary action shall only be available when there is an existing vacancy in a lower level position for which the employee being disciplined is qualified. In the event that a demotion is appropriate, the department director shall notify the employee of his/her decision of demotion and the cause. A copy of this action shall be forwarded to the Deputy City Manager, the City Attorney, and the Director of Human Resources.

In certain cases, the facts and circumstances relating to an employee's misconduct or inadequate performance may show that an employee's level of pay is not commensurate with that employee's level of performance. In such cases, a reduction in pay may be appropriate. However, when a reduction in pay for cause is used as disciplinary action, the pay of the employee shall not be reduced below the minimum pay for the position held by the employee. In the event that a reduction in pay for cause is appropriate, the department director shall notify the employee of the reduction



in pay and the cause. A copy of this action shall be forwarded to the Deputy City Manager, the City Attorney, and the Director of Human Resources. Final determination of the reduction in pay shall be made by the department director, in consultation with the Director of Human Resources.

7.3.5. Dismissal or Discharge

7.3.5.1. Dismissal of Covered Employees

Responsibility for dismissal or discharge of all employees is vested with the department director in consultation with the Director of the Human Resources Department, or designee. When any department director, after investigation of the circumstances of the actions of a regular, non-probationary employee, determines that such action justifies dismissal from employment with the City, the department director after consultation with the Director of Human Resources, or designee, shall place such employee on indefinite suspension without pay, following the procedures specified under 7.3.3., of this Section. Notice of such recommendation shall be in writing, addressed to the employee, with copies to the Deputy City Manager, immediate supervisor, City Attorney, and Director of Human Resources, setting forth the reasons for the action.

Should the department director in consultation with the Director of Human Resources, or designee, determine to dismiss the employee, the department director shall provide the employee written notice of his decision.

Should the employee choose to grieve the dismissal through the City's grievance procedure, he or she shall be removed from the City's payroll system pending the results of the grievance process.

7.3.5.2. Dismissal of Temporary, Part-Time, or Probationary Employees

Temporary, part-time, or probationary employees shall have no access to the pre-disciplinary procedures described above or to the post-disciplinary process provided by the Grievance Procedure; but, as employees of the City, may be afforded the opportunity to correct unsatisfactory work performance or misconduct prior to termination of his or her employment. Unless an action or actions of such employee is of a nature to warrant immediate dismissal, a department director may impose disciplinary measures of lesser severity.

If a department director determines that dismissal is required of such employee, written notice shall be provided to the employee outlining the reasons for dismissal. A copy of such notice shall be forwarded to the Director of Human Resources.

7.3.5.3. Examples of Reasons for Discipline and Dismissal

Employment with the City of Danville is based on mutual consent. City officials have the responsibility of determining when disciplinary counseling is warranted and when to take appropriate action. Certain conduct will require disciplinary action, up to and including dismissal.

Certain actions justify immediate discipline or dismissal, including but not limited to:

- insubordination to a superior officer or supervisor;
- gross incompetence or inefficiency;
- neglect of duty;
- absence from work without notification or approval;
- habitual or reoccurring tardiness;
- refusal to follow proper instruction;



violation of federal, state, City or departmental rules, regulations, or procedures;

violation of safety rules or regulations, or failure to use provided safety equipment;

improper personal conduct;

proven dishonesty or theft;

habitual carelessness or recklessness affecting the quality of one's own work or the work of others, or the safety of one's self or others;

drinking, taking, or possessing intoxicants or illegal or un-prescribed drugs on the job, or reporting to work under the influence of intoxicants, illegal, or un-prescribed drugs, or violation of the City's substance abuse policy;

illegal gambling;

unauthorized or illegal possession of a concealed weapon on City property;

repeated abuse of City time;

lying about work or conduct;

leaving the job during working hours without permission;

falsifying reports or records, including employment application;

creating dissension among employees or other conduct disruptive to the working environment;

sleeping on the job;

intentional waste or destruction of City property;

solicitation during working hours;

charge or conviction of a felony or crime involving moral turpitude;

conduct injurious to the peace and welfare of the public;

mental or physical incapacity such as to cause an employee to fail to meet qualification standards for his or her position, including the requirement that the employee shall not pose a direct threat to the health or safety of other individuals in the workplace, when the qualification standards are job related and consistent with business necessity, and performance cannot be accomplished by reasonable accommodation, without imposing undue hardship on the City;

work slowdown or work stoppage;

misappropriation of City funds, materials, supplies, or property;

malfeasance, nonfeasance, or misfeasance in the performance of the duties of employment;

failure to maintain or acquire necessary licenses, certifications, or other qualifications required for the employee's position;

conduct bringing discredit to the City, the City Council, or the administration, or conduct unreasonably causing poor relations between the City administration and the public; and



conduct that is offensive, unprofessional, or unacceptable to a reasonable employer.

any statement or act that offends, insults, humiliates, intimidates, threatens, disparages, or vilifies another person on the basis of that person's race, color, religion, sex, pregnancy, childbirth or related medical conditions, age, marital status, veteran status, national origin, political affiliation, disability, genetic information, or any other characteristic protected by federal, state, or local law.

This list is intended to be illustrative only and is not to be construed as a comprehensive listing of or rigid guidelines for all violations. Other circumstances may also be cause for disciplinary action. Any employee charged with a crime other than minor non-occupational traffic violations is required to inform their supervisor of the charge. The department director upon consultation with the Director of Human Resources, depending on the circumstances and nature of the offense, may place employees charged with a crime on paid or unpaid leave until resolution of such charge. Such charges may be cause for disciplinary action up-to and including dismissal.

If an employee fails to cooperate during an internal investigation or is not truthful during an internal investigation such actions may be cause for disciplinary up-to and including dismissal.

7.4. Discipline of Police Officers

Discipline of police officers covered by the Law-Enforcement Officers Procedural Guarantees, Section 10.1, Title 2.1, Code of Virginia, 1950, as amended, shall comply with the provisions of that Section.

Nothing herein shall preclude a law enforcement officer's use of the City's grievance procedure in appropriate cases if he or she elects at the outset to proceed under Section 10 (Grievance Procedure) of this Personnel System. A request for a hearing under the Law-Enforcement Officers Procedural Guarantees shall constitute a waiver of the City's Grievance Procedure stated in Section 10.

7.5. Firefighter's Procedural Guarantees

Discipline of firefighters covered by the Firefighter's and Emergency Medical Technician Procedural Guarantees, Chapter 10.1:1, Title 2.1, Code of Virginia, 1950, as amended, shall comply with the provisions of that section.



SECTION 8. EMPLOYEE PERFORMANCE EVALUATION AND APPRAISAL

Performance evaluation and appraisal is a systematic method of determining an employee's job performance and potential for development. It is the process of estimating or judging the knowledge, skills, and abilities of employees to themselves, their department, and the City.

Performance evaluation is a part of the day-to-day activity of a supervisor in determining how the employee's performance meets the requirements of the position. A properly administered system should lead to the improvement of employee effectiveness.

If the employee is aware of their supervisor's evaluation of their work they are better able to correct their performance and become more valuable to the City. This is true for positive as well as negative feedback.

A good evaluation system will help departments to become more familiar with their employees by making periodic, well thought out assessments of the employee under their supervision.

Another consideration in developing an employee evaluation system is to give management a record of an employee's job performance for future use. Such a record will be used as a guide in making promotions and granting salary increases and will assist in the evaluation of selection methods and training needs. The process of employee performance evaluation also helps management to judge the fairness, the leniency, or the severity of its supervisors in judging their subordinates.

All employees will be evaluated periodically during their employment with the City.

The City Manager may, by Administrative Policies and Procedures, establish and maintain the employee performance and appraisal process.



SECTION 9. EMPLOYEE SEPARATION

9.0. General Policy

Insofar as possible, it is the policy of the City to maintain for its employees steady work and regular employment; to encourage efficient, satisfactorily performing employees to remain in the service of the City; to make provision through an adequate retirement system for those employees who are unable to work because of age or physical incapacity; and to maintain a fair process to lay-off employees when necessary to reduce the City's labor force.

Responsibility for separating an employee lies with the director of the affected department in consultation with the Director of Human Resources, or designee, and the City Manager, or designee. The City Manager shall retain authority over and responsibility for separating from their employment with the City any and all department directors and such other employees who report directly to the City Manager.

9.1. Date of Separation

An employee's official date of separation is ordinarily their last day at work. With the exception of employees who have filed formal notice of retirement, no employee shall be placed on a leave status either with or without pay when it is known that such employee will not return to work. If an employee is on authorized leave when it becomes known that they will not return, the employee shall be separated as of the date the information is received. If an employee is Absent without Leave, the separation shall be effective after three days as required in 9.2. of this Section.

Employees who have filed formal notice of their retirement should coordinate their leave request to insure that their replacement is properly oriented to the duties and responsibilities of the job, if so desired by their supervisor.

9.2. Types of Separation

9.2.1. Resignation

An employee may resign from the City by presenting a written resignation to his or her supervisor or department director. The written resignation shall be forwarded to the Department of Human Resources and included in the employee's personnel record.

Resigning employees should give proper notice in order to resign in good standing. Proper notice under normal circumstances should be at least fourteen days or two weeks. However, depending upon the nature, duties and responsibilities of a position, proper notice may be more or less than that required under normal circumstances. In cases, proper notice shall be at the discretion of the department director.

It is at the City's discretion to allow an employee to work a proper notice. Depending upon the nature, duties, and responsibilities of a position, the Department Director, in conjunction with the Director of Human Resources, or designee, may choose to dismiss an employee upon receipt of notice of resignation or any time afterwards. In these circumstances, the employee will be considered to have resigned in good standing with the City.

An employee resigning from the City shall not be placed on any leave status with or without pay as described in 9.1. of this Section.

Any employee who fails to give proper notice of resignation or who has been Absent Without Leave for three consecutive days shall be reported as having "quit" their employment with the City, which may be taken into account in considering future employment decisions by the City.



9.2.2. Lay-Off

9.2.2.1. Purpose

The purpose of this policy is to establish an orderly means for necessary reductions in force through employee layoffs. It is the City's policy to keep its employees informed of economic and organizational conditions that might affect their employment, to use all practicable means available to avoid reduction of its labor force, and to minimize uncertainty whenever layoffs are implemented. In accordance with anti-discrimination provisions of the City's Personnel System, an employee's race, color, religion, sex, or any other characteristic protected by federal, state, or local law shall not be considered in layoff decisions.

Layoffs shall not be implemented as disciplinary measures. Any employee not performing satisfactorily shall, through the continuing process of performance evaluation and appraisal, be separated from employment by appropriate methods or transferred to a job where they can perform satisfactorily.

Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation and informed about options available to them. The City Council may, by resolution, authorize the City Manager to provide specific job assistance, severance pay, or other benefits it deems necessary in the case of permanent layoffs. Employee layoffs are not grievable or subject to appeal through the City's Personnel System, except as required by laws of the Commonwealth or the United States.

9.3. Layoff Procedure

9.3.1 Organizational Unit

The organizational units affected by layoffs shall be the departments, divisions, offices, or programs under the administration of the City Manager.

9.3.2. Notification of Layoff

Employees that are to be affected by a reduction in force shall be provided at least two weeks written notice prior to layoff; or, two weeks' pay in lieu of written notice at the discretion of the respective department director and with the approval of the City Manager. In the event of layoffs of City personnel, the City Manager shall, by the next City Council meeting or work session, inform the City Council in writing of the departments and number of individuals affected.

9.3.3. Order of Layoff

Mandated and critical service responsibilities of the City will be given priority in determining which employment positions in affected organizational units are retained during a reduction in labor force. Layoffs shall be implemented by the City Manager in the following order:

Where appropriate, any temporary position(s) within the affected organizational unit.

Recently hired employees still in probationary status in position(s) within the affected organizational unit.

Non-probationary employees in the affected organizational unit in the following manner:

In deciding which persons shall be laid off and which shall be retained, job-related factors such as an employee's qualifications in terms of essential training and certifications, job knowledge, skill, and ability to do the required work, previous work experience, ability to perform other jobs which



the employee may be called upon to perform as a result of the reduction in force, attendance, safety record, and work performance and disciplinary history.

When two employees are equally qualified regarding the factors noted above, layoffs shall be in order of seniority within the position(s) designated for reduction, beginning with the person having least seniority.

9.4. Recall from Layoff

The City shall establish a recall list for each position(s) not subject to permanent reductions in force. This recall list shall consist of all employees reassigned or laid off in each position(s). Any employee not recalled within a period of six months from the date of layoff shall be deemed terminated from City employment.

An employee who has been deemed terminated from City employment shall not be eligible for inclusion on any recall list.

Employees shall be recalled from the recall list based job-related factors such as an essential training and certifications, job knowledge, skill, and ability, previous work experience, attendance, safety, work performance, and then by seniority, provided the employee is appropriately qualified for the position(s) being recalled.

If there are no fully qualified employees on the recall list for a given position, employees on the recall lists of other positions shall be offered the position(s) in order of their performance ratings and seniority at that time provided they are fully qualified to assume the duties of the position. In the event the position(s) is not filled from available recall lists, the normal promotional and/or recruitment procedures shall be followed.

Any employee placed on a recall list is responsible for notifying the Department of Human Resources on changes in mailing address and contact information. Any individual who fails to report to work as directed shall be removed from the recall list.

9.5. Compensation

9.5.1 Compensation upon Recall

In the event of recall, compensation shall be effective on the date of recall as follows:

Employees recalled to their former position within six months of layoff shall be compensated at the rate of pay they would be entitled had the layoff not occurred.

Employees recalled to a lower position within six months of the layoff shall be compensated at a rate of pay in accordance with Section 4.2. (Interpretation and Application of the Uniform Compensation Plan).

Performance increases which would normally have been granted during such time, subject to satisfactory performance, shall become effective upon recall.

9.5.2. Compensation Upon Displacement

In the event of displacement, compensation shall be effective on the date of such displacement at a rate of pay as determined in accordance with 4.2.2. (Starting Rate in a New Position).

9.6. Retention of Employee Benefits While on Layoff



9.6.1. Retention of Benefits

The City's contribution toward the group health insurance plan will continue for a period of layoff up to three months. To continue coverage, the employee shall be responsible for paying his/her share of the premium in advance payments as determined by the Director of Human Resources at the time of layoff.

Retention of other benefits is dependent upon the policies and procedures of the company with whom the coverage is provided.

9.6.2. Retirement

Employees on layoff who elect to withdraw their accumulated contributions may do so without forfeiting their right to recall. Such employee, who elects to withdraw his/her accumulated contributions, shall forfeit all credit for prior service and upon recall shall be considered as a new employee with respect to the retirement system. Employees are encouraged to leave their contributions in the retirement system during the period of recall.

Employees on layoff who elect not to withdraw their accumulated contributions shall not receive any service credit toward retirement for the period of time while on layoff. The City shall make no contributions to the retirement system during the period of layoff. Service credit and contributions by the City for purposes of retirement shall begin effective as of the date of recall.

9.6.3. Leave Balances

Payment for accumulated Annual Leave, Compensatory time, and Holidays not taken shall be included in the last pay check of employees placed on layoff. Sick Leave balances shall remain to the credit of the employee(s) placed on layoff for a period of six months, or until the employee is recalled or terminated from City employment.

If an employee is not recalled within six months of the layoff, the employee shall be paid for any accumulated, unused Sick Leave at the rate provided for in Section 4.14.

No Sick or Annual Leave shall accrue to an employee during the time of layoff.

9.6.4. Service Credit for Leave Purposes

Time spent on layoff up to a maximum of six months, shall be counted as active service in determining Annual Leave accrual rates. An employee's anniversary date shall not be changed due to being on layoff.

9.7. Disability Separation

An employee may be separated for disability when the employee cannot perform the required duties because of a physical or mental impairment. The separation may be initiated by the employee, their legal representative, or the City, but in all cases it must be supported by medical evidence acceptable to the City.

9.8. Death

Separation will be effective as of the date of death. Payment for earned salary and for accrued leave shall be paid to the surviving spouse or estate according to the laws of the State.

9.9. Retirement



Whenever an employee meets the conditions set forth in the Employees' Retirement System, the employee may elect to retire and receive all benefits earned under the Retirement Plan. The Employees' Retirement System is governed by Section 32 of the Code of Danville, Virginia 1986 as amended.

9.10. Quit

Any employee who terminates his or her employment with the City for the following reasons shall be reported as having "quit":

Quit Without Notice,
Failure to provide sufficient notice of separation,
Three consecutive days of Absence Without Leave.

Notice of separation from employment with the City need not be given to an employee who quits such employment. Such a separation may be taken into consideration in future employment decisions by the City.

9.11. Dismissal

An employee of the City is subject to dismissal at any time.

9.12. Exit Interview

The Department of Human Resources may conduct an exit interview with all regular employees separating from the City. The purpose of this interview is three-fold:

To reduce turnover by eliminating or solving problems indicated by the exiting employee.

To increase efficiency and productivity by instituting measures suggested during the exit interview.
To improve employee relations by resolving issues and complaints raised during the exit interview.

When an employee in any department submits his/her resignation, the department should schedule an exit interview with the Department of Human Resources.

Should an employee quit without notice, or fail to return to work any check or payment for work should be forwarded to the Department of Human Resources. When such employee returns to obtain their pay, an exit interview can be conducted by a representative from the Department of Human Resources. If an employee does not return within two weeks his/her check will be turned over to the Finance Department for proper disbursement. In such an event, an exit interview may not be conducted.

This procedure is not intended to substitute for a department's own exit interview process. A department director may, and should, conduct their own exit interview with employees to determine departmental difficulties, if any.

It is recognized, that in many instances an exit interview will be impracticable or impossible.



SECTION 10. GRIEVANCE PROCEDURE

10.1. Statement of Purpose

This procedure is adopted pursuant to Section 15.2-1506 and Section 15.2-1507 of the Code of Virginia, 1950, as amended. The purpose is to provide a fair and orderly method for the expeditious resolution of disputes which may arise between the City and its employees. Employees and their supervisors are encouraged to work closely together in order that grievances may be amicably resolved.

10.2. Definition of Grievance

A grievance shall be a complaint or dispute by an employee relating to his or her employment, including but not necessarily limited to:

Disciplinary action including dismissal, disciplinary demotion, or suspension; provided that dismissals shall only be grievable whenever resulting from formal discipline or unsatisfactory job performance;

Concerns regarding the application of the City's Personnel policies and procedures, rules, regulations, or ordinances, including the application of policies involving matters referred to in 10.3 below regarding the contents of ordinances, statutes or established personnel policies or procedures, rules, and regulations;

Complaints of discrimination on the basis of race, color, religion, sex, age, pregnancy, childbirth or related medical conditions, marital status, veteran status, political affiliation, national origin, disability, genetic information, or any other characteristic protected by federal, state, or local law;

Acts of retaliation as a result of the utilization of or participation in the grievance procedure or the grievance of another City employee.

Acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any changes in law before the Congress of the United States or the General Assembly, or has reported an incidence of fraud, abuse or gross mismanagement.

10.3. Reservation of Management Rights

Nothing in this procedure is intended to circumscribe or modify the existing right of the City of Danville to manage the affairs and operations of City government. Accordingly, the following complaints shall not be grievable:

Establishment or revision of wages, salaries, position classifications or employee benefits;

Work activity accepted by the employee as a condition of employment;

Work activity which may reasonably be expected to be a part of the job content;

The contents of ordinances, statutes or established personnel policies or procedures, rules, and regulations;

Failure to promote, except where the employee can show established promotional policies or procedures were not followed or applied fairly;



The determination of the methods, means, and personnel by which work activities are to be carried on;

Termination, layoff, demotion, or suspension from duties because of lack of work, reduction in work force, emergencies or job abolition, except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance provided that in any grievance brought under this exception, such action by the City shall be upheld upon a showing by management that (1) there was a valid business reason for the action, and (2) the employee was notified of such reason in writing prior to the effective date of the action;

The hiring, promotion, transfer, assignment and retaining of employees in positions within the City;

Resignations

10.4. Coverage of Personnel

10.4.1. Covered Personnel

All regular employees of the City covered by this Personnel System, excluding those described below, are entitled to file grievances.

10.4.2. Non-Covered Personnel

Personnel not entitled to file grievances under the Grievance Procedure are:

Temporary and part-time employees;

Probationary employees, including employees whose probationary period may have been extended, except employees on probation as a result of discipline, promotion, transfer or non-disciplinary demotion who may utilize the grievance procedure for all permitted purposes except to challenge demotion or transfer to their prior position;

Employees of the School Board of the City;

Constitutional Officers, other elected officers, and their employees;

Members of Boards, Commissions, and Committees, and Officers appointed by Council;

All other persons excluded from access to the grievance procedure described in this Section under the provisions of Section 1 of this Personnel System;

Law Enforcement Officers of the Police Department who have elected to pursue a resolution of their grievances under Chapter 10.1 of Title 2.1 of the Code of Virginia, 1950, as amended; and

Assistant City Attorneys.

10.5. Procedural Rights

All grievance procedure forms shall be furnished by the City and shall be available in the office of every department director, the City Manager and the Department of Human Resources of the City. The employee may request assistance in preparing the grievance procedure forms from the



employee's immediate supervisor or by any other person of the employee's choice, other than an administrative or elected official of the City. Grievance forms are a part of the grievance record.

The cause of the complaint and the specific relief requested cannot be changed at any step of the Grievance Procedure after submission of Form A.

Written notice of all hearings shall be given to all parties involved. With the exception of the First Step of the Grievance Procedure, both the grievant and the City may call upon, examine and cross-examine witnesses and present relevant evidence. The hearing officer may at their discretion deny witness testimony that is unrelated to the nature of the grievance.

A grievant must be personally and directly affected by an occurrence or condition before he shall be permitted to pursue a grievance. Disputes as to an employee's standing to file a grievance shall be determined, as shall any other dispute as to grievability.

The Director of Human Resources, or his designee, shall be designated as the records custodian and technical advisor for the Grievance Procedure. The Director of Human Resources, or his designee, shall monitor the process, provide information relevant to the grievance procedure, and when requested, attend any hearings to serve as Secretary to the hearing officer or to the panel. The Director of Human Resources, or his designee, shall not be involved in the private deliberations of the panel.

In the event the Director of Human Resources is directly involved in a grievance proceeding other than questions involving the application of personnel policy, the City Manager shall designate an alternate custodian.

Only the records of the Department of Human Resources shall be consulted and considered in determining compliance with the provisions of the grievance procedure, including time requirements.

Responsibility of requesting, notifying, and securing witnesses lies with the party requesting the witnesses.

When practical, all grievance proceedings shall be scheduled to accommodate all parties, and whenever possible within the normal work schedule of the grievant. However, any hearings outside the normal work schedule of any party to the grievance shall not constitute nor be considered overtime compensation, either through pay or Compensatory Leave. However, any witnesses properly requested shall be compensated if such time is outside their normal work schedule.

Reproduction of grievance procedure forms and information shall be reasonable and relevant.

10.6. Representation

At the Step Three and Step Four hearing, the grievant and the City may be represented by legal counsel or other representatives of their choice. This procedure does not confer the right to make slanderous or libelous statements.

If an employee has representation, legal or other, he or she is responsible for all costs involved for representation at any step of the process, including, but not limited to, matters of grievability, any preparation or presentation of the grievance, representation at Step Three or Step Four hearings, and any subsequent appeal processes.

10.7. Compliance



After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, without just cause shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five business days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the City Manager, or his designee with copies to the Director of Human Resources and department director. Time frames may be extended by mutual agreement of the City and the grievant.

The City Manager, or his designee, at his option, may require a clear written explanation of the basis for just cause extensions or exceptions. The City Manager, or his designee, shall determine compliance issues.

10.8. Procedure

10.8.1. Step One (Immediate Supervisor)

Prior to initiating a formal grievance, an employee should discuss the complaint with his or her immediate supervisor in an attempt to resolve the problem informally. After this discussion, if the employee desires to file a formal grievance, he or she shall indicate this desire by completing and submitting Grievance Procedure Form A to his or her immediate supervisor within 20 calendar days of the date of the occurrence causing the complaint. On Grievance Procedure Form A the employee shall specify and outline in detail the cause of the complaint and the specific relief sought through the Grievance Procedure. The cause of the complaint and the specific relief requested cannot be changed at any step of the Grievance Procedure after submission of Form A. If there is not sufficient room on Grievance Procedure Form A attachments may be used. This form shall become a part of the grievance record. The employee shall also provide the Director of Human Resources with a copy of this form. Upon receipt of Grievance Procedure Form A, the immediate supervisor shall, within five business days, respond to the employee in writing on Grievance Procedure Form B. A copy of the response will be forwarded to the Director of Human Resources.

If the employee is not satisfied with the supervisor's response, he or she may proceed to Step Two. Every effort shall be made to resolve the grievance at this step.

10.8.2. Step Two (Department Director)

If the complaint is not resolved by the informal procedure of Step One, the employee may, within five business days after receipt of the supervisor's response, file on the form provided by the City for such purpose (Grievance Procedure Form C). The grievant may not grieve an issue or request a specific relief that is not specifically set forth in their original grievance on Form A.

The original form shall be filed with the employee's department director, one copy filed with the immediate supervisor and one copy with the Department of Human Resources. The department director, division director, or other appropriate manager designated by the department director shall, within five business days after receipt of Grievance Procedure Form C, schedule a hearing with respect to the grievance. Any supervisor or employee requested to and agreeing to testify either by the department director or by the grievant shall attend the hearing. Witnesses will only be present in the hearing while actually providing testimony. Otherwise, the only persons present will be the grievant and the department director or his designee, and at the request of either party, the Director of Human Resources, or his designee.

Within five business days after the hearing, a decision shall be rendered on the form provided by the City for such purpose (Grievance Procedure Form D), the original of which shall be furnished to the grievant and a copy filed with the Department of Human Resources.

If the decision is not acceptable to the grievant, he or she may proceed to Step Three.



10.8.3. Step Three (City Manager)

If the grievant does not accept the decision rendered in Step Two, he or she may, within five business days after receipt of Grievance Procedure Form D, appeal the decision to the City Manager or his designee(s) on the form provided by the City for such purpose (Grievance Procedure Form E). A copy shall be filed with the department director and the Department of Human Resources. The grievant may not grieve an issue or request a specific relief that is not specifically set forth in their original grievance on Form A.

Within five business days after receipt of the grievant's written non-acceptance of the Step Two response, the City Manager or his designee(s) shall schedule a hearing. Any supervisor, personnel or employee of the City requested to testify by either the City Manager or his designee(s) or the Grievant shall attend the hearing. Witnesses shall only be present in the hearing while actually providing testimony. Otherwise, the only persons present will be the grievant and the City Manager or his designee(s). In his discretion, the City Manager may permit the director of the department and/or division involved and/or the Director of Human Resources, or his designee, to be present at all times during the hearing.

At this step hearing, the grievant, at his or her option, may have present a representative of his choice at his sole expense as described in Section 10.6.

The City Manager or his designee(s) shall, within five business days after the hearing, render a decision in writing the original of which shall be furnished to the grievant and a copy filed with the Department of Human Resources and the department director.

If the decision of the City Manager or his designee(s) is not acceptable to the grievant, he or she may proceed to Step Four.

10.8.4. Step Four (Panel Hearing)

If the grievant does not accept the decision rendered in Step Three, he or she may, within five business days after receipt of the Step Three written response appeal the same by requesting a final hearing. Qualifying grievances shall advance to either a panel hearing or a hearing before an administrative hearing officer upon the agreement of both parties. Such request shall be made with Grievance Procedure Form F (Request for Final Hearing) with the Director of Human Resources within the prescribed five business days. A copy shall also be filed with the department director. The grievant may not grieve an issue or request a specific relief that is not specifically set forth in their original grievance on Form A.

At this step hearing, the grievant, at his or her option, may have present a representative of his or her choice at his or her sole expense as described in Section 10.6.

If the final step shall be an impartial panel hearing, within ten business days after the receipt of Grievance Procedure Form F, the department director and the grievant will each designate the person who will constitute his or her panel member. The panel hearing shall be held as soon as practicable, within the mutual consent of all parties, after the panel has been selected.

10.8.4.1. Panel Hearing

If parties agree on a panel hearing the panel shall consist of one member appointed by the grievant, one member appointed by the department or division director, and a third member selected by the first two. The third member will be the chairperson of the panel. In the event that agreement cannot be reached as to the third panel member, the Chief Judge of the Circuit Court of the City of Danville, Virginia, shall select the third panel member. If the two panel members selected do not agree on a third panel member within 14 calendar days of their selection, it will be deemed that they cannot agree on a third panel member.



The two panel members may agree to use an administrative hearing officer as the third member of the panel. If an agreement is made to use an administrative hearing officer the administrative hearing officer shall be appointed by the Executive Secretary of the Supreme Court. The appointment shall be made from the list of administrative hearing officers maintained by the Executive Secretary pursuant to Section 9-6.14:14.1 of the Virginia Code, 1950, as amended, and shall be made from the appropriate geographical region on a rotating basis. The Director of Human Resources is responsible for requesting an administrative hearing officer on behalf of the two panel members.

The panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant, and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee, or co-employee of the attorney shall serve as a panel member.

If the chairperson is not an administrative hearing officer he or she will receive a stipend of \$200.00 for serving as the chairperson for the hearing. If an administrative hearing officer is the chairperson the City will bear the expense of such officer's services.

Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representatives at the panel hearing in accordance with Section 10.6. of this policy. Such representatives may examine, cross-examine, question, and present evidence on behalf of the grievant or respondent before the panel without being in violation of the provisions of Section 54.1-3904 of the Code of Virginia, 1950, as amended.

The decision of the panel shall be final and binding and shall be consistent with provisions of law and written policy.

10.8.4.2. Administrative Hearing Officer

If parties agree upon a hearing before an administrative hearing officer the administrative hearing officer shall be appointed by the Executive Secretary of the Supreme Court. The appointment shall be made from the list of administrative hearing officers maintained by the Executive Secretary pursuant to Section 9-6.14:14.1 of the Virginia Code, 1950, as amended, and shall be made from the appropriate geographical region on a rotating basis. The Director of Human Resources is responsible for requesting a hearing officer.

When an administrative hearing officer is used, the City shall bear the expense of such officer's services.

Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representatives at the hearing in accordance with section 10.6. of this policy. Such representatives may examine, cross-examine, question, and present evidence on behalf of the grievant or respondent before the panel without being in violation of the provisions of Section 54.1-3904 of the Code of Virginia, 1950, as amended.

The decision of the administrative hearing officer shall be final and binding and shall be consistent with provisions of law and written policy.

10.9. Rules for Final Hearings



The following rules are applicable to the conduct of final hearings and the authority of the panel or administrative hearing officer:

That neither panels nor the hearing officer have authority to formulate policies or procedures or to alter existing policies or procedures;

That panels or hearing officers have the discretion to determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and, at the request of either party, the hearing shall be private;

That the City shall provide the panel or hearing officer with copies of the grievance record prior to the hearing, and provide the grievant with a list of the documents furnished to the panel or hearing officer. The grievant and his or her attorney shall be allowed access to and copies of all relevant files intended to be used in the grievance proceeding;

That panels or hearing officers have the authority to determine admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence;

That all evidence be presented in the presence of the panel or hearing officer and the parties, except by mutual consent of the parties;

That documents, exhibits, and lists of witnesses be submitted to the Director of Human Resources no less than 27 calendar days in advance of the hearing whenever possible and practical;

Human Resources will provide documents, exhibits, and lists of witnesses to both parties at least 20 calendar days in advance of the hearing whenever possible and practical;

That the majority decision of the panel, or the final decision of the hearing officer, acting within the scope of its authority, be final, subject to existing policies, procedures, and law;

The burden of proof shall be placed on the grievant by the preponderance of the evidence;

That the panel or hearing officer decision be provided within ten business days to all parties unless a transcript is requested by a hearing officer or chairperson, in which case a decision will be provided within ten business days after the receipt of the transcript by all panel members. Decisions will be in writing and specify the opinion, along with facts that support the decision, of the panel or the hearing officer and any relief granted in accordance with policy. Dissenting opinions of the panel members may be given in writing; and

That the hearings are not intended to be conducted like proceedings in courts, therefore the rules of evidence do not necessarily apply and there is no allowance for discovery.

The question of whether the relief granted by a panel is consistent with written policy shall be determined by the City Manager, or his designee, unless such person has a direct personal involvement with the event or events giving rise to the grievance, in which case the decision shall be made by the attorney for the Commonwealth of the jurisdiction in which the grievance is pending.

10.10. Limitations on Panel Members and Administrative Hearing Officer

Neither an Administrative Hearing Officer nor a panel has the authority to do any of the following:

Formulate policies or procedures or alter existing policies or procedures;



Circumscribe or modify the rights of the City as outlined in this Procedure;

Exonerate an employee from all discipline when the employee admits guilt;

Grant relief greater than that which the grievant has requested in the grievance forms;

Award legal fees;

Grant back pay.

10.11. Implementation of Final Hearing Decisions

Either party may petition the circuit court having jurisdiction in the locality in which the grievant is employed for an order requiring implementation of the final hearing decision.

10.12. Issues of Grievability and Access to the Procedure

Decisions regarding grievability and access to the procedure shall be made by the City Manager, or his designee, at any time prior to the final hearing, at the request of the department director or grievant, within ten calendar days of the request. Request for a determination of grievability shall be made on Grievance Procedure Form G (Determination of Grievability). The City Attorney shall not be authorized to decide the question of grievability. A copy of the ruling shall be sent to both parties.

Decisions of the City Manager, or his designee, may be appealed to the Circuit Court of the City of Danville in which the grievant is employed by filing a written notice of appeal with the City Manager within ten calendar days from the date of receipt of the decision and giving a copy thereof to all other parties. Within 10 calendar days thereafter, the City Manager, or his designee, shall transmit to the clerk of the court to which the appeal is taken: a copy of the decision of the City Manager, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the court shall also be furnished to the grievant. The failure of the chief administrative officer or his designee to transmit the record shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the City Manager to transmit the record on or before a certain date.

Within 30 days of receipt of such records by the clerk, the court, sitting without a jury, shall hear the appeal on the record transmitted by the City Manager, or his designee, and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require. The court may affirm the decision of the City Manager, or his designee, or may reverse or modify the decision. The decision of the court shall be rendered no later than the fifteenth day from the date of the conclusion of the hearing. The decision of the court is final and is not appealable.



SECTION 11. DEFINITIONS

The following words, terms and phrases shall, for the purpose of the Personnel System, have the meaning respectively ascribed to them as follows, unless the context in which the same are used clearly requires otherwise:

Absence Without Leave - Any unreported absence from work or failure to report for work at the assigned time and location without approval.

Accrual - Leave that is accumulated on a periodic schedule and is available for use by an employee.

Anniversary Date - The date used in determining an employee's eligibility for periodic advances in pay.

Classification - The process of assigning the various duties and responsibilities to positions and positions to pay ranges, to the end that employment and compensation will be on the basis of the duties and responsibilities assigned to the position.

Compensatory Leave - Time off for overtime work.

Demotion - An involuntary change in the status of an employee from a higher position to a lower position, with such lower position having a lower pay range and requiring the performance of less responsible duties, for reasons of unsatisfactory performance or disciplinary action.

Department director, division director - The director of a department or of a division of a department of the government of the City of Danville.

Dismissal - The involuntary termination of employment for any reason other than lay-off or disability retirement.

Displacement - The change in the status of an employee resulting from layoff or the elimination of such employee's regular position.

Exempt Employee - An employee of the City who is not subject to the provisions of the Fair Labor Standards Act.

FLSA - Fair Labor Standards Act.

Full-Time Employee - A person, employed in a position, who is scheduled to work a prescribed duty cycle.

Immediate Family - A person's spouse, mother, step-mother, mother-in-law, father, step-father, father-in-law, son, step-son, son-in-law, daughter, step-daughter, daughter-in-law, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, any other relative of the person if such other relative lives in the same household with the person, and, for purposes of section 1.5.2. only, non-related individuals residing in the same household

Lateral Transfer - A voluntary change in the status of an employee from one position to another position in the same pay range.

Layoff - Involuntary termination of employment due to lack of funds, reductions of services or work, privatization of municipal functions, reorganization or streamlining of operations, significant change in duties, in the interests of improving efficiency and productivity, or at the direction of City Council. A layoff may be Citywide or implemented within specific departments or programs. Affected employees may be provided certain benefits and, except in cases of permanent reductions in force, may be subject to recall.



Leave - Absence from work.

Leave Without Pay - An approved absence from work without compensation.

Nepotism - The prohibited employment of relatives within the same department of the City.

Non-exempt Employee - An employee of the City who is subject to the provisions of the Fair Labor Standards Act.

Overtime - Time worked in excess of the normal duty cycle.

Overtime Compensation - Compensation paid to an employee for overtime work performed or service rendered.

Part-time Employee - An employee who works less than the prescribed duty cycle for full-time, regular employees in similar classifications, whether or not on a regular or continual basis.

Pay Range - The designation of the minimum, midpoint and maximum compensation to a position or group of positions.

Position - The duties and responsibilities of an employee or group of employees sufficiently alike to justify the same title, specifications and pay range.

Position Description - A written description of the duties and responsibilities of a particular job

Probationary Employee - Any employee, who is within the prescribed probationary period of employment. Completion of such probationary period does not confer any right to employment upon any employee. No employee within the initial prescribed probationary period shall have access to the City's discipline or grievance procedure.

Promotion - A change in the status of an employee from a lower position to a higher position having a higher pay range and requiring the performance of more responsible duties.

Reassignment - A change in the status of an employee, whether voluntary or involuntary, from one position to another position or from one department or division to another department or division through promotion, demotion, transfer, reclassification, reorganization, displacement, or any other personnel action, which may or may not require a change in duties, responsibilities, or compensation.

Reclassification - The process of reviewing existing positions as a result of a change in the duties and responsibilities assigned or to be assigned.

Regular Employee - A person employed full-time on a regular and continual basis for the City. The term "regular" shall not imply any tenure or right of employment. Persons who are temporary or part-time employees are not regular employees.

Seniority - The length of continuous, uninterrupted employment by the City, computed from most recent date of regular employment.

Temporary Employee - A person employed for a limited period of time for a one time need or on a seasonal, reoccurring, or periodic basis.

Transfer Downward - A voluntary change in the status of an employee from a higher position to a lower position having a lower pay range and requiring the performance of less responsible duties.



Working Day - For purposes of complying with the provisions of the City's Grievance Procedure those days on which the administrative offices of the City are open and operating. For purposes of complying with the provisions of The City's Disciplinary Procedure those days in an employee's normal duty cycle.

FY21 Schematic List of Classes and Assignment to Salary Grade

Class Code	Job Title	Grade	Minimum	Maximum
1002	FILE CLERK	GN1	21,479	34,367
1003	ADMINISTRATIVE SPECIALIST	GN2	23,198	37,116
1005	SENIOR ADMINISTRATIVE SPECIALIST	GN4	27,058	43,292
1007	SECRETARY	GN5	29,222	46,756
1009	SENIOR SECRETARY	GN6	31,560	50,496
1011	EXECUTIVE SECRETARY	GN8	36,812	58,899
1015	EXECUTIVE ASSISTANT	GE4	40,550	64,880
1025	LEGAL SECRETARY	GN6	31,560	50,496
1028	LEGAL ASSISTANT	GE3	36,864	58,982
1029	JUDICIAL ASSISTANT	GE4	40,550	64,880
1032	ADMINISTRATIVE ASSISTANT	GN7	34,085	54,536
1039	LAW CLERK	GE5	44,605	71,368
1042	DEPUTY CLERK	GN6	31,560	50,496
1045	DEPUTY REGISTRAR	GN4	27,058	43,292
1046	ASSISTANT DEPUTY REGISTRAR	GN1	21,479	34,367
1047	CLERK OF COUNCIL	GE7	53,972	86,356
1049	SENIOR ADMINISTRATIVE ASSISTANT	GE6	49,066	78,505
1075	INTERN	GN1	21,479	34,367
1099	INTAKE DIVERSION SPECIALIST	GE3	36,864	58,982
1101	CASHIER	GN4	27,058	43,292
1102	SENIOR CASHIER	GN6	31,560	50,496
1105	COLLECTIONS CLERK I	GN2	23,198	37,116
1106	COLLECTIONS CLERK II	GN5	29,222	46,756
1107	SENIOR COLLECTIONS CLERK	GN6	31,560	50,496
1108	CUSTOMER ACCOUNT REPRESENTATIVE	GN5	29,222	46,756
1111	DELINQUENT COLLECTIONS COORDINATOR	GE7	53,972	86,356
1120	DIV DIR OF CUSTOMER ACCOUNTS	GE9	65,307	104,491
1121	COLLECTIONS CUSTOMER ACCOUNTS MANAGER	GE8	59,370	94,991
1122	SERVICE/BILLING CUSTOMER ACCOUNTS MANAGER	GE8	59,370	94,991
1131	UTILITY BILLING CLERK	GN6	31,560	50,496
1133	UTILITY SPECIAL BILLING CLERK	GN7	34,085	54,536
1134	SENIOR UTILITY BILLING CLERK	GN8	36,812	58,899
1137	AMI SUPPORT TECHNICIAN	GN7	34,085	54,536
1139	SENIOR CUSTOMER SERVICE/TRAINING REP	GN6	31,560	50,496
1201	ACCOUNT CLERK	GN5	29,222	46,756
1203	SENIOR ACCOUNT CLERK	GN6	31,560	50,496

1211	PAYROLL TECHNICIAN	GN7	34,085	54,536
1220	ACCOUNTANT III	GE7	53,972	86,356
1221	ACCOUNTANT I	GE4	40,550	64,880
1223	ACCOUNTANT II	GE6	49,066	78,505
1224	BUSINESS SYSTEMS ACCOUNTANT	GE8	59,370	94,991
1226	INTERNAL AUDITOR	GE8	59,370	94,991
1227	STAFF AUDITOR	GE6	49,065	78,505
1228	SENIOR INTERNAL AUDITOR	GE9	65,307	104,491
1229	ASSISTANT DIRECTOR OF FINANCE	GE10	71,837	114,940
1241	REAL ESTATE ASSESSMENT CLERK	GN3	25,053	40,086
1242	SENIOR REAL ESTATE ASSESSMENT CLERK	GN5	29,222	46,756
1246	REAL ESTATE APPRAISER I	GN6	31,560	50,496
1247	REAL ESTATE APPRAISER II	GN8	36,812	58,899
1248	REAL ESTATE APPRAISER III	GE7	53,972	86,356
1249	DIV DIR OF REAL ESTATE ASSESSMENT	GE8	59,370	94,991
1303	PRINTER	GN5	29,222	46,756
1305	SENIOR PRINTER	GN6	31,560	50,496
1309	PRINT SHOP TECHNICIAN	GN7	34,085	54,536
1311	PRINT SHOP SUPERVISOR	GE5	44,605	71,368
1321	PURCHASING CLERK	GN5	29,222	46,756
1323	SENIOR PURCHASING CLERK	GN7	34,085	54,536
1325	BUYER	GE4	40,550	64,880
1327	DIV DIR OF PURCHASING	GE8	59,370	94,991
1329	DIRECTOR OF FINANCE	EXEC	99,678	199,356
1401	HR TECHNICIAN	GN7	34,085	54,536
1404	HR CONSULTANT	GE6	49,066	78,505
1408	ORGANIZATIONAL DEVELOPMENT CONSULTANT	GE6	49,066	78,505
1409	DIRECTOR OF HUMAN RESOURCES	EXEC	99,678	199,356
1505	TRAINING & SAFETY MANAGER	GE5	44,605	71,368
1509	APPLICATIONS SPECIALIST 3	GE7	53,972	86,356
1510	SOLUTIONS INTEGRATION DEVELOPER	GE9	65,307	104,491
1511	TECHNICAL SUPPORT SPECIALIST 2	GN9	39,757	63,611
1512	CLIENT SOLUTIONS SPECIALIST 3	GE7	53,972	86,356
1514	TECHNICAL SUPPORT SPECIALIST 1	GN8	36,812	58,899
1516	CLIENT SOLUTIONS SPECIALIST 2	GE6	49,066	78,505
1517	SERVICE DESK ANALYST 3	GN10	43,732	69,972
1521	PROGRAMMER 1	GE5	44,605	71,368
1524	DIV DIR APPLICATION SOLUTIONS	GE10	71,837	114,940
1525	PROGRAMMER 3	GE7	53,972	86,356
1526	GIS SPECIALIST 2	GE6	49,066	78,505
1527	APPLICATIONS SPECIALIST 4	GE8	59,370	94,991

1529	NETWORK ADMINISTRATOR 1	GE5	44,605	71,368
1530	APPLICATIONS SPECIALIST 1	GE5	44,605	71,368
1531	TECHNICAL SUPPORT MANAGER	GE7	53,972	86,356
1532	DIV DIR OF INFRASTRUCTURE & OPERATIONS	GE10	71,837	114,940
1533	NETWORK ADMINISTRATOR 3	GE7	53,972	86,356
1534	SYSTEM ADMINISTRATOR 3	GE7	53,972	86,356
1535	NETWORK ENGINEER	GE8	59,370	94,991
1537	PROJECT MANAGER	GE8	59,370	94,991
1539	DEPUTY CHIEF INFORMATION OFFICER	GE12	88,511	141,617
1540	CHIEF INFORMATION OFFICER	EXEC	99,678	199,356
1541	DIVISION DIRECTOR CLIENT SERVICES	GE8	59,370	94,991
1543	CLIENT SOLUTIONS SPECIALIST 1	GN11	48,106	76,969
1547	SERVICE DESK ANALYST 2	GN9	39,757	63,611
1549	SERVICE DESK ANALYST 1	GN8	36,812	58,899
1560	SOLUTIONS INTEGRATION SPECIALIST	GE9	65,307	104,491
1563	APPLICATIONS SPECIALIST 2	GE6	49,066	78,505
1565	PROGRAMMER 4	GE8	59,370	94,991
1567	PROGRAMMER 2	GE6	49,066	78,505
1569	GIS SPECIALIST 4	GE8	59,370	94,991
1571	GIS SPECIALIST 1	GE5	44,605	71,368
1573	CHIEF SECURITY OFFICER	GE9	65,307	104,491
1575	NETWORK ADMINISTRATOR 2	GE6	49,066	78,505
1577	SYSTEMS ENGINEER	GE9	65,307	104,491
1579	SYSTEMS ADMINISTRATOR 4	GE8	59,370	94,991
1581	SYSTEMS ADMINISTRATOR 2	GE6	49,066	78,505
1583	SYSTEMS ADMINISTRATOR 1	GE5	44,605	71,368
1585	TECHNICAL SUPPORT SPECIALIST 3	GN10	43,732	69,972
1730	GIS TECHNICIAN	GN9	39,757	63,611
1731	GIS COORDINATOR	GE9	65,307	104,491
1732	GIS SPECIALIST 3	GE7	53,972	86,356
1734	IT SCADA SYSTEMS ANALYST	GE7	53,972	86,356
1810	ASSISTANT CITY ATTORNEY I	GE7	53,972	86,356
1811	ASSISTANT CITY ATTORNEY II	GE10	71,837	114,940
1918	ASSISTANT TO THE CITY MANAGER	GE6	49,066	78,505
1919	DIRECTOR OF BUDGET	EXEC	99,678	199,356
1925	MULTIMEDIA DESIGN MANAGER	GE9	65,307	104,491
1927	PUBLIC INFORMATION OFFICER	GE9	65,307	104,491
1930	YOUTH & GANG VIOLENCE COORDINATOR	GE9	65,307	104,491
1975	SPECIAL PROJECT MANAGER	GE4	40,550	64,880
1977	MARKETING & RESEARCH MANAGER	GE7	53,972	86,356
1978	ASSISTANT DIRECTOR OF ECONOMIC DEVELOPMENT	GE9	65,307	104,491

1979	ECONOMIC DEVELOP PROJECT MANAGER	GE8	59,370	94,991
1980	DIRECTOR OF ECONOMIC DEVELOPMENT	EXEC	99,678	199,356
1991	DEPUTY CITY MANAGER	EXEC	99,678	199,356
2001	PERMIT TECHNICIAN	GN6	31,560	50,496
2009	PROPERTY MAINTENANCE CODE COORDINATOR	GN9	39,757	63,611
2010	PROPERTY MAINTENANCE INSPECTOR	GN8	36,812	58,899
2013	BUILDING INSPECTOR	GN8	36,812	58,899
2014	ELECTRICAL INSPECTOR	GN8	36,812	58,899
2015	MECHANICAL INSPECTOR	GN8	36,812	58,899
2017	PLUMBING/CROSS CONNECTION INSPECTOR	GN8	36,812	58,899
2025	INSPECTIONS SUPERVISOR	GE7	53,972	86,356
2029	DIV DIR OF INSPECTIONS	GE9	65,307	104,491
2041	COST ESTIMATOR/INSPECTOR	GN7	34,085	54,536
2045	H&D PLANNING SPECIALIST	GE5	44,605	71,368
2047	HOUSING & REDEVELOPMENT SPECIALIST	GE7	53,972	86,356
2061	PLANNING TECHNICIAN	GN6	31,560	50,496
2063	ASSOCIATE PLANNER	GE5	44,605	71,368
2064	SENIOR PLANNER	GE6	49,066	78,505
2099	DIV DIRECTOR OF PLANNING	GE9	65,307	104,491
2199	DIRECTOR OF COMMUNITY DEVELOPMENT	EXEC	99,678	199,356
3001	CUSTODIAN	GN2	23,198	37,116
3003	SENIOR CUSTODIAN	GN5	29,222	46,756
3005	CUSTODIAN SUPERVISOR	GN10	43,732	69,972
3011	PUBLIC SERVICE WORKER	GN2	23,198	37,116
3012	PUBLIC SERVICE WORKER/OPERATOR	GN3	25,053	40,086
3014	SOLID WASTE COLLECTOR	GN2	23,198	37,116
3016	GROUNDSKEEPER	GN4	27,058	43,292
3019	CONSTRUCTION WORKER	GN4	27,058	43,292
3022	SANITATION OPERATOR I	GN7	34,085	54,536
3024	SANITATION OPERATOR II	GN8	36,812	58,899
3031	MOTOR EQUIPMENT OPERATOR I	GN4	27,058	43,292
3032	MOTOR EQUIPMENT OPERATOR II	GN6	31,560	50,496
3033	MOTOR EQUIPMENT OPERATOR III	GN7	34,085	54,536
3035	CCTV TECHNICIAN	GN6	31,560	50,496
3036	HEAVY EQUIPMENT OPERATOR	GN8	36,812	58,899
3040	RECYCLING CENTER OPERATOR	GN9	39,757	63,611
3101	CREW SUPERVISOR	GN8	36,812	58,899
3102	PW CREW SUPERVISOR	GN9	39,757	63,611
3105	GENERAL SUPERVISOR	GN11	48,106	76,969
3109	CEMETERY SUPERVISOR	GN10	43,732	69,972
3201	WAREHOUSE STOCK CLERK	GN5	29,222	46,756

3203	PW WAREHOUSE CLERK	GN6	31,560	50,496
3303	BUILDING MAINTENANCE MECHANIC I	GN5	29,222	46,756
3304	BUILDING MAINTENANCE MECHANIC II	GN7	34,085	54,536
3305	BUILDING MAINTENANCE SUPERINTENDENT	GE7	53,972	86,356
3306	BUILDING MAINTENANCE MECHANIC III	GN9	39,757	63,611
3401	HORTICULTURIST	GN7	34,085	54,536
3501	AUTOMOTIVE EQUIPMENT MECHANIC I	GN3	25,053	40,086
3511	AUTOMOTIVE EQUIPMENT MECHANIC II	GN7	34,085	54,536
3512	TRANSIT MECHANIC	GN7	34,085	54,536
3515	WELDER	GN8	36,812	58,899
3519	AUTOMOTIVE EQUIPMENT MECHANIC III	GN9	39,757	63,611
3521	AUTOMOTIVE SERVICE TECHNICIAN	GN6	31,560	50,496
3525	EQUIPMENT MAINTENANCE SUPERVISOR	GN10	43,732	69,972
3601	SIGN TECHNICIAN	GN7	34,085	54,536
3603	TRAFFIC SIGNAL TECHNICIAN	GN7	34,085	54,536
3605	SR TRAFFIC SIGNAL TECHNICIAN	GN9	39,757	63,611
3607	TRAFFIC CONTROL CREW SUPERVISOR	GN10	43,732	69,972
3609	TRAFFIC CONTROL OPERATIONS ENGINEER	GE7	53,972	86,356
3651	CODE ENFORCEMENT INSPECTOR	GN7	34,085	54,536
3653	CONSTRUCTION INSPECTOR	GN8	36,812	58,899
3655	CONSTRUCTION INSPECTIONS SUPERVISOR	GE6	49,066	78,505
3701	VAN DRIVER	GN4	27,058	43,292
3710	TRANSIT DRIVER I	GN5	29,222	46,756
3711	TRANSIT DRIVER II	GN6	31,560	50,496
3712	TRANSPORTATION DISPATCHER	GN5	29,222	46,756
3719	TRANSPORTATION SUPERVISOR	GE5	44,605	71,368
3731	AIRPORT MAINTENANCE/SECURITY TECH I	GN5	29,222	46,756
3733	AIRPORT MAINTENANCE/SECURITY TECH II	GN7	34,085	54,536
3734	AIRPORT OPERATIONS TOWER TECH	GN5	29,222	46,756
3735	TRANSPORTATION BUILDING & GROUNDS SUPERINTENDENT	GE7	53,972	86,356
3748	DIVISION DIR OF TRANSPORTATION SERVICES	GE8	59,370	94,991
3749	DIRECTOR OF TRANSPORTATION SERVICES	EXEC	99,678	199,356
3801	ENGINEERING AIDE	GN4	27,058	43,292
3803	ENGINEERING TECHNICIAN	GN8	36,812	58,899
3804	SR PUBLIC WORKS GIS/CAD TECH	GN10	43,732	69,972
3805	SURVEY PARTY SUPERVISOR	GE4	40,550	64,880
3815	PW PROJECT ENGINEER	GE7	53,972	86,356
3819	PW CHIEF ENGINEER	GE9	65,307	104,491
3951	COMMUNICATIONS SYSTEMS MANAGER	GE7	53,972	86,356
3965	DIVISION DIRECTOR OF SANITATION	GE9	65,307	104,491
3975	DIVISION DIRECTOR OF BUILDINGS	GE9	65,307	104,491

3985	DIVISION DIRECTOR OF STREETS	GE10	71,837	114,940
3990	DIVISION DIRECTOR OF PUBLIC WORKS ADMINISTRATION	GE9	65,307	104,491
3994	PW PROJECT MANAGER	GE8	59,370	94,991
3995	ASSISTANT DIRECTOR PUBLIC WORKS/CITY ENGINEER	GE11	79,739	127,583
3999	DIRECTOR OF PUBLIC WORKS	EXEC	99,678	199,356
4001	WATER TREATMENT PLANT OPERATOR TRAINEE	GN3	25,053	40,086
4005	WATER TREATMENT PLANT OPERATOR III	GN6	31,560	50,496
4006	WATER TREATMENT PLANT OPERATOR II	GN7	34,085	54,536
4007	WATER TREATMENT OPERATOR I	GN9	39,757	63,611
4008	WATER TREATMENT PLANT OPERATOR SUPERVISOR	GN10	43,732	69,972
4103	INDUSTRIAL MECHANIC	GN7	34,085	54,536
4104	SENIOR INDUSTRIAL MECHANIC	GN9	39,757	63,611
4355	WATER TREATMENT MANAGER	GE8	59,370	94,991
4360	WATER CHEMIST	GE5	44,605	71,368
4399	DIV DIR WATER/WASTEWATER TREATMENT	GE11	79,739	127,583
4501	DISPATCHER	GN4	27,058	43,292
4512	W&G HEAVY EQUIPMENT OPERATOR	GN8	36,812	58,899
4513	W&G SERVICE TECHNICIAN	GN7	34,085	54,536
4515	W&G METER TECHNICIAN	GN7	34,085	54,536
4517	W&G CORROSION TECHNICIAN	GN7	34,085	54,536
4519	W&G CREW SUPERVISOR	GN9	39,757	63,611
4521	W&G WELDER/CREW SUPERVISOR	GN8	36,812	58,899
4529	W&G CONSTRUCTION CREW SUPERVISOR	GN9	39,757	63,611
4530	FACILITIES & FLEET MANAGER	GE6	49,066	78,505
4613	W&G GIS ENGINEERING TECHNICIAN	GN7	34,085	54,536
4615	W&G SR ENGINEERING TECHNICIAN	GN10	43,732	69,972
4619	W&G CHIEF ENGINEER	GE9	65,307	104,491
4725	W&G SYSTEMS CONTROL SUPERINTENDENT	GE8	59,370	94,991
4735	W&G DISTRIBUTION SUPERVISOR	GE5	44,605	71,368
4745	W&G COMPLIANCE COORDINATOR	GN10	43,732	69,972
4811	GAS CONTROL TECHNICIAN	GN7	34,085	54,536
4815	GAS CONTROL MANAGER	GE8	59,370	94,991
4835	W&G DISTRIBUTION SUPERINTENDENT	GE8	59,370	94,991
4899	DIVISION DIRECTOR OF WATER & GAS	GE11	79,739	127,583
5001	HYDRO-ELECTRIC ATTENDANT	GN5	29,222	46,756
5005	HYDRO-ELECTRIC OPERATOR	GN8	36,812	58,899
5007	HYDRO-ELECTRIC MAINTENANCE TECHNICIAN	GN8	36,812	58,899
5009	HYDRO-ELECTRIC SUPERINTENDENT	GE6	49,066	78,505
5101	ELECTRIC GROUND WORKER	GN6	31,560	50,496
5103	ELECTRIC LINE OH/UG EQUIP OPERATOR	GN7	34,085	54,536
5111	ELECTRIC LINE TECHNICIAN I	GN7	34,085	54,536

5112	ELECTRIC LINE TECHNICIAN II	GN9	39,757	63,611
5113	ELECTRIC LINE TECHNICIAN III	GN11	48,106	76,969
5115	ELECTRIC LINE CREW SUPERVISOR	GN12	52,916	84,666
5116	ELECTRIC VEGETATION ROW SUPERVISOR	GN11	48,106	76,969
5119	ELECTRIC DISTRIBUTION SUPERINTENDENT	GE8	59,370	94,991
5213	ELECTRIC SUBSTATION TECHNICIAN	GN10	43,732	69,972
5214	UTILITY OPERATOR	GN10	43,732	69,972
5215	ELECTRIC SUBSTATION SUPERVISOR	GN11	48,106	76,969
5219	ELECTRIC SUBSTATION SUPERINTENDENT	GE8	59,370	94,991
5312	ELECTRIC RIGHT OF WAY TRIMMER	GN6	31,560	50,496
5315	INSPECTOR-CONTRACTOR MANAGER	GN12	52,916	84,666
5411	ELECTRIC METER TECHNICIAN I	GN6	31,560	50,496
5413	ELECTRIC METER TECHNICIAN II	GN8	36,812	58,899
5415	ELECTRIC METER TECHNICIAN III	GN10	43,732	69,972
5429	ELECTRIC METER SUPERVISOR	GN11	48,106	76,969
5431	UTILITIES WAREHOUSE MANAGER	GE5	44,605	71,368
5521	ELECTRIC ENGINEERING AIDE	GN3	25,053	40,086
5525	ELECTRIC GIS/CAD TECHNICIAN	GN7	34,085	54,536
5526	SENIOR ELECTRIC GIS/CAD TECHNICIAN	GN9	39,757	63,611
5530	ELECTRIC ENGINEER & OPERATING MANAGER	GE10	71,837	114,940
5531	ELECTRIC ENGINEERING TECHNICIAN	GN9	39,757	63,611
5532	ELECTRIC SR ENGINEERING TECHNICIAN	GN10	43,732	69,972
5534	ELECTRIC ENGINEERING TECHNICIAN/COMPLIANCE COORDINATOR	GN9	39,757	63,611
5535	ELECTRIC ENGINEERING TECHNICIAN SUPERVISOR	GE6	49,066	78,505
5536	SENIOR ELECTRIC ENGINEER	GE9	65,307	104,491
5537	ELECTRIC ENGINEER	GE8	59,370	94,991
5538	BROADBAND NETWORK ENGINEERING TECHNICIAN	GE7	53,972	86,356
5560	DIVISION DIRECTOR OF TELECOMMUNICATIONS	GE9	65,307	104,491
5690	KEY ACCOUNTS MANAGER	GE7	53,972	86,356
5695	DIVISION DIRECTOR OF SUPPORT SERVICES	GE9	65,307	104,491
5699	DIVISION DIRECTOR OF POWER & LIGHT	GE11	79,739	127,583
5999	DIRECTOR OF UTILITIES	EXEC	99,678	199,356
6011	INFORMATION SPECIALIST	GN3	25,053	40,086
6012	CIRCULATION SPECIALIST	GN4	27,058	43,292
6015	LIBRARY SERVICES SPECIALIST	GN4	27,058	43,292
6017	LAW LIBRARY INFORMATION SPECIALIST	GN4	27,058	43,292
6021	LIBRARY TECHNOLOGY SPECIALIST	GN5	29,222	46,756
6105	TECHNICAL SERVICES LIBRARIAN	GE4	40,550	64,880
6111	CHILDREN'S LIBRARIAN	GE4	40,550	64,880
6114	CIRCULATION SUPERVISOR	GE4	40,550	64,880
6121	ADULT SERVICES LIBRARIAN	GE4	40,550	64,880

6199	DIVISION DIRECTOR OF LIBRARY	GE10	71,837	114,940
6211	RECREATION AIDE	GN1	21,479	34,367
6213	RECREATION LEADER	GN1	21,479	34,367
6221	RECREATION PROGRAM SUPERVISOR	GN7	34,085	54,536
6225	RECREATION SPORTS OFFICIAL	GN1	21,479	34,367
6233	RECREATION INSTRUCTOR	GN2	23,198	37,116
6311	RECREATION FACILITY OPERATOR	GN1	21,479	34,367
6315	RECREATION SITE SUPERVISOR	GN2	23,198	37,116
6329	PROGRAM COORDINATOR	GE4	40,550	64,880
6330	P&R COMMUNICATIONS SPECIALIST	GE8	59,370	94,991
6410	DIV DIR OF COMMUNITY RECREATION	GE7	53,972	86,356
6415	P&R FACILITIES & SERVICES PLAN	GE7	53,972	86,356
6421	SPECIAL POPULATION ASSISTANT	GN8	36,812	58,899
6425	DIV DIR OF SPECIAL RECREATION	GE7	53,972	86,356
6442	OUTDOOR RECREATION PROGRAM SUPERVISOR	GN8	36,812	58,899
6445	DIV DIR OF ATHLETICS	GE7	53,972	86,356
6555	GRANT SPECIALIST	GN6	31,560	50,496
6556	TRANSPORTATION GRANT SPECIALIST	GN6	31,560	50,496
6558	DIV DIR PARKS ADMINISTRATION	GE7	53,972	86,356
6560	DIV DIR OF PARKS MAINTENANCE	GE7	53,972	86,356
6561	PARKS SUPERVISOR	GN10	43,732	69,972
6562	PARKS GROUNDSKEEPER I	GN4	27,058	43,292
6563	PARKS GROUNDSKEEPER II	GN5	29,222	46,756
6564	PARK MAINTENANCE TECHNICIAN	GN6	31,560	50,496
6599	DIRECTOR OF PARKS & RECREATION	EXEC	99,678	199,356
7011	ELIGIBILITY WORKER	GN7	34,085	54,536
7012	SENIOR ELIGIBILITY WORKER	GN9	39,757	63,611
7015	ELIGIBILITY SUPERVISOR	GE5	44,605	71,368
7018	FRAUD INVESTIGATOR	GN7	34,085	54,536
7019	ELIGIBILITY SERVICES MANAGER	GE8	59,370	94,991
7025	CSA COORDINATOR	GN10	43,732	69,972
7101	EMPLOYMENT SERVICE AIDE	GN5	29,222	46,756
7105	EMPLOYMENT SERVICE WORKER	GN7	34,085	54,536
7106	SR EMPLOYMENT SERVICE WORKER	GN9	39,757	63,611
7109	EMPLOYMENT SERVICE SUPERVISOR	GE6	49,066	78,505
7111	SOCIAL SERVICE AIDE	GN5	29,222	46,756
7112	FAMILY SERVICES SPECIALIST	GN8	36,812	58,899
7113	SR FAMILY SERVICES SPECIALIST	GN10	43,732	69,972
7115	CHILD PROTECTIVE SERVICE WORKER	GN9	39,757	63,611
7117	FAMILY SERVICES SUPERVISOR	GE6	49,066	78,505
7125	FAMILY SERVICES MANAGER	GE8	59,370	94,991

7126	SNAPET COORDINATOR	GN8	36,812	58,899
7199	DIRECTOR OF SOCIAL SERVICES	EXEC	99,678	199,356
7311	YOUTH CARE WORKER	GN6	31,560	50,496
7312	SENIOR YOUTH CARE WORKER	GN7	34,085	54,536
7313	SHIFT SUPERVISOR	GN9	39,757	63,611
7315	JUVENILE PROGRAM COORDINATOR	GE5	44,605	71,368
7322	POST DISPOSITIONAL COORDINATOR	GN7	34,085	54,536
7323	ALTERNATIVE DETENTION CASE WORKER	GN8	36,812	58,899
7325	NURSE	GN11	48,106	76,969
7337	ASSISTANT DIVISION DIRECTOR OF JUVENILE DETENTION	GE8	59,370	94,991
7339	DIVISION DIRECTOR OF JUVENILE DETENTION	GE10	71,837	114,940
7401	CORRECTIONAL OFFICER I	GN7	34,085	54,536
7402	CORRECTIONAL OFFICER II	GN8	36,812	58,899
7403	CORRECTIONAL LIEUTENANT	GN11	48,106	76,969
7404	ADMINISTRATIVE LIEUTENANT	GN11	48,106	76,969
7405	CORRECTIONAL CAPTAIN	GN13	58,208	93,132
7409	CHIEF CORRECTIONAL OFFICER	GE9	65,307	104,491
7411	CORRECTIONAL HEALTH ASSISTANT	GN11	48,106	76,969
7413	LICENSED PHYSICIAN	GE11	79,739	127,583
7421	WORK PROGRAM COORDINATOR	GE8	59,370	94,991
7425	SERVICE PROGRAM COORDINATOR	GE8	59,370	94,991
7499	DIVISION DIRECTOR OF ADULT DETENTION	GE10	71,837	114,940
8003	EMERGENCY COMMUNICATIONS TELECOMMUNICATOR	GN6	31,560	50,496
8005	EMERGENCY COMMUNICATIONS TELECOMMUNICATOR SUPERVISOR	GN9	39,757	63,611
8101	CERT COORDINATOR	GN2	23,198	37,116
8103	FIREFIGHTER	GN7	34,085	54,536
8105	FIRE FIGHTER/ENGINEER	GN9	39,757	63,611
8106	FIRE SUPPORT ANALYST	GE6	49,066	78,505
8107	FIRE LIEUTENANT	GN11	48,106	76,969
8108	FIRE CODE INSPECTOR	GN8	36,812	58,899
8109	FIRE CAPTAIN	GN12	52,916	84,666
8110	911 EMERGENCY COMMUNICATIONS MANAGER	GE7	53,972	86,356
8115	ASSISTANT FIRE MARSHAL	GN11	48,106	76,969
8116	FIRE MARSHAL	GE8	59,370	94,991
8118	BATTALION CHIEF	GE8	59,370	94,991
8295	DEPUTY FIRE CHIEF	GE11	79,739	127,583
8299	FIRE CHIEF	EXEC	99,678	199,356
8302	PC RECORDS OFFICE MANAGER	GE7	53,972	86,356
8303	POLICE RECORDS CLERK	GN4	27,058	43,292
8304	QUARTERMASTER	GN7	34,085	54,536

8305	POLICE VIDEO TECHNICIAN	GN5	29,222	46,756
8306	POLICE PROPERTY & EVIDENCE TECHNICIAN	GN10	43,732	69,972
8311	PARKING ATTENDANT	GN2	23,198	37,116
8315	SCHOOL CROSSING GUARD	GN1	21,479	34,367
8317	ANIMAL CONTROL OFFICER	GN7	34,085	54,536
8503	POLICE OFFICER	GN8	36,812	58,899
8505	POLICE CORPORAL	GN10	43,732	69,972
8507	POLICE SERGEANT	GN11	48,106	76,969
8510	POLICE CRIME ANALYST	GE6	49,066	78,505
8512	POLICE CRIME PREVENTION SPECIALIST	GE6	49,066	78,505
8513	POLICE LIEUTENANT	GE7	53,972	86,356
8525	POLICE CAPTAIN	GE9	65,307	104,491
8690	POLICE MAJOR	GE11	79,739	127,583
8695	LIEUTENANT COLONEL	GE12	88,511	141,617
8699	POLICE CHIEF	EXEC	99,678	199,356

Council Letter

City of Danville, Virginia



CL-2306

New Business B.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: City of Eden Water and Wastewater Services for the Berry Hill Industrial Park

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 06/16/2020

SUMMARY

The Berry Hill Industrial Park has been designed to serve up to 7 million gallons per day (MGD) of water supply and 3 MGD of wastewater capacity. The City of Danville is well suited to assume the role as the sole water and wastewater provider within the industrial park from the Pittsylvania County Service Authority. Out of the possible 7 MGD of water supply, the City of Eden has designed a water system to the Virginia/North Carolina border to supply the City of Danville with up to 6 MGD. The City of Eden is also in position to accept all wastewater originating from the Berry Hill Industrial Park. The water and wastewater rates will be determined annually based on the City of Eden's audited cost to provide service to the VA/NC border. The City of Danville will fund and construct water system expansions within the park to serve future tenants. The Danville Utility Commission approved this plan for Eden to provide water and wastewater services to the Berry Hill Industrial Park at their March 23, 2020 meeting.

BACKGROUND

The Berry Hill Industrial Park is an economic development partnership between the City of Danville and Pittsylvania County. Approximately ten years ago, Dewberry was tasked to determine the most economical source of water supply and wastewater capacity to serve the industrial park. The study determined that the City of Eden has ample water supply and wastewater treatment capacity to be able to serve the Berry Hill Industrial Park with wholesale water and wastewater services. The Pittsylvania County Service Authority has recently decided to propose allowing the City of Danville to serve tenants within the park with water and wastewater services.

RECOMMENDATION

Staff recommends that City Council authorize the City Manager to enter into a 20-year agreement with the City of Eden, North Carolina for water and wastewater services for Berry Hill Industrial Park.

Attachments

Resolution

Presentation

Water Agreement

Wastewater Agreement

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO ENTER INTO AN AGREEMENT WITH THE CITY OF EDEN, NORTH CAROLINA (EDEN) TO PROVIDE WATER AND WASTEWATER SERVICES FOR THE BERRY HILL INDUSTRIAL PARK IN PITTSYLVANIA COUNTY.

WHEREAS, the Utility Commission recommends entering into a twenty-year water agreement with Eden to include purchase up to six million gallons per day of potable water for \$1.40-\$1.60/1,000 gallons based on Eden's audited costs to provide additional water capacity to the Berry Hill Industrial Park; and

WHEREAS, the Utility Commission recommends entering into a twenty-year wastewater agreement with Eden to treat up to three million gallons per day at a rate of \$1.80-\$2.00/1,000 gallons based on Eden's audited costs to provide wastewater capacity to the Berry Hill Industrial Park; and

WHEREAS, these rates would go into effect when the first tenant in the Berry Hill Industrial Park required water and wastewater services.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that is does hereby approve and authorize the City of Danville to enter into an agreement for water and wastewater services with the City of Eden to service the tenants within the Berry Hill Industrial Park; and

BE IT FURTHER RESOLVED, that the Council of the City of Danville, Virginia, authorizes the City Manager, Kenneth F. Larking, to execute any and all documents necessary to complete the above referenced transactions.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



Eden Water and Wastewater Services to Berry Hill Industrial Park

**City Council
April 7, 2020**

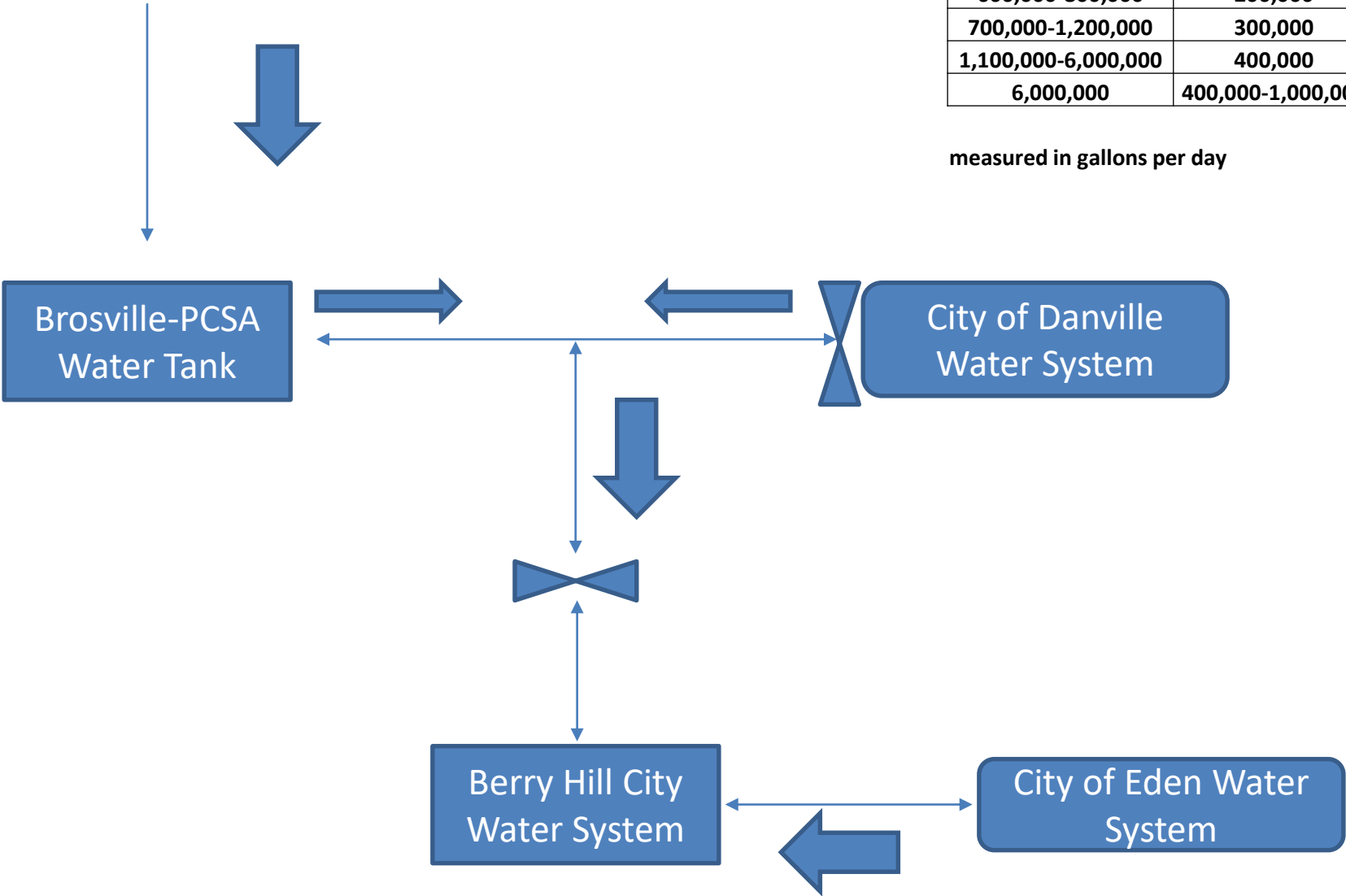
Terms

- 20 year agreement
 - Replaces Pittsylvania County Service Authority's role in serving the Berry Hill Industrial Park with water/wastewater
 - Audited water rate \$1.40-\$1.60/1,000 gallons
 - Audited wastewater rate \$1.80-\$2.00/1,000 gallons
 - Requires each party to notify the other within at least five years of their intention to end agreement.
 - City of Eden would supply 6 of the possible 7 million gallons per day of water supply.
 - City of Eden would treat all 3 million gallons per day of wastewater capacity

Henry County Water Authority

	Avg.		Eden	Danville
PCSA/Henry County	\$1.45	1,000 gallons	0	300,000
Eden	\$1.40-\$1.60	1,000 gallons	200,000-500,000	100,000
Danville	\$1.92	100 cubic feet	450,000-650,000	150,000
			600,000-800,000	200,000
			700,000-1,200,000	300,000
			1,100,000-6,000,000	400,000
			6,000,000	400,000-1,000,000

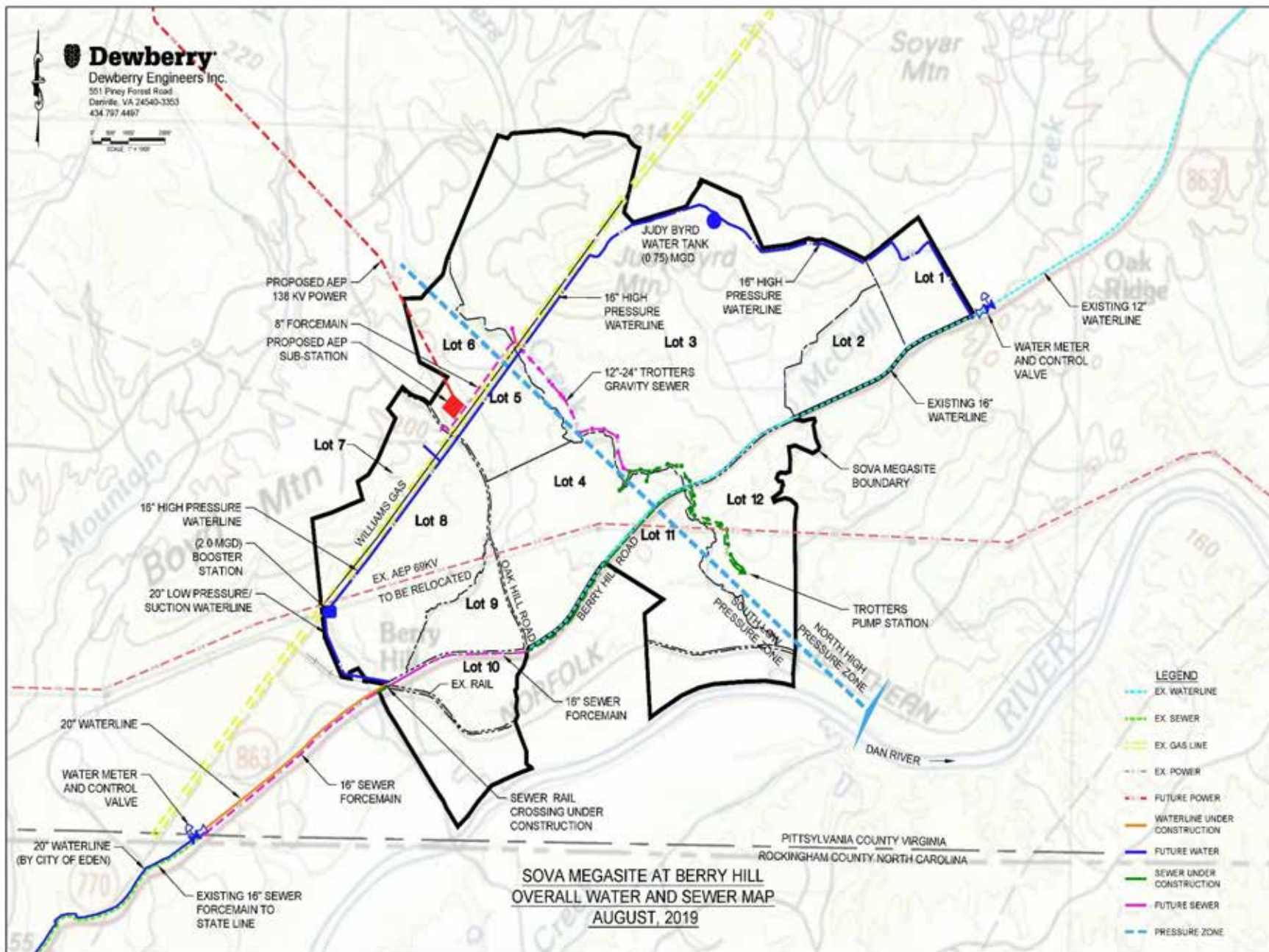
measured in gallons per day





Red Line=Henry County Feed
Blue Line=PCSA infrastructure

Purple Line=City-Berry Hill infrastructure



THIS AGREEMENT made and entered into this _____ day of _____, 2020, by and between the City of Danville, Virginia, ("Danville"), a municipal corporation of the Commonwealth of Virginia, and the City of Eden, ("Eden"), a municipal corporation in Rockingham County, North Carolina.

W I T N E S S E T H:

WHEREAS, Eden owns and operates a municipal water treatment plant and water distribution system, and furnishes potable water as a public service within the City of Eden and to certain nearby areas; and

WHEREAS, Danville is a municipal corporation of the Commonwealth of Virginia and whose service area includes the Danville-Pittsylvania Regional Industrial Facility Authority's ("RIFA") 3,500 acre Southern Virginia (SoVa) Mega Site at Berry Hill located on Berry Hill Road, Pittsylvania County, Virginia ("the Park"); and

WHEREAS, Eden and Danville anticipate industries to locate in the Park and to utilize significant quantities of potable water;

WHEREAS, based on this anticipation, Eden is considering appropriation of a substantial amount of money to construct a twenty (20) inch diameter water main along North Carolina Highway 770 from the current extent of the Eden's water distribution system to the North Carolina / Virginia State line from which Danville would receive potable water for distribution and use in the Park; and

WHEREAS, Eden has been designated a recipient of an Economic Development Administration grant and other sources of funding in loans and grants including North Carolina Department of Water Quality (DEQ) Water and Infrastructure Section for construction of a water main to serve Danville's needs related to the distribution of water within the Park; and

WHEREAS, Eden anticipates an additional contribution of \$2,200,000 in loans and other local funds toward the construction of the infrastructure and a water main to serve the Park; and

WHEREAS, Eden desires assurance that Eden will be the primary source of potable water for Danville's purchase for distribution within the Park during the term of this Agreement up to the maximum gallonages of potable water capacity in order to obtain full compensation, including any debt incurred for Eden's contribution toward the construction of a water main to serve Danville's distribution needs within the Park; and

WHEREAS, Danville desires assurance that Eden will deliver and make continuously available certain capacities of potable water to Danville for its distribution within the Park during the term of this Agreement on the terms and conditions hereinafter set forth; and

WHEREAS, Eden and Danville have agreed that upon successful conclusion of Eden's construction of the aforementioned twenty inch water main, Eden shall reserve and make available to Danville during the

term of this Agreement certain maximum daily gallonages of potable water capacity city for the sole use and purchase of Danville in connection with the Park, on the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements contained herein, Eden and Danville do hereby agree as follows:

1. Primary Source. Eden will be Danville's primary source for the Southern Virginia Mega Site at Berry Hill, though not necessarily the sole source, of potable water for distribution within the Park during the term of this Agreement up to the maximum gallonage of potable water capacity on the terms and conditions set forth hereinafter. However, upon occupancy of the Park by the first industrial customer(s) during which water demands may not be adequate to maintain potable water quality with both Danville and Eden serving the Park, Danville shall serve as the primary source until minimum demand, Demand Stage 2 as specified in Paragraph 5, is reached on a consistent basis. When such minimum demand is achieved, the supply of water to the Park shall be shared proportionally by the parties as indicated in Paragraph 5.
2. Water Main. Eden shall construct at its expense a twenty (20) inch water main and accompanying infrastructure along North Carolina Highway 770 from the current extent of the Eden's water distribution system to the North Carolina/Virginia state line sufficient to meet the water delivery and related requirements set forth herein (collectively, the "Water Main") which Water Main shall be owned, operated, and maintained by the Eden.
3. Potable Water Delivery. Eden shall be responsible for pumping water to the North Carolina/Virginia state line via the Water Main at sufficient and reasonable pressure through the main to Danville's water system. At no time shall Eden cause the pressure to exceed the designed operating capacities for volume, velocity, or pressure of the Water Main or Danville's water system for the Park.
4. Maximum Gallonages and Metering. Eden agrees to reserve and make continuously available to Danville up to 6 million gallons per day of potable water capacity. Eden shall install a meter (the "Meter") for proper measurement of flow delivered to the Danville receiving point. The Meter shall be installed and located at the Virginia/North Carolina state line. The cost of procurement and installation of the Meter shall be shared equally by Eden and Danville; however, Eden shall control the design and specification of the Meter, subject to the reasonable approval of Danville. Eden shall also maintain and retain ownership of the Meter and shall calibrate the Meter at least every two years or upon the request of Danville but not more frequently than once annually. The results of such calibration testing shall be made available to Danville. A calibration showing Meter accuracy not more than two percent (2%) above or below the test results shall be deemed accurate for purposes of this Agreement. In the event calibration testing discloses an inaccuracy, Eden shall correct the inaccuracy as promptly as reasonably possible and the bills for the three (3) months preceding the calibration shall be adjusted accordingly, unless otherwise agreed to by the parties. If the Meter fails to register for any period, the amount of water furnished, as determined by other information made available by the parties, shall be deemed to be the amount of water delivered. The Meter shall be read

on a monthly basis and Danville shall have reasonable access to the meter for purposes of verifying its readings.

5. Purchase of Water. In consideration of Eden's agreement to supply Danville up to the maximum daily gallonages of treated water capacity set forth in Paragraph 4 at the rate provided in Paragraph 8, Danville agrees to begin purchasing water to serve the Park as soon as demand in the park is sufficient to allow both Danville and Eden to provide water without compromising water quality. Supply proportioning of the total water demand in the Park will be as summarized below in Table 5-1. Eden and Danville recognize that these proportioning quantities cannot be precisely maintained at all times but will represent supply for which both parties will strive to achieve. Every two months, the total delivered supply will be assessed and adjustments made in control strategies to compensate for the imbalance that may be found to have occurred. The minimum average daily demand represented in Demand Stage 2 represents an estimated minimum demand deemed necessary to allow both water systems to begin simultaneously supplying water to the Park. If at startup it is revealed that water quality compliance with applicable regulatory standards cannot be maintained, Eden and Danville will work cooperatively to develop operational changes, and if necessary, re-proportion supply to bring water quality into regulatory standards.

Table 5 -1			
Demand Stage	Park Water Demand (Average Daily Demand -- MGD)	Proportion of Supply	
		Eden	Danville
1	0 - 0.30	0	0 to 0.30
2	0.30 - 0.60	0.20 - 0.50	0.10
3	0.60 -0.80	0.45 - 0.65	0.15
4	0.80 - 1.0	0.60 - 0.80	0.20
5	1.0 - 1.5	0.70 – 1.2	0.30
6	1.5 – 6.4	1.1 – 6.0	0.40
7	6.4 – 7.0	6.0	0.40 – 1.0

Subject to adjustments necessary to maintain water quality standards as set forth herein, Danville will begin purchasing water from Eden commencing at such time the average daily water demand in the Park consistently equals or exceeds the minimum demand indicated as Demand Stage 2 in Table 5-1, or on a date otherwise mutually agreed to by the parties hereto;

provided, however, that after delivery and distribution of water in the Park commences, in the event that circumstances concerning water demands within the Park change beyond Danville's reasonable control, including but not limited to (a) the failure of one or more Danville water customers in the Park to continue operations or (b) changes in Park customer processes which result in a significant reduction of potable water demand, the proportioning of supply as illustrated in Table 5-1 will be adjusted to the appropriate lower Demand Stage. Eden shall invoice Danville for the actual amount of water delivered as measured by the metering equipment, on a monthly basis during the term of this Agreement. The invoices shall reflect the gallons shown by the Meter for the period such invoices cover.

6. Water Quality Treatment Standards. The potable water treatment quality standards provided by Eden to Danville shall conform at all times to all existing drinking water quality standards and requirements adopted from time to time by North Carolina DEQ, the Virginia Department of Health, and other applicable Federal, state of North Carolina, and Commonwealth of Virginia agencies having jurisdiction over drinking water standards.
7. Subsequent Contract Amendments. At such time as there is a viable customer in the Park and funding for the Park is finalized, the Eden and Danville will finalize the rate based upon the criteria set forth in paragraph 8 below. No fees shall be due from Danville to Eden until such time as water is received by Danville at the delivery point for transmission to one or more of its customers.
8. Rate Development. The rate to be paid by Danville to Eden for potable water production and distribution shall be based on sound engineering, management, and accounting principles as developed and advised by Dewberry Engineering as of the date of this Agreement. The rate, which shall not exceed 1.15 times the audited cost of production/distribution ("Audited Cost of Production/Distribution") for Eden's water and shall be calculated based upon the following components from Eden's most current fiscal year financial audit:
 - a. Routine operating costs associated with Eden's Water Treatment Plant ("WTP") to include, but not be limited to, salary and benefits of WTP employees, utilities, chemicals, permits, supplies, and other related items integral to the operation of the WTP;
 - b. Capital expenditures incurred at the WTP which represent plant-related improvements occurring less frequently than annually, which are included in Eden's long range Capital Improvement Plan ("CIP"), and which are paid from Eden funds or financed by Eden, to include, but not necessarily be limited to, pump and valve replacements, monitoring and/or testing equipment replacement, pre-settling impoundment dredging, roof replacement, and other plant-related items included in CIP;
 - c. Recoupment of debt service expenditures for the construction of the 20 inch diameter water main to the Park, Debt service expenditures for the WTP, to include principal, interest, and associated customary financing fees incurred by Eden for the routine operation of WTP utilizing outside funding or loan sources but only to the extent not otherwise included or accounted for in (b) above or otherwise;
 - d. The portion of the Water Distribution System budget attributable to the Freedom Park Elevated Tank distribution mains used to transport water to the Park; and

The total annual cost of components (a) through (d) above shall then be divided by the total volume of water then estimated to be produced for the applicable fiscal year to determine a per 1,000 gallon cost.

9. Rate Adjustments and Annual Review. Eden may modify its projected water rate charged to Danville hereunder on an annual basis to reflect its budgeted or other projected costs for the upcoming fiscal year. Eden shall review rate(s) charged to Danville in the prior fiscal year annually within a reasonable period of time following the Eden's receipt of related audited financial information to ensure that such rate(s) are equal to 1.15 times Eden's actual Audited Cost of Production/Distribution for that fiscal year based on the components set forth in Paragraph 8 above. In the event a discrepancy is determined to exist between the rate(s) charged to Danville in the prior fiscal year and Eden's actual cost of production/distribution, prior charges shall be adjusted and reflected as a credit or surcharge, as appropriate, on the next following billing cycle or as otherwise mutually agreed to between the parties. Eden further agrees to provide to Danville and its designated agents reasonable access during normal business hours to those financial records for purposes of Danville verifying Eden's projected or actual rates as determined under Paragraph 8 and 9 hereof.
10. Additional Unit Operational Costs. When new or additional drinking water quality requirements or limits have been established by Federal or state of North Carolina or Virginia regulating agencies, Eden will develop an appropriate system to assure that such required quality standards are met. The development of these required system(s) may result in capital expenditures and/or operational increases that may require a rate adjustment in accordance with paragraph 8 above.
11. Early Stage of Park Development. During the early stages of development of the Park it is understood that utilities extended to the initial industrial customer will be sized in an effort to accommodate the reasonably anticipated development of the entire Park. Likewise, the rate structure is designed to accommodate the development of the entire Park. Nothing in this Agreement, however, shall preclude Eden and Danville from mutually agreeing upon a different rate calculation or reduced rates to accommodate subsequent water users who may locate within the Park.
12. Temporary Interruptions. Eden shall not be liable for temporary interruption of water delivery pursuant to this Agreement by reason of fire, flood, strikes or other labor disturbances, regulations or directives of any governmental authority, shortages of fuel, power or raw materials or the inability to obtain supplies, failure of normal sources of supplies, inability to obtain or delays in transportation facilities, any Act of God or other reason beyond the reasonable control of Eden.
13. Term. This agreement is entered into pursuant to the provisions of Article 16 Chapter 160A of the North Carolina General Statutes. Subject to termination as provided, the initial term of this Agreement ends twenty (20) years from the date that Danville receives water from Eden at the receiving point for transmission to one or more of its customers. Upon agreement of both parties, this Agreement may be renewed for additional terms of twenty (20) years. Either party must provide a minimum of five years notice of their intention to end this agreement.

14. Default and Remedies. A default of this Agreement shall mean a material failure to comply with any of the material provisions of this Agreement. This Agreement shall be enforceable by each party hereto by all remedies available at law or in equity, including but not limited to specific performance. Failure or delay to exercise any right, remedy or privilege hereunder shall not operate as a waiver of such right, remedy or privilege, nor prevent subsequent enforcement thereof.
15. Notices. All notices required or permitted to be given under this Agreement shall be delivered in person or given by certified mail, return receipt requested. Notices shall be effective as of the time of delivery except notices by certified mail, which shall be effective two (2) days following the date of deposit in the United States mail. All notices shall be addressed or delivered as follows or to such other addressees or addresses as the parties may from time to time designate in writing:
- a. To the City of Eden: Terry Shelton, City Manager
City of Eden
P. O. Box 70
Eden, NC 27289-0070
 - b. To the City of Danville: Ken Larking, City Manager
City of Danville, Virginia
427 Patton Street
Danville, VA 24541
16. Effect. This Agreement shall take effect as of the date of execution hereof by both Danville and Eden and shall supersede and replace any prior implied or expressed agreements. This Agreement shall be binding and shall inure to the benefit of the parties hereto and their respective successors and assigns.
17. Construction. Except with respect to those water quality standards made applicable to the parties' arrangement hereunder, this Agreement shall be governed and construed in accordance with the laws of the State of North Carolina.

IN WITNESS WHEREOF, this Agreement is executed on behalf of Eden by the Mayor of the City of Eden, and by the City Clerk, pursuant to authority duly given by the City Council of the City of Eden and by the City Manager of the City of Danville, and by the City Clerk, pursuant to authority duly given by the City Council of the City of Danville, all as of the date first above written.

CITY OF DANVILLE, VIRGINIA

By: _____
City Manager

ATTEST:

City Clerk

Approved as to form:

City Attorney

CITY OF EDEN, NORTH CAROLINA

By: _____
Mayor

ATTEST:

City Clerk

Approved as to form:

City Attorney

Southern Virginia Berry Hill Industrial Park Wastewater Agreement

THIS AGREEMENT made and entered into this ____ day of February, 2020 by and between Eden of Danville, Virginia (Danville”) a municipal corporation of the Commonwealth of Virginia and City of Eden (“Eden”) a municipal corporation in Rockingham County, North Carolina.

WITNESSTH:

WHEREAS, Eden owns and operates a municipal wastewater treatment plant and wastewater collection system and furnishes wastewater treatment as a public service within Eden of Eden and to certain nearby areas; and

WHEREAS, _____ is the public service authority of record for the Danville-Pittsylvania Regional Industrial Facility Authority’s (RIFA”) 3,500 acre Mega Park; and

WHEREAS, Eden has received certain information from Danville encouraging Eden to construct a sixteen inch diameter sewer force main along North Carolina Highway 770 from current extent of Eden’s wastewater collection system to the North Carolina / Virginia Stateline; and

WHEREAS, Eden is the designated recipient of a \$769,000 Golden LEAF Foundation grant for construction of a sewer force main to serve the Park; and

WHEREAS, Eden anticipates an additional contribution of \$1,000,000 in local funds toward the construction of the sewer force main to serve the Park; and

WHEREAS, Eden and Danville have agreed that upon successful conclusion of Eden’s construction of the aforementioned sixteen inch sewer force main that Eden shall reserve and make available only to Danville except as otherwise expressly provided herein, during the term of this Agreement certain maximum daily gallonages of wastewater treatment capacity for the sole use of Danville in connection with the Park, on the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements contained herein, Eden and Danville do hereby agree as follows:

1. Sole Source. Eden will be the sole source of wastewater treatment for the Park during the term of this Agreement to the maximum gallonage of wastewater treatment capacity on the terms and conditions set for hereinafter.
2. Force main. The sixteen inch force main to be constructed along North Carolina Highway 770 from the current extent of Eden's wastewater collection system to the North Carolina / Virginia Stateline shall be owned, operated and maintained by Eden.
3. Wastewater Delivery. Danville shall be responsible for pumping wastewater from the Park into the force main at the stateline at sufficient pressure to cause its transport through the force main to Eden's wastewater collection system. At no time shall Danville cause the pressure in the force main to exceed the force main's designed operating capacities for volume, velocity, or pressure.
4. Industrial Wastewater Permits. Danville shall apply to Eden for an Industrial Wastewater Discharge Permit prior to commencement of pumping of wastewater through the force main. Danville shall be responsible for maintaining compliance with the most current Federal and State standards for permitting industrial dischargers within the Park. As the characteristics of the wastewater from the Park change as industrial dischargers are added or removed Danville shall apply to Eden and Danville shall at all times cooperate fully to maintain compliance with all applicable Federal and State wastewater regulations.
5. Maximum Gallonages. Eden agrees to receive and make continuously available to Danville 3.0 million gallons per day of wastewater treatment capacity. Danville agrees to limit the rate at which wastewater pumped to Eden to a maximum instantaneous rate of 3.0 million gallons per day. Eden shall install a Mag meter for measurement of flow delivered to Eden receiving point. The meter shall be installed and located at the Virginia / North Carolina state line. The cost of procurement and installation of the meter shall be shared equally by Eden and Danville; however, Eden shall control the design and specification of the meter. Eden shall also maintain, calibrate and retain and retain ownership of the meter.
6. Wastewater Treatment Standards. The wastewater treatment quality standards provided by Eden to Danville shall conform at all times to all existing quality requirements adopted from time to time by the North Carolina Department of Environment and Natural Resources and other applicable Federal and State standards relative to treated wastewater effluent.
7. Subsequent Contract Amendments. At such time as there is a viable customer in the Park Eden and Danville will enter into rate development negotiations. No fees shall be due from Danville to Eden until such time as there is actually flow being sent to Eden's treatment facility.
8. Rate Development. The rate to be paid for Danville to Eden for wastewater treatment services shall be developed cooperatively by Danville and Eden and shall be based on sound engineering and management principles. Prior to

commencing wastewater operations and flow from the Park, the parties shall develop the initial rate (Initial Rate”) which shall not exceed 1.15 times the audited cost of treatment (“Audited Cost of Treatment”) for Eden’s wastewater service, calculated based upon the following components from Eden’s most current fiscal year financial audit:

- a. Routine operating costs at Eden’s Wastewater Treatment Plant (“WTP”) to include, but not be limited to, salary and benefits of WTP employees, utilities, chemicals, permits, supplies, and other related items integral to the operation of the WTP;
- b. Capital expenditures incurred at the WTP which represent plant-related improvements occurring less frequently than annually, which are included in Eden’s long range Capital Improvement Plan (“CIP”), and which are paid from City funds or financed by Eden, to include, but not limited to, pump and valve replacements, monitoring and/or testing equipment replacement, backwash lagoon dredging, roof replacement, and other plant-related items included in CIP;
- c. Debt service expenditures for the WTP, to include principal, interest, and associated financing fees incurred by Eden for the WTP utilizing outside funding or loan sources;
- d. The portion of the wastewater Collection and Distribution System budget attributable to Eden’s Railroad Pump Station and those force and gravity mains used to transport wastewater from the Park; and
- e. Capital improvements and debt service for improvements of Eden’s Railroad Pump Station and the wastewater force and gravity mains used to transport wastewater from the Park.

The total annual cost of components (a) through (e) above shall then be divided by the total volume of wastewater then estimated to be treated for the applicable fiscal year to determine a per 1,000 gallon cost.

9. Rate Adjustments. Eden shall review the rate annually to ensure that it continues to be representative of the actual cost of delivering wastewater treatment services. The City may modify its projected sewer rate charged to Danville hereunder on an annual basis to reflect its budgeted or other projected costs for the upcoming fiscal year. Eden shall annually adjust the Danville’s prior year charges for wastewater hereunder based on a rate calculated with reference to and not to exceed 1.15 times Eden’s actual Audited Cost of Treatment for that fiscal year. Any such adjustments shall be based upon Eden’s audited financial records and shall be made within a reasonable period of time following its receipt of such audited financial information. Any such adjustments shall be reflected as a credit or surcharge, as appropriate, on the next following billing cycle or as otherwise mutually agreed to between the parties. Eden further agrees to provide to Danville and its designated agents reasonable access during normal business hours to those financial records for

purposes of Danville verifying Eden's projected or actual rates as determined hereunder.

10. Additional Unit Operational Costs. As the Park is populated and the constituent nature of the various wastewater discharges is known it may be necessary to consider additional operational costs that may include but not be limited to surcharges for such wastewater stream constituents as biochemical oxygen demand, chemical oxygen demand, suspended solids, dissolved solids and color. When new or additional wastewater quality requirements or limits have been established by Federal or State regulating agencies, Eden will develop an appropriate system to assure that such required quality standards are met. The development of these required system(s) may result in capital expenditures and/or operational increases that may require a rate adjustment in accordance with paragraph 8 above.
11. Early Stage of Park Development. During the early stages of development of the Park it is understood that utilities extended to the initial industrial customer will be sized to accommodate the development of the entire park. Consequently, debt retirement associated with these utilities may not be able to be fully incorporated into the rate structure during this initial phase. In this situation it will be the intent of both parties of this agreement to develop financial strategies that will result in a competitive rate structure that can be offered to industrial customers while allowing for subsequent delayed rate adjustments including an increase or decrease in the volume of wastewater discharged, that will allow both parties to obtain full compensation for such debt as the park builds out. Nothing in the Agreement shall preclude Eden and Danville from agreeing upon a different rate calculation or reduced rates to accommodate significant generators of wastewater who locate within the Park.
12. Temporary Interruptions. Eden shall not be liable for temporary interruption of wastewater treatment service pursuant to this Agreement by reason of fire, flood, strikes or other labor disturbances, regulations or directives of any governmental authority, shortages of fuel, power or raw materials or the inability to obtain supplies, failure of normal sources of supplies, inability to obtain or delays in transportation facilities, any Act of God or other reason beyond the reasonable control of Eden.
13. Term. This agreement is entered into pursuant to the provisions of Article 16 Chapter 160A of the North Carolina General Statutes. Subject to termination as provided, the initial term of this Agreement shall be for a period of twenty (20) years commencing at such time when there is actual flow sent to Eden's wastewater treatment facility. Upon agreement of both parties this agreement may be renewed for additional terms of twenty (20) years. Either party must provide a minimum of five years notice of their intention to end the end this agreement.
14. Notices. All notices required or permitted to be given under this Agreement shall be delivered in person or given by certified mail, return receipt requested.

Notices shall be effective as of the date of depositing in the United States mail. All notices shall be addressed or delivered as follows or to such other addressees or addresses as the parties may from time to time designate in writing:

- a. To Eden: Terry Shelton, Interim City Manager
City of Eden
P.O. Box 70
Eden, NC 27289.0070
- b. To Danville: Ken Larking, City Manager
City of Danville, Virginia
427 Patton Street
Danville, VA 24541

15. Effect. This Agreement shall take effect as of the date of execution hereof by both Danville and Eden and shall supersede and replace any prior implied or express agreements. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.
16. Construction. This Agreement shall be governed and construed in accordance with the laws of the State of North Carolina. IN WITNESS WHEREOF, this Agreement is executed on behalf of Eden of Eden by the Mayor of Eden of Eden, and by Eden Clerk, pursuant to authority duly given by Eden Council of Eden of Eden and on behalf of the City of Danville by the City Manager of the City of Danville, Virginia, pursuant to authority duly given by Danville City Council, all as of the date first above written.

City of Danville, Virginia

By: _____
Chairman

WITNESS:

City Clerk

WITNESS:

City Attorney

CITY OF EDEN
A Municipal Corporation

By: _____
Mayor

ATTEST:

City Clerk

Approved as to form:

City Attorney

Council Letter

City of Danville, Virginia



CL-2318

New Business C.

City Council Regular Meeting

Meeting Date: 06/16/2020

Subject: Smoking in Carrington Pavilion

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

COUNCIL ACTION

Business Meeting: 06/16/2020

SUMMARY

The Virginia General Assembly has passed VA Code §15.2-926.4, which allows any locality, by ordinance, to designate reasonable no - smoking areas within an outdoor amphitheater or concert venue owned by that locality.

An ordinance adopted pursuant to this section shall:

1. Require the locality to install adequate signs within each outdoor amphitheater or concert venue that designate the no smoking areas within that facility.
 2. Provide that no person shall smoke in any such area or place designated as a no smoking area and that any person who continues to smoke in such an area after being asked to refrain from smoking shall be subject to a civil penalty of no more than \$25; and
 3. Provide that any law enforcement officer may issue a summons regarding a violation of the ordinance.
- C. Civil Penalties assessed under this section shall be paid to the treasury of the locality and shall be expended solely for public health purposes.

BACKGROUND

The Carrington Pavilion is Danville's largest outdoor amphitheater and concert venue. The Carrington Pavilion has 1180 seats under the canopy with a max capacity of approximately 5000 people. In the past staff has had complaints about smoking under the canopy as the air does not move and tends to stay trapped.

RECOMMENDATION

It is recommended that Danville City Council pass an ordinance designating the seats under the canopy of the Carrington Pavilion as a no smoking area. Smoking will be allowed in the rest of the facility and off to the side of the seats.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2020____.____

AN ORDINANCE AMENDING CHAPTER 25 ENTITLED "PARKS AND RECREATION" OF THE CODE OF THE CITY OF DANVILLE, 1986, AS AMENDED, BY ADDING SECTION 23-13, ENTITLED "REGULATION OF SMOKING IN OUTDOOR AMPHITHEATERS OR CONCERT VENUES; AND CIVIL PENALTY."

WHEREAS, pursuant to Section 15.2-926.4, of the Code of Virginia, 1950, as amended, any locality by ordinance may designate reasonable no - smoking areas within an outdoor amphitheater or concert venue owned by that locality.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that Section 23-13, entitled "Regulation of smoking in outdoor Amphitheaters or Concert Venues; and Civil penalty", be added to Chapter 25, entitled "Parks and Recreation," of the Code of the City of Danville, Virginia, 1986, as amended, and the same be, and is hereby, amended and reordained to read as follows:

Chapter 25. PARKS AND RECREATION.

Sec. 23-13. Regulations of smoking in outdoor amphitheater or Concert Venues; and Civil Penalty,

- (a) The City shall install adequate signs within each outdoor amphitheater or concert venue that designates no-smoking areas within such amphitheater or concert venue; and
- (b) Provide that no person shall smoke in any such area or place designated as a no-smoking area and that any person who continues to smoke in such an area or place after having been asked to refrain from smoking shall be subject to a civil penalty of not more than \$25; and
- (c) Provide that any law-enforcement officer may issue a summons regarding a violation of the ordinance; and.
- (d) That civil penalties assessed under this section shall be paid to the treasury of the City and shall be expended solely for public health purposes.

State Law reference— Similar provisions, Code of Virginia, § 15.2-926.4.

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

BE IT FINALLY ORDAINED, this ordinance shall become effective upon passage.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY