



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

March 5, 2019

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.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - Dr. Gary P. Miller

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Proclamation: Girl Scout Week

Presented to : Girl Scout Troop #970

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.

MEETING MINUTES

- A. Consideration of Approval of Minutes from Regular Council Meeting held on February 5, 2019.
Council Letter Number CL - 2075

NEW BUSINESS

- A. Consideration of Granting a Special Use Permit at 524 Chatham Avenue for Public Use.
Council Letter Number CL - 2077
 - 1. Public Hearing
 - 2. An Ordinance Granting a Special Use Permit for a Public Use in Accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, As Amended at 524 Chatham Avenue, Otherwise Known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map Subject to Conditions.

- B. Consideration of Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for a Grant from the Virginia Department of Emergency Management.
Council Letter Number CL - 2072

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for a Grant from the Virginia Department of Emergency Management in the Amount of \$56,347 for Equipment Upgrades to the Danville Regional Hazardous Materials Response Team, and Appropriating Same.

FIRST READING

- C. Consideration of Amending the Fiscal Year 2019 Budget Appropriation for Recreation Enrichment Program Funds.
Council Letter Number CL - 2063

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for Funds in the Amount of \$55,220 for a Recreation Enrichment Program and the Local In-Kind Share of \$137,624 for a Total Appropriation of \$192,844 and Appropriation of Same.

FIRST READING

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-2075

Meeting Minutes Item #: A.

City Council Regular Meeting

Meeting Date: 03/05/2019

Subject: Consideration of Approval of Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 03/05/2019

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on February 5, 2019.

Council Letter Number CL - 2075

Attachments

Meeting Minutes

February 5, 2019

The Regular February meeting of the Danville City Council was held on February 5, 2019, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (9).

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

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Council Member L.G. "Larry" Campbell, Jr.; the Pledge of Allegiance to the Flag followed.

MINUTES

Upon **Motion** by Council Member Campbell and **second** by Council Member Whittle, Minutes of the Regular Council Meeting held on January 3, 2019 were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

NEW BUSINESS

PUBLIC HEARING – GRANTING A SPECIAL USE PERMIT FOR A YARD SETBACK AT 1716 LANIER AVENUE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 1716 Lanier Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on January 22, 2019 and January 29, 2019. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2019-02.01

GRANTING A SPECIAL USE PERMIT FOR A YARD SETBACK WAIVER IN ACCORDANCE WITH ARTICLE 3.Q, SECTION B, ITEM 23 AND ARTICLE 3.O, SECTION C, ITEM 25 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 1716 LANIER AVENUE, OTHERWISE KNOWN AS GRID 0612, BLOCK 004, PARCEL 00001 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP

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

VOTE:	8-0-1
AYE:	Buckner, Campbell, Jones, Miller, Saunders, Tomer, Vogler and Whittle (8)
NAY:	None
ABSTAIN:	Shanks (1)

February 5, 2019

STATEMENT OF CONFLICT OF INTEREST

I, Fred O. Shanks, III, do hereby state that I have a conflict of interest regarding the consideration of an Ordinance Granting a Special Use Permit for Yard Setback Waiver at 1716 Lanier Avenue, listed on the agenda as New Business item (A). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code §2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 5th day of February, 2019.

s/Fred O. Shanks, III

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AGREEMENT FROM THE VIRGINIA DEPARTMENT OF AVIATION TO PROMOTE AVIATION AWARENESS AT THE DANVILLE REGIONAL AIRPORT

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

RESOLUTION NO. 2019-02.01

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AGREEMENT FROM THE VIRGINIA DEPARTMENT OF AVIATION TO PROMOTE AVIATION AWARENESS AT THE DANVILLE REGIONAL AIRPORT.

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

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

BUDGET APPROPRIATION – AMENDING THE FY2019 BAO TO PROVIDE FOR A STATE DEPARTMENT OF AVIATION GRANT IN THE AMOUNT OF \$7,500 AND FOR THE LOCAL SHARE OF \$7,500 FOR A TOTAL APPROPRIATION OF \$15,000

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

ORDINANCE NO. 2019-02.02

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A STATE DEPARTMENT OF AVIATION GRANT FOR THE PURPOSE OF PROVIDING FUNDING TO PROMOTE AVIATION AWARENESS AT THE DANVILLE REGIONAL AIRPORT IN THE AMOUNT OF \$7,500 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$7,500 TO BE PROVIDED BY THE GENERAL FUND SUPPORT OF GRANTS FOR A TOTAL APPROPRIATION OF \$15,000 AND APPROPRIATING SAME

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.

ROLL CALL

Council Member Miller noted last Wednesday he was at the State Legislature, at a Senate Finance hearing on a coal ash bill to try to clean up the coal ash in Virginia. He was pleased that it passed, but it has little effect on Danville. Five years ago on February 2nd, the City started receiving reports of a spill in the Dan River from a power plant upstream. In total, 39,000 tons of coal ash went through the Dan River. Of that amount, about 10-15% was dredged, the rest is still there; no one knows the long term effects of the chemicals. The City has to remain vigilant and make sure it doesn't happen again. A few weeks ago, he got to work with a student nurse from DCC, it was the Mayor's daughter; Dr. Miller noted his sympathies are with the family of State Trooper Dowell.

Council Member Shanks noted with respect to Dr. Miller's statement, the City does need to remain vigilant to make sure the coal ash spill never happens again. Nature has a marvelous way of self cleaning, and would say the City can thank the many heavy rain falls that help clean the river. Mr. Shanks noted he feels comfortable drinking water out of the City's system, the testing shows up clear, and there is no reason to be concerned about local water.

Council Member Tomer noted his thoughts were with the family of Trooper Dowell, and stated his appreciation of law enforcement in Danville, throughout the state and the nation, keeping citizens safe and putting their lives on the line. Mr. Tomer noted he would like Council to have a conversation about the City's policy on vacation time for City employees compared to other areas, and holidays to have them nearer the Constitutional Officers and the State, and also look at paid maternity leave. Mr. Tomer asked the City Manager to put together a presentation for Council.

Vice Mayor Vogler noted his agreement with Council Member Tomer, paid maternity leave is becoming more common in the private sector. Mr. Vogler noted they want to make Danville a greater place for young families, and anything they can do to help make that happen is worthy of a discussion. He would like to see what other localities are doing in that regard. Mr. Vogler thanked all the City employees for the work they do, but particularly Public Safety employees who do a tremendous job, and thanked the City Manager, the Mayor and all of City Council, they are a tremendous team and Danville is a wonderful City.

Council Member Whittle noted with respect to the Casino bill, he believes Danville should have a lobbyist in place that has the City's best interests in mind. Mr. Whittle noted the sediment pond at Nordan was cleared today, it looked good, and all the fences were locked and safe.

Council Member Buckner asked for an update on the trail, it was still covered with sand, the bridge is out, and questioned when residents can expect to see the trail back open and the sand removed. City Manager Larking noted it has been challenging since there were several floods last year; each time the trail was cleared, another flood happened. Contract crews have been removing the sand, but the bridge will take some time to replace as it needs to be engineered. When the water came through the creek, it actually changed the size of the opening, and the bridge has to be longer and bigger. The old bridge was narrow compared to

February 5, 2019

the rest of the trail, and maintenance crews could not use it. The bridge will probably be replaced by the end of summer, beginning of fall, but the rest of the trail should be cleared by spring.

Council Member Campbell noted his prayers went to Ms. Hickson on the loss of her daughter, and to the Coleman family on the loss of Jeffrey Coleman.

Mayor Jones noted each one of the Council Members is unique in their own way, and each brings so much to the table for the City. He receives a lot of calls in reference to Council Members and what they do; they go above and beyond to help their City and bring new ideas. Mayor Jones thanked Council for all they are doing for the City and continuing to move the City forward. Mayor Jones noted to the police officers, sometimes they do not get the credit they truly deserve and wanted to sincerely say thank you to all of them. Mayor Jones noted their hearts go out to the family of Trooper Dowell.

The meeting adjourned at 7:20 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2077

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 03/05/2019

Subject: Request for a Special Use Permit for a Public Use at 524 Chatham Ave.

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

COUNCIL ACTION

Business Meeting: 03/05/2019

SUMMARY

A request has been filed for a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to construct a community building with a commercial kitchen, computer lab, and exercise room.

BACKGROUND

An application has been filed by Gary M. Wasson on behalf of the Danville Redevelopment and Housing Authority (DRHA), requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map.

The applicant is proposing to have a community facility with a commercial kitchen, computer lab, and exercise room. This use is considered a public use because the community facility, if approved, will be operated by DRHA, which Mr. Wasson represents. Construction will still need approval of any necessary building permits.

Currently, the site contains one residential structure which has been vacant for several years. In 2018, the property was consolidated with an adjacent vacant property (formerly Property ID# 22414). However, this recent consolidation does not yet appear in the City's maps. The consolidation provides additional space for the development of a community facility as proposed and shown on the applicant's application.

At their meeting of February 11, 2019, the Planning Commission voted 6-0 (Commissioner Jones absent) for recommended approval of Special Use Permit application PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map subject to the following conditions:

1. Any scheduled events shall be limited to occur between 6 am and 10 pm, Sunday through

Thursday, and 6 am and 11 pm Friday and Saturday.

2. The community facility shall be primarily managed and owned by a government agency, unless any change in management or ownership complies with zoning regulations, which are current at the time of the change, for public uses compared to private community facilities.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance granting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map subject to the following conditions:

1. Any scheduled events shall be limited to occur between 6am and 10 pm Sunday through Thursday, and 6am and 11 pm Friday and Saturday.
- 2, The community facility shall be primarily managed and owned by a government agency, unless any change in management or ownership complies with zoning regulations, which are current at the time of the change, for public uses compared to private community facilities.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PUBLIC USE IN ACCORDANCE WITH ARTICLE 3.E, SECTION C, ITEM 15 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED AT 524 CHATHAM AVENUE, OTHERWISE KNOWN AS GRID 1610, BLOCK, 008, PARCEL 000014, OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP SUBJECT TO CONDITIONS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Special Use Permit PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map, is hereby received, subject to the following conditions:

1. Any scheduled events shall be limited to occur between 6am and 10pm Sunday through Thursday, and 6am and 11pm Friday and Saturday.
2. The community facility shall be primarily managed and owned by a government agency, unless any change in management or ownership complies with zoning regulations, which are current at the time of the change, for public uses compared to private community facilities.

AND BE IT FURTHER ORDAINED THAT in consideration of said report and the public hearing this day held by Council, PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map, is hereby granted and approved, subject to the following conditions:

1. Any scheduled events shall be limited to occur between 6am and 10pm Sunday through Thursday, and 6am and 11pm Friday and Saturday.
2. The community facility shall be primarily managed and owned by a government agency, unless any change in management or ownership complies with zoning regulations, which are current at the time of the change, for public uses compared to private community facilities.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency

City Attorney



City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

City Planning Commission

MEMORANDUM

DATE: FEBRUARY 11, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST

REQUEST:

Special use permit application PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to construct a community building with a commercial kitchen, computer lab, and exercise room.

RECOMMENDATION:

Planning Commission voted 6-0 (Commissioner Jones absent) to recommend approval subject to the following conditions:

1. Any scheduled events shall be limited to occur between 6am and 10pm Sunday through Thursday, and 6am and 11pm Friday and Saturday.
2. The community facility shall be primarily managed and owned by a government agency, unless any change in management or ownership complies with zoning regulations, which are current at the time of the change, for public uses compared to private community facilities.

Michael W. Searce (BWT)

Mr. Michael Searce, Chairman

RESPONSES:

Twenty-four (24) notices were sent to property owners within three hundred (300) feet of the property. Eleven (11) property owners returned statements. Eight (8) property owners are not opposed to the special use permit (Margaret D. Marshall, Victor T. and Kimberly R. Coker, Thelma J. Bush, Danville Redevelopment and Housing Authority, Gus Steve Dolianitis, Jerry W. and Yolanda L. McLaughlin, Dominick P. Belinchak and Elizabeth J. Voorhies, and Harold L. Sr. and Margaret K. Griffith). Three (3) property owners are opposed to the special use permit (Nathaniel Tillman and Ernestine Syndor, Alvena Delores Grant, and Craig L. and Sophrinia G. Waller).

COMMENTS:

There were no additional comments.



City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

City Planning Commission

City Planning Commission
Meeting of February 11, 2019

Subject:

Special use permit application PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have a community building with a commercial kitchen, computer lab, and exercise room.

Background:

An application has been filed by Gary M. Wasson on behalf of the Danville Redevelopment and Housing Authority (DRHA), requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 17 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map.

The applicant is proposing to have a community facility with a commercial kitchen, computer lab, and exercise room. This use is considered a public use because the community facility, if approved, will be operated by DRHA, which Mr. Wasson represents. Construction will still need approval of any necessary building permits.

Currently, the site contains one residential structure which has been vacant for several years. In 2018, the property was consolidated with an adjacent vacant property (formerly Property ID# 22414). However, this recent consolidation does not yet appear in the City's maps. The consolidation provides additional space for the development of a community facility as proposed and shown on the applicant's application.

Twenty-four (24) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on February 11, 2019.

Recommendation:

The Planning staff recommends approval of Special Use Permit application PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 17 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map subject to the following conditions:

1. Any scheduled events shall be limited to occur between 6am and 10pm Sunday through Thursday, and 6am and 11pm Friday and Saturday.
2. The community facility shall be primarily managed and owned by a government agency, unless any change in management or ownership complies with zoning regulations, which are current at the time of the change, for public uses compared to private community facilities.

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000022 as submitted.
2. Approval of Special Use Permit application PLSUP20190000022 subject to conditions by staff.
3. Approval of Special Use Permit application PLSUP20190000022 subject to conditions by the Planning Commission.
4. Denial of Special Use Permit application PLSUP20190000022 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000022 by Planning Commission.

Attachments:

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the Special Use Permit as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

APPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING

USE: ~~Private Community Facility~~ ^{Public use}, including a commercial kitchen, computer lab, and exercise room

CASE NUMBER: PLSOP2019000022

EXISTING ZONING: OT-R, Old Town Residential

PROPOSED ZONING: No change

TAX MAP NUMBER: 1610-005-000014

RECEIVED BY: Bryce Johnson

DATE FILED: 1/16/19

PLANNING COMMISSION DATE: Feb. 11

CITY COUNCIL DATE: 3/5/19

INFORMATION TO BE PROVIDED BY THE APPLICANT
(PLEASE TYPE OR PRINT)

Exact legal description of property (Attach if insufficient space).

Gross Area/Net Area: 6000 SF Property Address: 524 CHATHAM AVENUE

Property Location: N S E W Side of: CHATHAM AVENUE

Between: BONNER AVENUE and EDMONDS STREET

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

- Proposed use of the land: size and location of structures with dimensions to lot lines.
- Vehicular circulation system with points of ingress and egress.
- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

THE EXISTING BUILDING AT 524 CHATHAM AVENUE WILL BE DEMOLISHED.
A 6000 SF COMMUNITY BUILDING WITH A COMMERCIAL KITCHEN, COMPUTER
LAB, AND EXERCISE ROOM WILL BE TRADITIONALLY CONSTRUCTED.

PRESENT OWNER(S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

1. NAME: DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY TELEPHONE: (434) 792-5544

MAILING ADDRESS: 135 JONES CROSSING, DANVILLE, VA 24541

X SIGNATURE: Gary M. Wasson DATE: 1-15-19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: gwasson@drhava.com

APPLICANT (PLEASE TYPE OR PRINT):

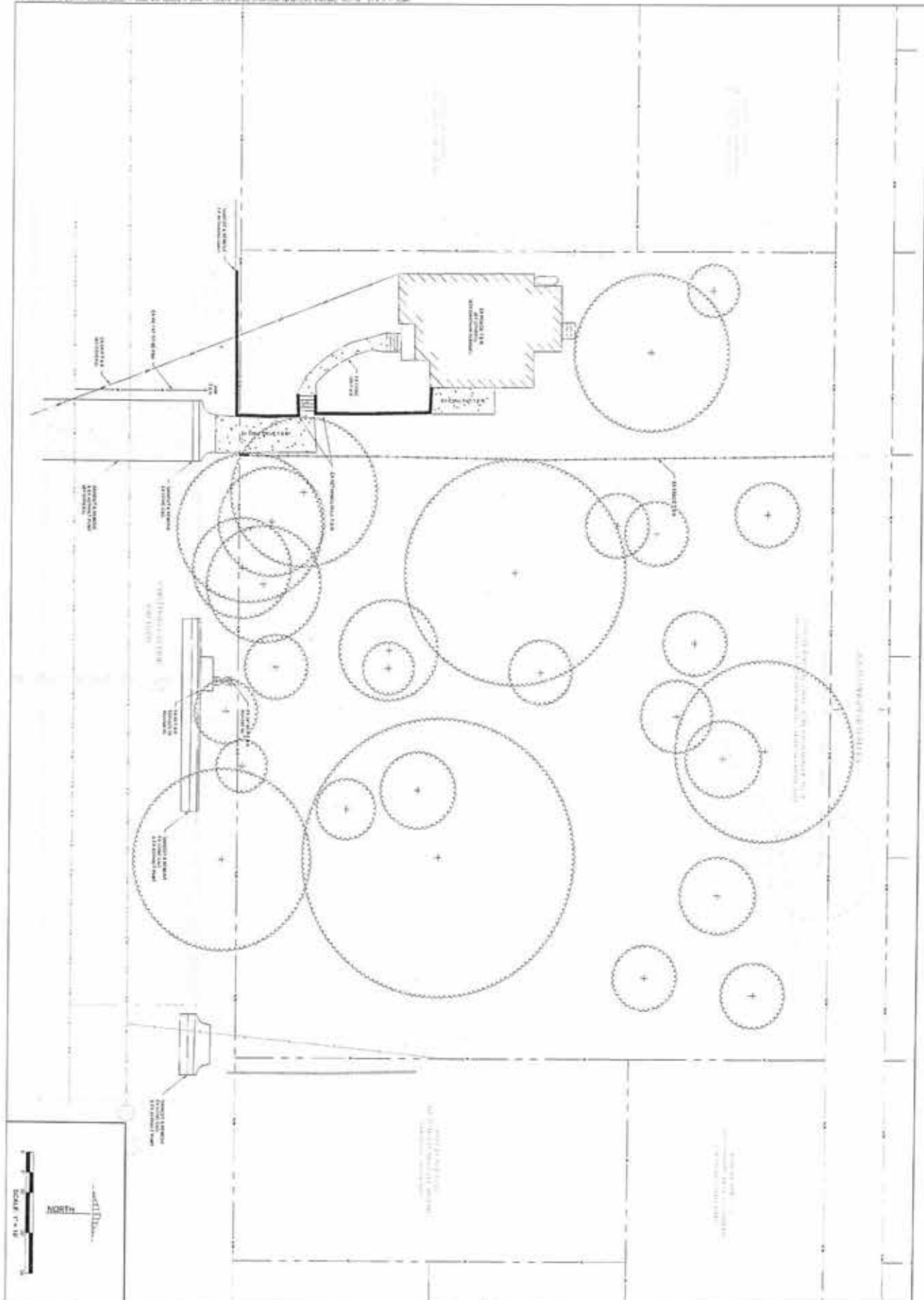
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

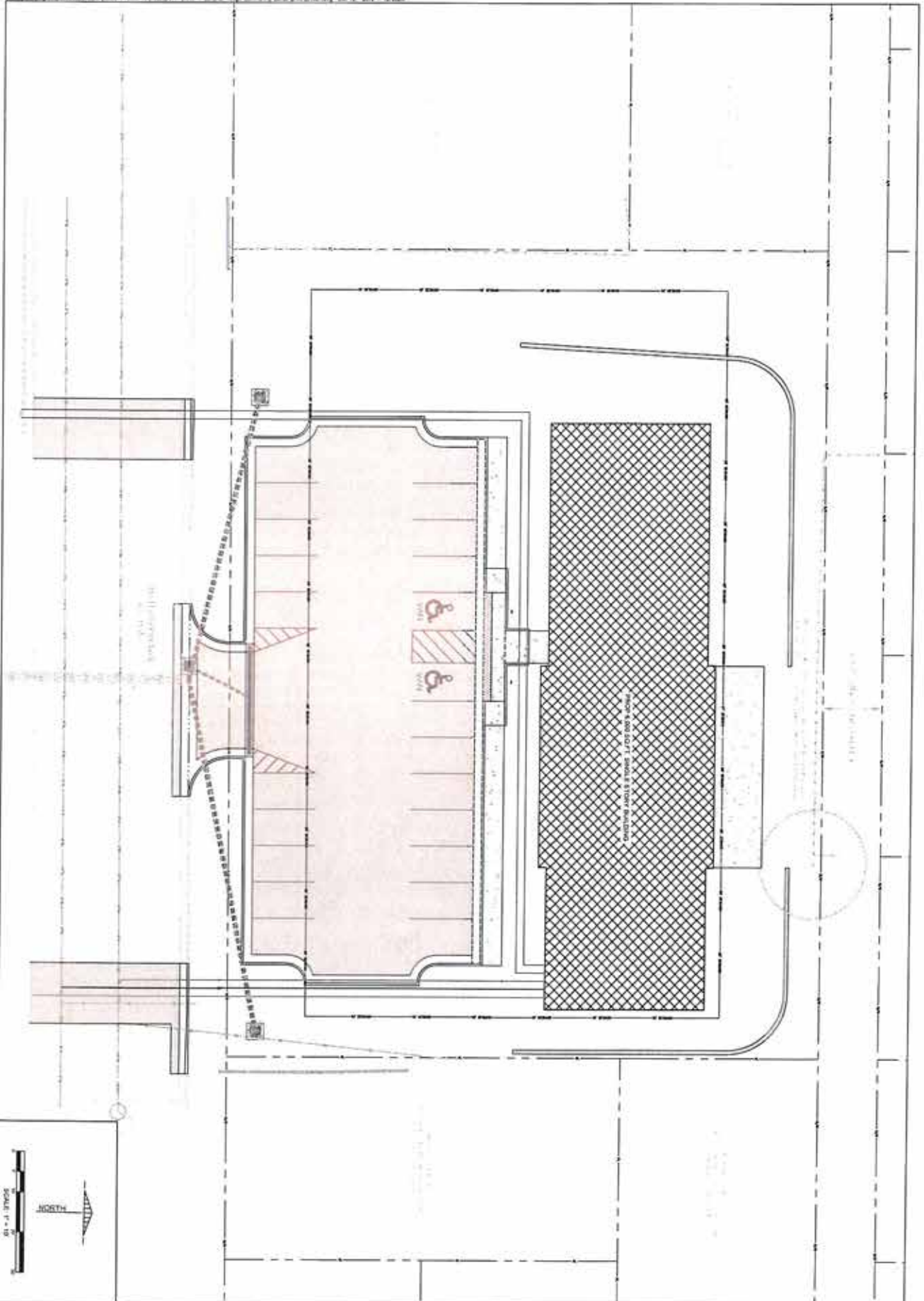
NAME: DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY TELEPHONE: (434) 792-5544

MAILING ADDRESS: 135 JONES CROSSING, DANVILLE, VA 24541

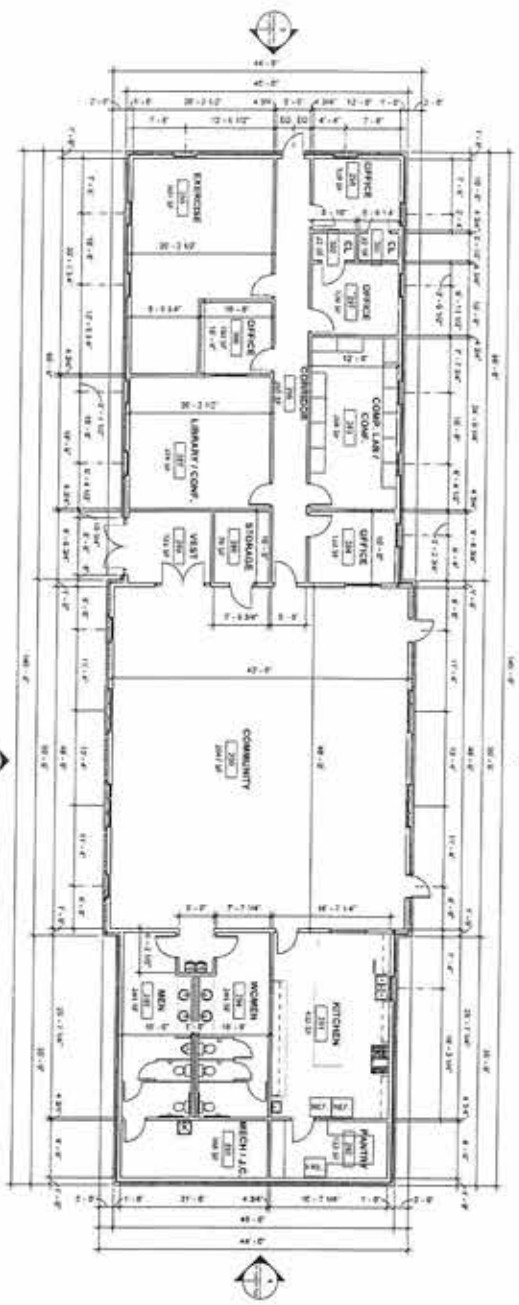
EMAIL ADDRESS: gwasson@drhava.com

X SIGNATURE: Gary M. Wasson DATE: 1-15-19

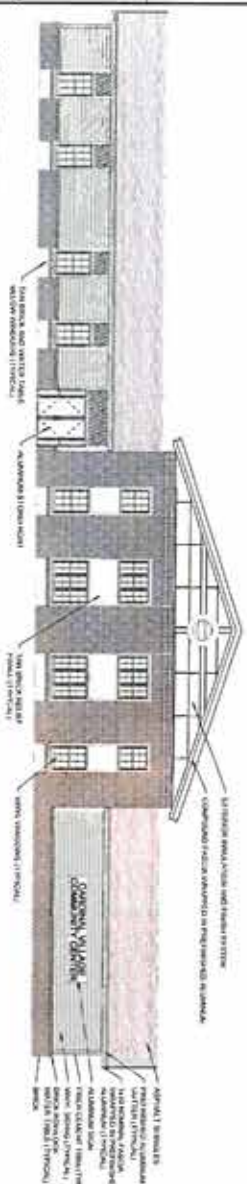




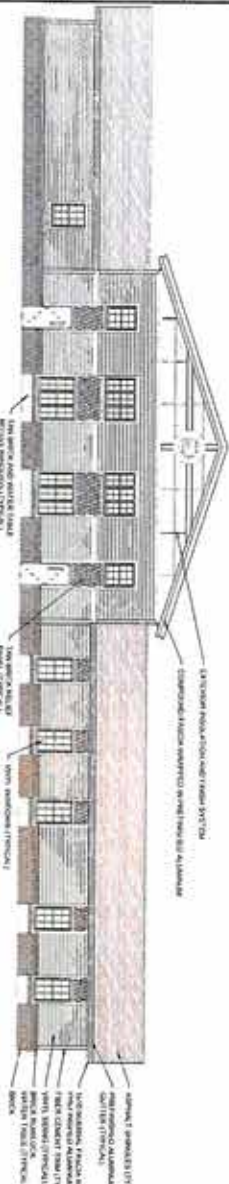
#	DATE	DRAWN BY	CHECKED BY	APPROVED BY	PROJECT NO.	LAYOUT & UTILITIES PLAN		SHEET NO.	REVISIONS	CERTIFICATION
						SITE PLAN FOR CARDINAL VILLAGE COMMUNITY CENTER DANVILLE REDEVELOPMENT & HOUSING AUTHORITY DANVILLE, VIRGINIA B & B Consultants, Inc.				
PRELIMINARY NOT FOR CONSTRUCTION										



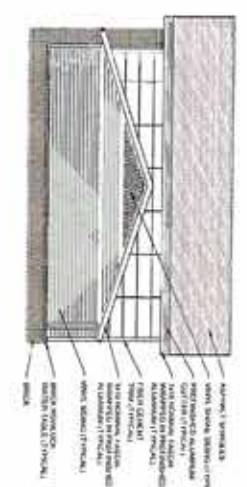
FLOOR PLAN OPTION 3
Scale: 1/8" = 1'-0"



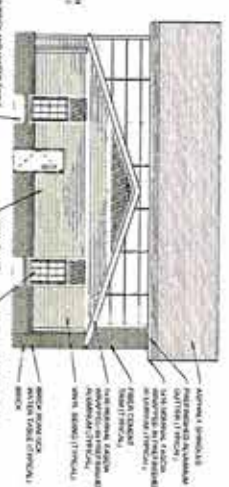
SOUTH ELEVATION OPTION 3
Scale: 1/8" = 1'-0"



NORTH ELEVATION OPTION 3
Scale: 1/8" = 1'-0"



EAST ELEVATION OPTION 3
Scale: 1/8" = 1'-0"



WEST ELEVATION OPTION 3
Scale: 1/8" = 1'-0"

DANVILLE REDEVELOPMENT
AND HOUSING AUTHORITY
**CARDINAL VILLAGE
COMMUNITY CENTER**
524 CHATHAM AVENUE
SCHEMATIC DESIGN

**SOLEX
ARCHITECTURE**

1000 N. 10TH ST., SUITE 100
DANVILLE, VA 24004
703.755.1111
www.alexarchitect.com

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	08/11/11
2	FOR CONSTRUCTION	08/11/11

PROJECT NO.	000000
DRAWN BY	CAA
CHECKED BY	CAA
DATE	08/11/11
SCALE	1/8" = 1'-0"

Work Description	Quantity	Unit	Cost / Unit	Subtotal
Div. 1 - General Requirements				
General Conditions			10.00%	\$ 94,195.65
Bonds, Permits, Insurance			4.00%	\$ 37,678.26
Overhead and profit			10.00%	\$ 94,195.65
Subtotal				\$ 226,069.56
Div. 2 - Existing Conditions				
Geotechnical Investigation	1	LS	\$5,000.00	\$ 5,000.00
Subtotal				\$ 5,000.00
Div. 3 - Concrete				
Concrete Slab on Grade	108	CY	\$300.00	\$ 32,400.00
Subtotal				\$ 32,400.00
Div. 4 - Masonry				
Brick	1,654	SF	\$18.00	\$ 29,772.00
Subtotal				\$ 29,772.00
Div. 5 - Metals				
Not Used	0		\$0.00	\$ -
Subtotal				\$ -
Div. 6 - Wood, Plastics and Composites				
2x4 Studs, 10' high, 12" OC, Pneumatic	386	LF	\$14.00	\$ 5,404.00
2x6 Framing	638	LF	\$18.00	\$ 11,484.00
Blocking, 2x6	50	LF	\$18.00	\$ 900.00
Sheathing, 5/8", Wall, Pneumatic	6,157	SF	\$1.20	\$ 7,388.40
Sheathing, 5/8", Roof, Pneumatic	7,104	SF	\$1.10	\$ 7,814.40
Roof Trusses	6,580	SF	\$3.60	\$ 23,688.00
Fascia, 1x10, Wrapped in prefinished aluminum	288	LF	\$7.50	\$ 2,160.00
Fascia, Compound, Wrapped in prefinished aluminum	207	LF	\$16.00	\$ 3,312.00
Trim, Fiber Cement, 8" Nominal	561	LF	\$8.50	\$ 4,768.50
Trim, Fiber Cement, 6" Nominal	196	LF	\$7.00	\$ 1,372.00
Wood Base, Classic Profile, 5/8" x 5 1/2" (Community Room)	193	LF	\$6.00	\$ 1,158.00
Subtotal				\$ 69,449.30
Div. 7 - Thermal and Moisture Protection				
Shingles	71	SQ	\$150.00	\$ 10,650.00
Roofing Felt	71	SQ	\$18.00	\$ 1,278.00
Weather Barrier	62	SQ	\$26.00	\$ 1,612.00
Exterior Insulation and Finish System (EIFS)	1,023	SF	\$10.00	\$ 10,230.00
Aluminum Flashing	1,292	LF	\$2.50	\$ 3,230.00
Gutters	292	LF	\$8.00	\$ 2,336.00
Downspouts	147	LF	\$7.00	\$ 1,029.00
Vinyl Siding	3,151	SF	\$4.50	\$ 14,179.50
Batt Insulation	17,344	SF	\$0.80	\$ 13,875.20
Subtotal				\$ 58,419.70
Div. 8 - Openings				
Windows (Including Int./Ext. Trim)	12	EA	\$1,100.00	\$ 13,200.00
Windows (Including Int./Ext. Trim), Safety Glazing	30	EA	\$3,300.00	\$ 99,000.00
Louver, Round, 3ft.	2	EA	\$400.00	\$ 800.00
Aluminum Storefronts	116	SF	\$50.00	\$ 5,800.00
Doors and Frames	23	EA	\$1,250.00	\$ 28,750.00
Hardware	21	EA	\$725.00	\$ 15,225.00
Automatic Door Opener	2	EA	\$6,000.00	\$ 12,000.00
Subtotal				\$ 174,775.00
Div. 9 - Finishes				
Carpet Tile	98	SY	\$27.00	\$ 2,646.00
Concrete Stain	3,634	SF	\$3.00	\$ 10,902.00
Ceramic Tile	1,500	SF	\$11.00	\$ 16,500.00
Resilient Base (Side rooms excluding restrooms)	868	LF	\$2.50	\$ 2,170.00
Painting (Primer and 2 coats) walls and ceilings	16,235	SF	\$1.50	\$ 24,352.50
ACT	2,466	SF	\$4.00	\$ 9,864.00
Gypsum Board, 5/8", Ceiling, Level 4	2,829	SF	\$1.50	\$ 4,243.50
Gypsum Board, 5/8", Wall, Level 4	13,406	SF	\$1.25	\$ 16,757.50
Subtotal				\$ 87,435.50

Div. 10 - Specialties				
Toilet Accessories (Electric Hand Dryer, Soap Dispenser, Mirrors at Vanities, Grab Bars, Toilet Tissue Dispenser, Diaper Changing Table)	2	LS	\$2,200.00	\$ 4,400.00
Toilet Partitions	6	EA	\$1,200.00	\$ 7,200.00
Fire Extinguisher Cabinets and Extinguishers	2	EA	\$350.00	\$ 700.00
Signage, Restroom	2	EA	\$60.00	\$ 120.00
Signage, Interchangeable	14	EA	\$200.00	\$ 2,800.00
Signage, Exterior	1	LS	\$5,000.00	\$ 5,000.00
Subtotal				\$ 20,220.00
Div. 11 - Equipment				
Wire Shelving	30	LF	\$17.50	\$ 525.00
Subtotal				\$ 525.00
Div. 12 - Furnishings				
Casework	71	LF	\$300.00	\$ 21,300.00
Countertops	180	SF	\$30.00	\$ 5,400.00
Subtotal				\$ 26,700.00
Div. 22, 23, 26 - Plumbing, Mechanical, Electrical				
Mechanical (per ton)	22	EA	\$4,500.00	\$ 99,000.00
Electrical	6,000	SF	\$18.00	\$ 108,000.00
Plumbing	6,000	SF	\$6.00	\$ 36,000.00
Subtotal				\$ 243,000.00
Div. 31 - Earthwork				
Termite Control	6,000	SF	\$0.30	\$ 1,800.00
Earthwork, Asphalt, Concrete	1	LS	\$121,105.00	\$ 121,105.00
Subtotal				\$ 122,905.00
Div. 32 - Exterior Improvements				
Miscellaneous Building Exterior	1	LS	\$5,000.00	\$ 5,000.00
Retaining Walls	1	LS	\$35,000.00	\$ 35,000.00
Site Lighting per Pole, Including Base	1	LS	\$2,000.00	\$ 2,000.00
Flag Pole	1	LS	\$2,500.00	\$ 2,500.00
Subtotal				\$ 39,500.00
Div. 33 - Utilities				
Water / Sewer	1	LS	\$4,225.00	\$ 4,225.00
Storm	1	LS	\$27,630.00	\$ 27,630.00
Subtotal				\$ 31,855.00
Total of Construction Items Above				\$ 941,956.50
Total Construction Costs with General Requirements (rounded)				\$ 1,168,030.00
Contingency 20.00%				\$ 233,606.00
PROJECT TOTAL (rounded)				\$ 1,401,640.00
Cost per Square Foot (with site items)				\$ 234
Cost per Square Foot (without site items)				\$ 201

It should also be noted that this estimate is intended to approximate the anticipated construction costs for a future period of 6 months. Due to unforeseen changes in the bid climate, material costs, etc., this estimate is not valid beyond 6 months.

Excludes furnishings, kitchen equipment, demo of the existing house / retaining wall, tree removal, tap fees, and utilities beyond the meters. Danville Utilities to connect to sewer cleanout in right-of-way and water / gas meter.

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATE: February 11, 2019

LOCATION OF PROPERTY: 524 Chatham Ave

PRESENT ZONE: OT-R, Old Town Residential

PROPOSED ZONE: Unchanged

ACTION REQUESTED: Special Use Permit for a public use

PRESENT USE OF PROPERTY: Unused, although a vacant residential structure exists on the property

PROPOSED USE OF PROPERTY: Community facility, including a commercial kitchen, computer lab, and exercise room

PROPERTY OWNER (S): Danville Redevelopment and Housing Authority

NAME OF APPLICANT (S): Gary M. Wasson

PROPERTY BORDERED BY: Residential on all sides

ACREAGE: 0.51 acres (22,215.6 square feet)

CHARACTER OF VICINITY: Residential, with some college use to the East

INGRESS AND EGRESS: Chatham Ave

TRAFFIC VOLUME: Low



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/17/2019

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

Council Letter

City of Danville, Virginia



CL-2072

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 03/05/2019

Subject: 2018 SHSP - HazMat Team

From: David R. Eagle, Fire Chief

COUNCIL ACTION

First Reading: 03/05/2019

Final Adoption: 03/19/2019

SUMMARY

The City has received notification from the Virginia Department of Emergency Management, that the Danville Fire Department Hazardous Materials Team has been approved to receive funding from the 2018 State Homeland Security Grant Program in the amount of \$56,347 for equipment upgrades. The grant requires no local match.

BACKGROUND

Each year, funds from the State Homeland Security Grant Program are given to the Virginia Department of Emergency Management to distribute to special response teams throughout the Commonwealth, to be used to support the teams' training and equipment upgrades.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by increasing revenue to anticipate the receipt of the grant funds from the Virginia Department of Emergency Management.

Attachments

Ordinance

SubAward Agreement

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT IN AN AMOUNT OF \$56,347 FOR EQUIPMENT UPGRADES TO THE DANVILLE REGIONAL HAZARDOUS MATERIALS RESPONSE TEAM, AND APPROPRIATING SAME.

WHEREAS, the City has been notified by the Virginia Department of Emergency Management that the Fire Department's Hazardous Materials Team has been awarded a grant; and

WHEREAS, the grant funds are to be used to upgrade the equipment of the Hazardous Materials Team in order to meet the State's listing of minimum requirement equipment as a regional response team.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia that the Fiscal Year 2019 Budget Appropriation Ordinance be, and is hereby, amended by increasing revenues from the Virginia Department of Emergency Management for equipment upgrades and such revenue and appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 19 State Homeland Security HazMat Grant—Federal Funding	61474000-48230	<u>\$56,347.</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 19 SHSG—HazMat Grant	61474999-50	<u>\$56,347.</u>

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

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



Virginia Department of Emergency
Management

10501 Trade Court
North Chesterfield, VA 23236

SUBAWARD AGREEMENT

Page 1 of 8

1. SUBRECIPIENT NAME AND ADDRESS:

Danville City
427 Patton Street.
Danville, Virginia 24541

4a. SUBAWARD ID NUMBER: 7960

4b. Federal Award Identification Number: EMW-2018-SS-00093-S01

5. SUBAWARD DATE: 12/5/2018

6. PROJECT PERIOD: «10/01/2018» to «03/31/2020»

BUDGET PERIOD: «10/01/2018» to «03/31/2020»

7. TOTAL AMOUNT OF THIS SUBAWARD: **\$56,347.00**

2. SUBRECIPIENT DUNS Number:

066008251

SUBRECIPIENT EIN:

54-6001243

8. FEDERAL AMOUNT OF THIS SUBAWARD: **\$56,347.00**

9. SUBRECIPIENT NON-FEDERAL COST SHARE
REQUIREMENT: N/A

10. INDIRECT COST RATE (If applicable): N/A

3. PASS-THROUGH ENTITY: Virginia Department of Emergency Management
SUBAWARD NAME: **2018 State Homeland Security Grant Program (SHSP)**
CFDA: 97.067 Homeland Security Grant Program (HSGP)
U.S. Department of Homeland Security (DHS)
Federal Emergency Management Agency (FEMA)

11. STANDARD TERMS AND CONDITIONS & SPECIAL CONDITIONS

The above subaward is approved subject to the 2018 Department of Homeland Security (DHS) Standard Terms and Conditions and VDEM Special Conditions as set forth on the attached pages.

12. APPROPRIATION AUTHORITY FOR GRANT

The project is supported under the *Department of Homeland Security Appropriations Act, 2018 (Public Law No. 115-141)*.

13. METHOD OF PAYMENT

Commonwealth of Virginia Cardinal Accounting System

AGENCY APPROVAL

SUBRECIPIENT ACCEPTANCE

14. TYPED NAME AND TITLE OF APPROVING VDEM OFFICIAL

Jeffrey D. Stern Ph.D.
State Coordinator

16. NAME AND TITLE OF AUTHORIZED OFFICIAL

Ken Larking
City Manager

15. SIGNATURE OF APPROVING VDEM OFFICIAL

17. SIGNATURE OF AUTHORIZED SUBRECIPIENT OFFICIAL

18. DATE:

12/6/18

	Virginia Department of Emergency Management 10501 Trade Court North Chesterfield, VA 23236	SUBAWARD AGREEMENT	Page 2 of 8
Subaward Name: 2018 State Homeland Security Grant Program (SHSP) Subaward Date: 12/5/2018			
SPECIAL CONDITIONS			
1. The Subrecipient shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at <u>2 CFR Part 200</u>, and adopted by DHS at <u>2 CFR Part 3002</u> and the U.S. Department of Homeland Security Grant Program (HSGP) Notice of Funding Opportunity (NOFO).			
2. The Subrecipient agrees to permit the pass-through entity and auditors to have access to its records and financial statements as necessary for the pass-through entity to meet the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at <u>2 CFR Part 200</u>.			
3. The Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.			
4. The Subrecipient shall comply with the indirect costs provisions of <u>2 CFR§ 200.414</u>. With the exception of subrecipients who have never received a negotiated indirect cost rate as described in 2 C.F.R. § 200.414(f), subrecipients must have an approved indirect cost rate agreement with their cognizant federal agency to charge indirect costs to this subaward.			
5. In the event VDEM determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, the Subrecipient will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate Subrecipient acceptance of the changes to the award.			
6. Subrecipients proposing projects that have the potential to impact the environment, including but not limited to construction of communication towers, modification or renovation of existing buildings, structures and facilities, or new construction including replacement of facilities, must participate in the FEMA Environmental Planning and Historic Preservation (EHP) review process. Subrecipients must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the Subrecipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the Subrecipient will immediately cease construction in that area and notify FEMA and the State Historic Preservation Office. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding.			
7. The Subrecipient agrees that federal funds under this award will be used to supplement, not supplant, state or local funds for emergency preparedness.			

*Saving lives through effective emergency management and homeland security.
"A Ready Virginia is a Resilient Virginia."*



Virginia Department of Emergency
Management

10501 Trade Court
North Chesterfield, VA 23236

SUBAWARD AGREEMENT

Page 3 of 8

Subaward Name: **2018 State Homeland Security Grant Program (SHSP)**

Subaward Date: 12/5/2018

8. The Subrecipient agrees that all publications created with funding under this grant shall prominently contain the following statement: "This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."
9. The Subrecipient agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."
10. The Subrecipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
11. The Subrecipient must submit a Quarterly Progress Report for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Reports are due within fifteen (15) days following the end of the quarter. A Final Progress Report is due thirty (30) days after the end date of the performance period. Failure to provide this information may result in VDEM withholding grant funds from further obligation and expenditure and prevent future awards to the Subrecipient.
12. National Incident Management System (NIMS) Implementation Compliance

In accordance with HSPD-5, the adoption of the NIMS is a requirement to receive federal preparedness assistance through grants, contracts, and other activities. No federal funds will be released to the primary grantee and any other entity participating and benefiting in this project if this requirement has not been met. In the event of a Corrective Action Plan submitted, VDEM/SAA will determine if the Subrecipient has made sufficient progress to disburse funds.
13. All conferences and workshops using federal preparedness funds must pertain to the project being funded. The Subrecipient agrees to submit a Trip Report when using federal funds to attend a conference or workshop. The Trip Report template can be found at www.vaemergency.gov under Reporting Forms. These reports must be remitted with your request for reimbursement. Failure to do so will result in a delay of payment until received.
14. The Subrecipient agrees that under program guidelines, travel expenses are allowable for approved training, planning, administrative, and exercise activities following local, state, and federal guidelines. Prior to traveling for these activities outside of contiguous United States (OCONUS) as well as to Canada and Mexico, preapproval is required by the state and FEMA through the SAA office.

Please reference 2 CFR 200.403, in regard to reasonableness when considering requests for travel of this type. Where applicable, you should also reference the following regarding travel: the Western Hemisphere Travel Initiative (http://www.dhs.gov/files/programs/gc_1200693579776.shtm).

*Saving lives through effective emergency management and homeland security.
"A Ready Virginia is a Resilient Virginia."*

The Department of Homeland Security Standard Terms and Conditions 2018

The FY 2018 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2018. The DHS financial assistance awards terms and conditions flow down to subrecipients, unless a particular award term or condition specifically indicates otherwise.

Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

DHS financial assistance recipients must complete either the OMB Standard Form) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations, Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission, recipients are only required to submit updates. Recipients should submit the completed tool, including supporting materials to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

The United States has the right to seek judicial enforcement of these obligations.

Acknowledgment of Federal Funding from DHS

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Activities Conducted Abroad

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Age Discrimination Act of 1975

Recipients must comply with the requirements of the *Age Discrimination Act of 1975* (Title 42 U.S. Code, § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

The Department of Homeland Security Standard Terms and Conditions 2018

Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. (42 U.S.C. §§ 12101–12213).

Best Practices for Collection and Use of Personally Identifiable Information (PII)

Recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) as useful resources respectively.

Civil Rights Act of 1964 – Title VI

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See 42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. § 100.201.)

Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101).

The Department of Homeland Security Standard Terms and Conditions 2018

Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Education Amendments of 1972 (*Equal Opportunity in Education Act*) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Energy Policy and Conservation Act

Recipients must comply with the requirements of The Energy Policy and Conservation Act (42 U.S.C. § 6201) which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of The False Claims Act (31 U.S.C. § 3729-3733) which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.)

Federal Debt Status

Recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B-138942.

Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, (15 U.S.C. § 2225a), recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, (15 U.S.C. § 2225).

The Department of Homeland Security Standard Terms and Conditions 2018

Limited English Proficiency (*Civil Rights Act of 1964, Title VI*)

Recipients must comply with the *Title VI of the Civil Rights Act of 1964* (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Lobbying Prohibitions

Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

National Environmental Policy Act

Recipients must comply with the requirements of the *National Environmental Policy Act* (NEPA) and the Council on Environmental Quality (CEQ) *Regulations for Implementing the Procedural Provisions of NEPA*, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Non-supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Notice of Funding Opportunity Requirements

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. Recipients must comply with any such requirements set forth in the program NOFO.

Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

Procurement of Recovered Materials

Recipients must comply with Section 6002 of the *Solid Waste Disposal Act*, as amended by the *Resource Conservation and Recovery Act*. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

The Department of Homeland Security Standard Terms and Conditions 2018

Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, ([29 U.S.C. § 794](#)), as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, the recipient must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at [2 C.F.R. Part 200, Appendix XII](#), the full text of which is incorporated here by reference in the award terms and conditions.

Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at [2 C.F.R. Part 170, Appendix A](#), the full text of which is incorporated here by reference in the award terms and conditions.

SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the [SAFECOM](#) Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Terrorist Financing

Recipients must comply with [E.O. 13224](#) and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Trafficking Victims Protection Act of 2000

Recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000*, (TVPA) as amended by [22 U.S.C. § 7104](#). The award term is located at [2 C.F.R. § 175.15](#), the full text of which is incorporated here by reference.

Universal Identifier and System of Award Management (SAM)

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at [2 C.F.R. Part 25, Appendix A](#).

USA Patriot Act of 2001

Recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (USA PATRIOT Act), which amends [18 U.S.C. §§ 175–175c](#).

Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at [10 U.S.C § 2409](#), [41 U.S.C. 4712](#), and [10 U.S.C. § 2324](#), [41 U.S.C. §§ 4304](#) and [4310](#).

Council Letter

City of Danville, Virginia



CL-2063

New Business Item #: C.

City Council Regular Meeting

Meeting Date: 03/05/2019

Subject: Recreation Enrichment and Expanded Summer Program

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

COUNCIL ACTION

First Reading: 03/05/2019

Final Adoption: 03/19/2019

SUMMARY

The Danville-Pittsylvania Community Services Board will award funds in the amount of \$55,220 to the City's Department of Parks and Recreation for Fiscal Year 2019 for the Recreation Enrichment Program and for the Expanded Summer Program.

BACKGROUND

The Danville-Pittsylvania Community Services Board will award funds in the amount of \$55,220 to the City's Department of Parks and Recreation. This is a continuation of funding, which the City receives each year. With these funds, the Special Recreation Division provides recreation, education and cultural services for individuals with intellectual disabilities. The Grant includes funding for the Recreation Enrichment Program as well as for the Expanded Summer Program. The funds will be matched with in-kind funds of \$137,624 for a total appropriation of \$192,844. The in-kind funds are included with the City's FY 2019 budget.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance appropriating funds to the City's Department of Parks and Recreation.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019_____-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR FUNDS IN THE AMOUNT OF \$55,220 FOR A RECREATION ENRICHMENT PROGRAM AND THE LOCAL IN-KIND SHARE OF \$137,624 FOR A TOTAL APPROPRIATION OF \$192,844 AND APPROPRIATION OF SAME.

BE IT ORDAINED by the Council of the City of Danville, Virginia that the Fiscal Year 2019 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues for funds from Danville-Pittsylvania Community Services to the Department of Parks and Recreation, Special Recreation Division, in the amount of \$55,220 and in-kind services in the amount of \$137,624 for the purpose of operating a Recreation Enrichment Program to provide services for the intellectually disabled, appropriating same within the Special Grants Fund, such appropriation be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account</u>	<u>Amount</u>
Categorical Aid--State: Danville-Pittsylvania Community Services	60299000-45620	\$45,893
Expanded Summer Program Danville-Pittsylvania Community Services	60298000-45620	\$9,327
Local Share: In-Kind Services Recreation Enrichment Program	60300000-44890	<u>\$137,624</u>
	Total	\$192,844

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account</u>	<u>Amount</u>
Recreation Enrichment		\$45,893

Expanded Summer Program		\$9,327
Recreation Enrichment – In-Kind:		
Salaries & Wages	60300000-59500	\$95,447
FICA Taxes	60300000-59510	\$7,303
Retirement-ERS	60300000-59520	\$2,787
Automotive/Motor Pool	60300000-59615	\$10,548
Utilities	60300000-59625	\$8,748
Telephone	60300000-59635	\$487
Group Health Insurance	60300000-59530	\$12,151
Group Life Insurance	60300000-59531	\$153
	Sub-Total	\$137,624
	Total	\$192,844

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

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney