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# CITY OF HOPEWELL

Hopewell, Virginia 23860

## AGENDA

(804) 541-2408

www.hopewellva.gov  
info@hopewellva.gov  
cmbrown@hopewellva.gov

### CITY COUNCIL

Jasmine E. Gore, Mayor, Ward #4  
Patience Bennett, Vice Mayor, Ward #7  
Debbie Randolph, Councilor, Ward #1  
Arlene Holloway, Councilor, Ward #2  
John B. Partin, Jr., Councilor, Ward #3  
Janice Denton, Councilor, Ward #5  
Brenda S. Pelham, Councilor, Ward #6

John M. Altman, Jr., City Manager  
Sandra. Robinson, City Attorney  
Camisha M. Brown, Assistant City Clerk

**August 18, 2020**

**ELECTRONIC MEETING**

**Closed Meeting: 5:30 PM**  
**Regular Meeting: 7:30 PM**

### OPEN MEETING

**5:30 p.m.** Call to order, roll call, and welcome to visitors

**SUGGESTED MOTION:** Move to go into closed meeting pursuant to Va. Code Sections 2.2-3711 (A)(1) to discuss and consider personnel matters, including the consideration, interview, and appointment of prospective candidates for employment (City Clerk) and appointment (boards and commissions); and to the extent such discussions will be aided thereby, (A)(4) for the protection of the privacy of individuals in personal matters not related to public business.

**Roll Call**

### CLOSED MEETING

### RECONVENE OPEN MEETING

**CERTIFICATION PURSUANT TO VIRGINIA CODE § 2.2-3712 (D):** Were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed meeting?

**Roll Call**

### REGULAR MEETING

**7:30 p.m.** Call to order, roll call, and welcome to visitors

Prayer by Herbert Bragg, Director, Intergovernmental & Public Affairs, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Pelham.

**SUGGESTED MOTION:** To amend/adopt Regular Meeting agenda

**Roll Call**

**Consent Agenda**

*All matters listed under the Consent Agenda are considered routine by Council and will be approved or received by one motion in the form listed. Items may be removed from the Consent Agenda for discussion under the regular agenda at the request of any Councilor.*

**C-1 Minutes:**

**C-2 Pending List:**

**C-3 Routine Approval of Work Sessions: September 15<sup>th</sup>, 2020- Development**

**C-4 Personnel Change Report & Financial Report: August 6, 2020**

**C-5 Ordinances on Second & Final Reading:**

**C-6 Routine Grant Approval:**

- 1. FY20 Department of Justice JAG Grant

**C-7 Public Hearing Announcement:**

**C-8 Information for Council Review:**

**C-9 Resolutions/Proclamations/Presentations:**

**SUGGESTED MOTION: To amend/adopt consent agenda**

**Regular Business**

**R-1 Colonial Corner (4100 Oaklawn Boulevard) Demolition Revisited**

**ISSUE:** Provide an update to City Council regarding the demolition of Colonial Corner

**MOTION:** \_\_\_\_\_  
\_\_\_\_\_

**Roll Call**

**R-2 2020 National Endowment for the Arts Grant**

**ISSUE:** The 2020 National Endowment for the Arts Our Town grants support projects that integrate arts, culture and design activities into efforts that strengthen communities by advancing local economic, physical and/or social outcomes. Successful Our Town projects ultimately lay the groundwork for systemic changes that sustain the integration of arts, culture and design into local strategies for strengthening communities. These projects require a partnership between a local government entity and nonprofit organization in order to apply. These are cost share/matching grants with a minimum of \$25,000 match.

The city would like to partner with the Lamb Arts Center for Arts and Healing to apply for a 2020 Our Town grant. The premise of the project would be for public art installation throughout the downtown, and to build upon the Hopewell Arts Fest (held by Lamb Arts). Our hope is to also add the Hopewell Downtown Partnership as a partner and to work in tandem to install murals throughout the downtown district and hold an interactive “exhibit” to unveil these murals at the 2021 Hopewell Arts Fest.

Lamb Arts would take the lead on this project if funded, but it is required by the NEA that they City of Hopewell serve as a partner on the application. This project would **NOT** require a financial commitment from the City of Hopewell. The match required from the City of Hopewell would come from in-kind services, such as: a very small portion of staff’s time to assist with the coordination of the grant application, the mural installation and the

Hopewell Arts Fest, and possibly waiving permit and other fees associated with holding a special event in the city of Hopewell. A majority of the match would come from Lamb Arts.

This project would not only increase the amount of arts initiatives available throughout the city, but would also add to the excitement of our revitalizing downtown district.

**MOTION:** \_\_\_\_\_

Roll Call

**R-3 Request for City Council to direct the City Manager to provide Council with a full up date as to the current delay in completing the CAFR**

**ISSUE:** The City’s CAFRs have been delinquent since FY15. A majority of City Council supported hiring an outside finance consultant to service bring the city current with audits. City Council was originally informed that the delinquent CAFRs (FY16, FY17, and FY18) would be completed with a year. They have not been completed and city staff requested an extension of the agreement. The last audit supplied to City Council was the FY17 audit for fiscal year (July 1, 2016 - June 30 2017) June 2019. FY18. FY19 and FY20 are currently outstanding.

**MOTION:** \_\_\_\_\_

Roll Call

**R-4 Blue Zone Cities**

**MOTION:** \_\_\_\_\_

Roll Call

**R-5 COVID-19 Testing**

**MOTION:** \_\_\_\_\_

Roll Call

**R-6 COVID-19 Community Support Update**

**MOTION:** \_\_\_\_\_

Roll Call

**R-7 Request for City Council to consider Creating a Covid-19 Specialist to assist development and roll out of City Covid-19 Relief**

**ISSUE:** Due to Covid-19 several households are struggling to maintain and multiple resources have been established at the federal, state and regional level. The City of Hopewell is developing plans for how the City will disperse federal Covid-19 Relief aid. Since several are experiences gaps with workforce, housing, food, education, technology, etc. And the populations include the elderly, homeless, single-family and multi-family, the City should invest in one individual that can loop are resources into one POC. This POC will help ensure that there are no service gaps while assisting the City of Hopewell develop and implement Covid-19 resources. Additionally, this individual will be the fact when speaking with residents to assist them and be a source to identify additional need and how



effective relief is. Several resources established at the federal and state level are hard to access and in some instances do not meet the actual need.

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-8 City of Hopewell Participation in Governor Northam’s Health Equity Pilot Program**

**ISSUE:** Health Equity Working Group (HEWG) collaboratively the equity leadership team guides the overall work of the HEWG and all subworking groups of the COVID-19 response. Per the organizational chart, the HEWG reports directly to the COVID-19 Unified Command Leadership Group. The HEWG is an innovative coalition embedded at the senior-level of Virginia’s unified command structure for the COVID-19 public health crisis. The first-of-its-kind in Virginia state history and nationally to exist within an emergency response body, the nearly 50 member HEWG serves as a cabinet-level mechanism that convenes representatives from:

- each agency and advisory board of the Virginia Health and Human Resources Secretariat;
  - the Office of the Secretary of the Commonwealth and related constituent advisory boards;
  - leadership from relevant state entities across the Commonwealth; as well as
  - representatives from private human service organizations, advocacy and stakeholder groups, community leaders, and diverse faith leaders
- in order to ensure health equity is central to every decision made throughout this crisis. The purpose of the HEWG is to apply a health equity lens to the Commonwealth of Virginia’s COVID-19 response by proactively and reactively:
- Identifying and prioritizing resources and decision points impacting marginalized and atrisk individuals and communities.
  - Supporting intentional inclusion of the needs of at-risk and marginalized individuals and communities within each working group related to preparedness, mitigation, response, and recovery

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-9 Healthy Hopewell – Ward 4 Covid-19 Kit Donation - Dupont**

**ISSUE:** Due to Covid-19, many households are experiencing a loss of income. Many localities and elected officials are provided PPE to residents. As such, I have been working to get donations to supply the residents of Ward 4 PPE in addition to advocating for the City of Hopewell to participate in the Governor’s Health Equity Program to provide PPE to a majority, if not all City residents. DuPont Teijin Films would like to help by donating four cases (16 gallons) of sanitizer and (500) disposable masks

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-10 Strategic Plan and Crime Meeting Transparency – Post Online Records for Public**

**ISSUE:** City Council head three Town Hall Meetings in 2019 to develop a draft Strategic Plan. The resident feedback from those meetings is not posted online for the public to view. Additionally, City Council held several Advances to prepare the Strategic Plan. The first draft (skeleton) and the City Mangers’ feedback is not posted online. Each step to include the date should be made available to the public. The Crime Meeting resident feedback should also be posted online.

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-11 Request for City Council to support and fund technological improvements to modernize the online access for residents to complete city services. For example- Online forms, online payments, credit cards, Wi-Fi access, etc. in light of Covid-19.**

**ISSUE:** Discussion

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-12 Request for City Council to direct the City Clerk to work with the IT Department to develop a system that posts vacancy information for City Boards, Commissions and Authorities**

**ISSUE:** Due to Covid-19, many residents are more in tuned with their local governments. Residents are seeking ways to become involved. As such, many are researching the City’s Boards, Commissions and Authorities. The City’s website does not list current vacancies to let people know how which boards are open for service/appointment.

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-13 Request for City Council to review the Court Services and VJCCCA Budget and review programs offered for juvenile delinquency; the state's annual report for the City of Hopewell's recidivism rate.**

**ISSUE:** Discussion

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-14 City Council establish a Quarterly Joint School Board Meetings to discuss the Direction of the School Board, a plan for Woodlawn Learning Center and Covid-19**

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-15 Request City Council to pass Cities are Essential Resolutions to support NLC’s mission to advocate for Congress to give Cities, Towns and Villages direct Federal Aid.**

**ISSUE:** Due to Covid-19, many localities are experiencing a loss of income. Cities are essential to America’s economic recovery. Communities will use federal aid and support to facilitate a reopening of the national economy. Local governments are calling for at least \$500 billion in direct federal funding to protect families, municipal workers and America’s economic future.

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-16 Motion to Rescind**

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-17 Eviction**

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-18 Request for City Council to set a Work Session review and amend the City's Emergency Operations Plan due to the state in July and for City Council to receive a draft of the Continuity Operations Plan requested to be developed due to Covid-19.**

**ISSUE:** The City Council voted to approve the purchase of OpenFinance in 2019. The system was supposed to be implemented for the FY20 budget cycle. City Council was informed in November during a public meeting that purchasing was underway. During the Budget Work Sessions, City Council was notified that the process had not yet begun.

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-19 Request for City Council to review the third-party biller Data Integrators contract and evaluate if the City should bring sewer/trash billing services in-house.**

**ISSUE:** The contract for Data Integrators has loopholes that cause the City to lose a considerable amount of revenue. The contract has not been amended to adjust the issues identified. City Council needs to either direct staff to amend the contract or bring services in-house.

**MOTION:** \_\_\_\_\_

**Roll Call**

**R-20 Request for City Council to receive the CSA's policies and response to the State's Special Audit Directives in response to fraud**

ISSUE: Discussion

**MOTION:** \_\_\_\_\_

Roll Call

**R-21 Crater Workforce Investment Board**

**MOTION:** \_\_\_\_\_

Roll Call

**R-22 Request for City Council to evaluate all departments that provide direct services to residents and share publicly how the funds are directly invested into the Community; I.E. Upcoming road payments, stormwater projects, community events & programs**

ISSUE: Discussion

**MOTION:** \_\_\_\_\_

Roll Call

**R-23 Request for City Council to consider holding a public hearing or Community Town Hall about the City's Policing Policies, establishing a community task force comprised of residents impacted by neighborhood gun violence, inclusion of mental health professionals to assist after shootings within neighborhoods and a citizen oversight board for complaints to increase engagement/transparency.**

ISSUE: Request City Council discuss how they would like to proceed and give staff objectives to return back to City Council with recommendations for action.

**MOTION:** \_\_\_\_\_

Roll Call

**R-24 City Council vote to establish an Ordinance and Resolution Clean-Up to index, organize, sign upload in Municode ordinances from 2015-2020.**

**MOTION:** \_\_\_\_\_

Roll Call

**R-25 City Council vote to establish an City Council Minutes Clean-Up to index, organize, sign upload online Agenda Packed and Minutes from 2017-2020.**

**MOTION:** \_\_\_\_\_

Roll Call

**R-26 City Council Backlog**

**ISSUE:**

The City of Hopewell Charter states that all powers vested in the City is under City Council’s authority.

“The city shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to cities under the constitution and law of the commonwealth and all other powers pertinent to the conduct of the city government, the exercise of which is not expressly prohibited by the said constitution and laws and which in the opinion of the council are necessary and desirable to promote the general welfare of the city and the safety, health, peace, good order, comfort, maintenance and morals of its inhabitants, as fully and completely as though such powers were specifically enumerated in this charter, and no enumeration of particular powers herein shall be held to be exclusive but shall be held to be in addition to this general grant of power.”

As such, City Council must serve as the decision-maker and approve, disapprove and/or amend the agenda requests. If a request is approved, City Council needs to direct a member of staff to facilitate completing the request.

The following items have been submitted to City Council Meeting Agendas for members of City Council to take action. Several items have been submitted repeatedly on agendas, waiting to either be heard/discussed, followed-up on for a decision and or simply voted on.

I am requesting for all items to be voted on in order to receive determinates – this will remove them from future agendas unless the matter has been passed.

**MOTION:**\_\_\_\_\_

\_\_\_\_\_  
**Roll Call**

**R-27 Legislative Recap**

**MOTION:**\_\_\_\_\_

\_\_\_\_\_  
**Roll Call**

**Reports of City Manager:**

**CARES Act Coronavirus Relief Funds**

**ISSUE:** City Council to approve the receipt of \$1.9 million in CARES Coronavirus Relief Funds from the Commonwealth of Virginia.

**MOTION:**\_\_\_\_\_

\_\_\_\_\_  
**Roll Call**

**Reports of City Attorney:**

**Reports of City Clerk:**

**Reports of City Council:**

**Committees:**

**Individual Councilors**

**IR-1 Request for City Council to vote to establish a rule that supports the new practice to limit City Councilors ability to place items on future agendas, conduct research with staff and seek legal guidance for potential legislative items.**

**ISSUE:** It has been common practice that City Councilors place items on the City Council Meeting agendas to obtain a vote from City Council to approve/deny the request. At some point in 2019, some members of City Council began to advocate for Councilors to be limited in their ability to place items on the agenda for City Council approval/denial. In turn, they began to limit the ability for a City Councilor to seek legal guidance to determine legality of any proposed legislation. As of now, some City Councilors are seeking to limit the ability to ask the City Manager to provide information so that one can make a determination about the feasibility of any proposed legislation.

**MOTION:** \_\_\_\_\_

**Roll Call**

**IR-2 Request for City Council direct the City Manager review city owned space and rental properties to identify a location for the Office on Youth to offer programs. In addition, for the City Manager to provide an update as to the costs/needs to renovate Mallonee Gym to house the Office on Youth and the status of the \$250,000 previously allocated by City Council for renovation.**

**ISSUE:** The Office on Youth is currently housed in the United Way Building. The City rents an office, storage space and front desk reception space. The Office on Youth currently has no dedicated space to offer youth programming.

**MOTION:** \_\_\_\_\_

**Roll Call**

**IR-3 Request for City Council direct the City Manager to delegate to staff to review non-developed city land to identify a location for a practice field for youth sports and free citizen usage.**

**ISSUE:** Several groups and residents have shared the need for the City to establish a practice field for various youth supports. If the city can identify public land for the youth to practice during daylight and provide portable restrooms, we can immediate address the need. However, we will have to discuss long-term plans officially develop the field; install lighting; restroom amenities etc. for a permanent location space.

**MOTION:** \_\_\_\_\_

**Roll Call**

**IR-4 Request for City Council to set a new date to deliver the “State of the City Address” in February to include the unveiling of the new City Council Strategic Plan.**

**ISSUE:** City Council voted in 2019 to hold a “State of the City Address” in spring. However, the event never was organized or executed. Additionally, information was not compiled to provide an update to residents about the current state of the City, its affairs and City Council’s vision. Residents have complained about lack of City Communication and staff have complained about a lack of a Strategic Plan and collective vision from City Council.

**MOTION:** \_\_\_\_\_

**Roll Call**

**IR-5 Request City Council to direct the City Manager to provide Council with the status of uncollected funds within the City of Hopewell**

**ISSUE:** The Mayor requested the following information on December 19, 2019: Wastewater (Water Renewal) uncollected bill amounts (write offs) (individual/business); Data Integrators uncollected bill amounts (individual/business); Uncollected taxes (real estate/personal property); Trash uncollected bill amounts (write offs) (individual/business); Audit reports/schedules with write-offs; Industry payments for Wastewater (Water Renewal) for the last 3 years; Total value of funding that could not be reconciled for the audit - City Funds/Accounts; Total value of funding that did not have backup docs/not approved - City Funds/Accounts; Status of money approached to support Wastewater Grant when DEQ required the City to have a reserve of funding approx.. of \$575,000. \*new

**MOTION:** \_\_\_\_\_

**Roll Call**

**IR-6 Request for City Council to vote to direct the City Manager provide City Council with options to dissolve the Beacon Theater LLC. The prior City Council voted to support dissolving the LLC in order to create a Regional Performing Arts Center and/or improve community programs and access to the Beacon Theater. In the meantime, the City Council will support opening the Beacon Theater free on Sundays after the Beacon Church for groups to offer free services/programs to the public.**

**ISSUE:** he City needs to address the status of the Beacon Theater’s management and finances. In the past, the City provided the Beacon Theater with approximately \$100,000 to provide community programs. City Council has not established guidelines for that money and support. Since the Beacon Theater is open on Sundays for the Beacon Church, members of the public that want to offer community services can utilize the space – as opposed to pay the high rental fees. The City Council needs to also discuss management of the theater to fully take advantage of the renovation and to provide cultural opportunities for the community. Currently concerts is the primary event type offered by the Beacon. The Theater can also be a space to routinely offer plays, dance, spoke word, classes etc. to the community.

**MOTION:** \_\_\_\_\_

**Roll Call**

**IR-7 City of Hopewell Finance Policies**

**ISSUE:** City Council discussed two finance policies during Fall Council meetings. Council’s last action was for the CM to prepare an alternative policy for submission for the November 12, 2019 agenda packet. The policy needed to be vetted by the City Attorney prior to submission. Council has not received the policy yet for discussion.

**MOTION:**\_\_\_\_\_

\_\_\_\_\_

**Roll Call**

**Citizen/Councilor Requests**

**Presentations form Boards and Commissions**

**Other Council Communications**

**Adjournment**



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I would like to request that City Council schedule a work session at their first September 2020 meeting. My goal would be to hold the public hearing at the 2<sup>nd</sup> September meeting. Can this be added to the consent agenda under Work Sessions?

There are numerous planning/zoning applications that need to be considered:

1. An ordinance to amend Article IX-A, Central Business District (B-1) and Article X, Limited Business District (B-2), to add a section that governs sidewalk dining for restaurants in the B-1 and B-2 Zoning Districts.
2. A request received from Stephen H. Barnes, Jr. for a Modification to the Development Standards at 3112 Winston Churchill Drive (Sub-Parcel #047-0045) to park more than five (5) cars on a graveled area.
3. A request received from Virginia American Water/Reynolds Construction for a Modification to the Development Standards at 900 Industrial Street (Sub-Parcel #048-0233) to park more than five (5) cars on a graveled area.
4. A request submitted by the Hopewell Redevelopment and Housing Authority to amend the Hopewell Zoning Map to rezone vacant parcels identified as Sub-Parcel # 042-0195, #042-0252, and # 042-0095 from R-3, Residential, High Density District and B-3, Highway Commercial District, respectively, to the R-4, Residential Apartment Zoning District.
5. A Zoning Ordinance Amendment submitted by Robert & Yong Bebout to amend Article VII-A, Residential High Density – Offices, Section A. Use Regulations, to add a beauty salon and an alteration shop as uses within the district.
6. A Zoning Ordinance Amendment submitted by the City of Hopewell to amend Article XIV-B, Tourist/Historic District (TH-1), Section V, to comply with the National Park Service standards required for Certified Local Government designation.
7. A request submitted by Barber Construction Company, Inc. for an amendment to a Conditional Use Permit at 1818 Liberty Avenue to increase the lot coverage by more than five percent (5%) than what was originally approved.

Thank you,

Tevya

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**EJ CPI G''**

**TGRQTV''**

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**DATE:** August 6, 2020  
**TO:** The Honorable City Council  
**FROM:** Jennifer Sears, Director of Human Resources  
**SUBJECT:** Personnel Change Report

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**APPOINTMENTS:**

NAME	DEPARTMENT	POSITION	DATE

**SUSPENSIONS:** 2

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**REMOVALS:**

NAME	DEPARTMENT	POSITION	DATE
CLARY, WILLIAM	WATER RENEWAL	WWT OPERATOR III	06/22/2020
HIRIAMS, DIONEL	RECREATION	PT SPECIAL EVENTS ASST	06/23/2020
HARLESS, DAVID	HUMAN RESOURCES	RISK SAFE COORD	07/01/2020
REDFEARN, JAMES	SHERIFF	SHERIFF DEPUTY FT	07/06/2020
WOODLEY, JARMAINE	WATER RENEWAL	WWT OPER TRAINEE	07/09/2020

CC: March Altman, City Manager  
 Charles Dane, Assistant City Manager  
 Debbie Pershing, Administrative Services Manager  
 Vanessa Williams, Accounting Tech  
 Michael Terry, Finance Director  
 Dipo Muritala, Assistant Finance Director

Concetta Manker, IT Director  
 Jay Rezin, IT  
 Arlethia Dearing, Customer Service Mgr.  
 Kim Hunter, Payroll

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Colonial Corner (4100 Oaklawn Boulevard) Demolition Revisited

**ISSUE:** Provide an update to City Council regarding the demolition of Colonial Corner

**RECOMMENDATION:**

**TIMING:** June 9, 2020

**BACKGROUND:** City Council approved the removal of the Colonial Corner shopping center at their August 20, 2019 meeting.

**ENCLOSED DOCUMENTS:****STAFF:**

Chief Donnie Hunter, Fire Department  
 Robert Todd Hawkes, Building Official  
 Tevya W. Griffin, Director, Department of Development

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			



# SPOT BLIGHT UPDATE

HOPEWELL CITY COUNCIL MEETING  
JANUARY 28, 2020

**OAKLAWN BOULEVARD**

- The asbestos report completed in August of 2016 shows small traces of asbestos in some units on vinyl floor tiles, black floor adhesive, and roof flashing sealant. All must be removed prior to demolition.
- Council approved the demolition of the building at owners expense in August 2019.

# BID AMOUNTS

- After August 2019 Council meeting, Building Official solicited quotes for asbestos removal and removal of fire debris from building
- Lowest Bids for Burn of Building
  - Asbestos Removal - \$39,700
  - Debris Removal - \$60,000
  - TOTAL COST: \$ 99,700
- Lowest Bid for Demolition
  - Building Demolition - \$275,000
  - Asbestos Removal - \$39,700
  - TOTAL COST: \$ 314,700

# NEGOTIATION

- October – November 2019 Staff contacted property owner to provide final quotes
- Meeting scheduled with property owner on December 3 – no show
- Director of Development and Building Official met with property owner – December 6
  - Owner informed Staff only able to pay a portion of cost up front (\$7,000)
  - Remainder (\$92,700) – request a payment plan
- December 17, 2019 – Meeting between City Staff, Administration, and City Attorney to discuss December 6<sup>th</sup> meeting and next steps
- City Manager and Director of Development met with property owner in February 2020. Property owner no longer agrees to pay for burning/demolition up front. Instead wants payment arrangement. Did not agree to terms of Council

# NEXT STEPS

- Options
  - Burning of building no longer an option at this time due to weather conditions – hot, humid, little rain, too much risk in fire spread
  - No payment plan, City fund asbestos removal, demolition and debris removal up front, place lien on property for repayment. Must be paid at time taxes are due
  - Bill property owner- payment due in 30 days. If payment not made, place lien on the property. Payment required before taxes are paid.
  - Utilize legal options available

# QUESTIONS & DISCUSSION





106 N Main Street  
Hopewell, VA 23860

October 15, 2019

City Of Hopewell  
300 N Main Street  
Hopewell, VA 23860

Attn: Todd Hawkes

Re: Former Shopping Center ( Revised)

Dear Todd,

This shall serve as Abateco Services, Inc's written proposal for the above referenced project.

Scope:

After careful review of our pricing dated August 28, 2019 we are able to offer the following revised proposal:

Abateco will remove approximately 19,540 sf of floor tile and mastic in various areas and the 1,600 linear feet of roof curbs. Abateco will be responsible for hiring the Third Party independent monitoring firm to provide clearance following abatement.

Abateco's revised price is \$ 39,700.00

Exclusions: Bond, site security, building security, utility disconnects and make safe.

All work to be performed in accordance with Federal, State, and Local requirements. If you have any questions or comments, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Lewis E. Stevenson", is written over a horizontal line. The signature is fluid and cursive.

President

# B & T Excavating

13701 Vance Drive  
Chester, VA 23836

# Estimate

Date	Estimate #
7/21/2019	366

Name / Address
City Of Hopewell

Project
Colonial Corner

Description	Qty	Rate	Total
Demo building after fire department has burned up, separate burned material from concrete and steel. Pile concrete in one pile and still in another. Hauling off of un burned material will be done by the load. his is an un know due to how much will still be on site,	1	60,000.00	60,000.00
		<b>Total</b>	\$60,000.00



### O GO QTC PF WO "

Vq<"" Uuwckpcdrg"Utecvgi kgu'F E'Erkcpv"

Ht qo <"" Uctcj 'O ctkp.'Erkcpv'Ugtxlegu'O cpci gt"

F cvg<"" Lxpg'3.'4242"

Uwdlgev<"" P GC"Qwt"Vqy p'Hl 43'I co g'Rcp"

Vj ku'ò go qtepf wo 'rtqxlf gu'è'f co g'r'np'ht'uggnpi 'è'pf 'è'gewt lpi 'wr 'vq'8372.222'lp'P cvkqpcn' Gpf qy o gpv'ht' 'vj g' Ct w' \*P GC+'Hl 423' òQwt "Vqy pò"i tcv' hwpf lpi "vq" uwr r qt v' 'vj g' f gxr o gpv'qhc'rt qlgev'vq' lwt gpi vj gp' { qwt 'eqo o wplx' 'vj tqwi j 'vj g' è' t vu' Rgcug' t gxlgy 'vj ku' o go q'y kj 'vj g' t gxr cpv' uvcngj qif gt u'lp' { qwt 'eqo o wplx' 'è'pf 'lphqto 'U' 'qh' { qwt 'lpgpv' vq' cr r' d' { 'Ht k' c' { 'Lw' { '450' ""

Vj g'P cvkqpcn'Gpf qy o gpv'ht' 'vj g' Ct w' \*P GC+'Qwt"Vqy p"i tcv'r tqi tco 'ku'qh'ht' lpi 'i tcv'u'dgy ggp' &47.222'cpf '8372.222'vq' hckkcv'et gcv'xg'r' r'ego cmlpi 'cpf' j gr 'vq' lwt gpi vj gp' eqo o wplk'gu'0'Vj g' r tqi tco 'y k' hwpf 'ct w.' ewnw'g.' cpf 'f guki p' r' tqlgeu' vj cv' j gr 'cf x' cpeg' h' qec' n' qweqo gu' cpf 'ko r' t' xg' k' p' vgi tcv' k' p' qh' vj g' ct w' 0"

Qwt"Vqy p"r' tqlgeu"o wu' l' p' vgi tcv' g' ct w.' ewnw'g.' cpf 'f guki p' ce' v' x' k' k' gu' l' p' vq' g' h' h' q' t' w' vj cv' lwt gpi vj gp' eqo o wplk'gu' d' { 'cf x' cpe' k' p' i' h' qec' n' q' weqo le. 'r' j { u' l' ec' n' 'cpf' l' q' t' u' q' ec' n' q' weqo gu' 0' R' t' q' l' geu' o' c' { 'k' p' en' f' g' ce' v' x' k' k' gu' u' wej "cu" <"

- **Ct w' l' p' i' ci go gpv' l' p' en' f' l' p' i** "ct w' l' v' t' gu' k' f' g' p' e' { . 'ct w' l' h' gu' k' x' c' n' u. 'eqo o wplx' { 'eq' / et g' cv' k' p' qh' ct v. " r' g' h' q' to' c' p' e' g' u. 'r' w' d' r' l' e' 'ct v. 'cpf' 'v' g' o' r' q' t' c' { 'r' w' d' r' l' e' 'ct v' 0"
- **E' w' n' w' t' c' n' f' r' e' p' p' l' p' i** 'u' e' j' 'cu' vj g' et g' cv' k' p' qh' è' ewnw' t' c' n' f' r' e' p' p' l' p' i' 'cpf' 'ct w' l' p' vgi tcv' k' p' l' p' e' k' { 'o' cu' v' t' r' r' e' p' p' l' p' i' . 'ewnw' t' c' n' f' k' u' t' k' e' v' r' r' e' p' p' l' p' i' . 'et g' cv' k' x' g' cu' g' v' o' cr r' l' p' i' . 'cpf' 'r' w' d' r' l' e' 'ct v' r' r' e' p' p' l' p' i' 0"
- **F' g' u' k' i' p** "vj tqwi j " ct w' l' v' f' guki p' g' t' / h' e' k' k' c' v' g' f' " eqo o wplx' { " r' r' e' p' p' l' p' i' . " f' guki p' " qh' ct w' l' v' ur' ceg. " f' guki p' qh' ewnw' t' c' n' f' h' e' k' k' k' l' g' u. " cpf' 'r' w' d' r' l' e' 'ur' ceg' f' guki p' ""
- **Ct w' l' v' ' c' p' f' ' et g' cv' k' x' g' l' p' f' w' u' t' { ' u' w' r' r' q' t' v' }** k' p' en' f' l' p' i' " et g' cv' k' x' g' dw' l' p' g' u' " f' g' x' g' r' o' gpv' cpf " r' t' q' h' gu' k' q' p' c' n' f' c' t' w' l' e' " f' g' x' g' r' o' gpv' 0"

Qwt"Vqy p"r' tqlgev'qweqo gu'ò c' { 'k' p' en' f' g' q' p' g' q' t' "ò q' t' g' qh' vj g' h' q' m' y' l' p' i' <"

- **Geqqo le" Ej cpi g<'** Geqqo le" ko r tdxgo gpw" qh" kpf kxf wcu." kpukswwkqpu." qt" yj g" eqo o wpk{ " kpenmf kpi " rjecn" dwukpguu" i tqy yj ." lqd" etgcvkqp lrcdq" hqteg" r ctvlekr cvkqp." r tqhgukqpcnif gxnqr o gpvltcklpi . 'r tdxgpvkqp"qh" f kur rcego gpv"lp/o ki tcvkqp."cpf "vqwtuo 0"
- **Rj { ulecnEj cpi g<Rj** { ulecn"ko r tdxgo gpw"vj cvqeewt"vq"yj g'dwkn"cpf "pcwtcn"gpvltqpo gpv" kpenmf kpi "dgcwkhkcvkqp"cpf lqt"gpj cpego gpv"qh"r j { ulecn"gpvltqpo gpv."pgy "eqputwevkqp." cpf "tgf gxnqr o gpv" kpenmf kpi "ctu."ewmwtg."cpf "r wdne"ur ceg-0"
- **UleknEj cpi g<K** r tdxgo gpw"vq"ulekn"tgrcvkpuj kr u."ekxle" gpi ci go gpv"cpf "eqo o wpk{ " go r qy gto gpv" cpf lqt" co r rkh{ kpi " eqo o wpk{ " kf gpv{ " kpenmf kpi " ekxle" gpi ci go gpv." eqmgevxg"ghhece{ . 'ulekn"ecr kcn"ulekn"eqj gulkp."cpf "eqo o wpk{ "cwcej o gpv0"
- **Uf wgo uEj cpi g<K** r tdxgo gpw"vq"eqo o wpk{ "ecr cekv{ "vq"uwuclp"yj g"lpvgi tcvkqp"qh"ctu." ewmwtg."cpf "f guki p"lpvq"utcvgi kgu"ht"cf xcpelkpi "rjecn"geqqo le."r j { ulecn"cpf lqt"ulekn" qweqo gu" kpenmf kpi "r ctvgtuj kr u" y kj "qyj gt"ugevqtu."ekxle" cpf "kpukswwkqpcn" rgef gtuj kr . " tgr rlecvkqp"qt" uecnkpi "qh"lppqxcvkg"r tqlgewu."rjpi "vgo "hwpf kpi ."vcklpi "r tqi tco u."cpf " r gto cpgpv"uchh"r qukkqpu0"

Qwt"Vqy p"r tqlgew"tgs wktg"e"r ctvgtuj kr "dgy ggp"e"rjecn"i qxgtpo gpv"gpv{ "cpf "c"pqr tqhkw"ewmwtcn" qt"ctu"qti cpl cvkqp"y kj "cf f kqpcn"r ctvgtu" gpeqwtci gf 0Wtdcp."twcn"cpf "vtdcn"eqo o wpk{gu"qh" cniuk gu"ctg"y graqo g"vq"cr r n{ 0C"3-3"o cvej "ku"tgs wktgf 0"

Vj gtg"ku"e"y q/r ctv" f gcf rlpq"vq" yj ku"Qwt" Vqy p"i tcv0"Vq" tgo clp" grki kdrq." qti cpl cvkqpcn" eqpvcv" lphqto cvkqp"cpf "c"r tqlgew"ucvgo gpv"o wuv"dg"uwdo kwgf "yj tqwi j "I tcvu" qx"d{ "Cwi wuv"8. '42420" Hwn" i tcvr"r tqr qucu"o wuv"dg"uwdo kwgf "yj tqwi j "P GCa"qnrkpg"r qtvcrld{ "Cwi wuv"3: . '42420"

**Sustainable Strategies DC recommends the following steps to submit a competitive proposal:** "

**30 Grants.gov Submission Issues:** Y g"pggf "vq"eqphko "yj cv{ qwt"qti cpl cvkqp"j cu"cp"cevxg" i tcvu" qx"cpf "UCO "Ceeqwpv"cpf "kh"pqv"y g"pggf "vq"vcng"ko o gf kcvg"cevkqp"vq"tgi kvgt0U4"ecp" vcng"yj g"tgef "qp"tgi kvgtkpi "{ qwt"rjecnk{ . "dwly" g'y knipggf "{ qwt"qti cpl cvkqp"u" F WP U"pwo dgt." GKP "pwo dgt."cpf "cf f kqpcn"lphqto cvkqp"vq" f q"uq0"

**F gcf rlpq<CUCR0"**

**40 Local Government Support/Required Partnerships:** Vq"dg"grki kdrq"vq"cr r n{ "hqt"cp"Qwt"Vqy p" i tcv"e"pqr tqhkw"ewmwtcn"qt"ctu"qti cpl cvkqp"o wuv"j cxg"e"rjecn"i qxgtpo gpv"r ctvgt"cpf "ku" gpeqwtci gf "vq"j cxg"o wuv"r r ctvgtu"y j lej "o c{ "kpenmf g"e"y kf g"xctkqv{ "qh"r wdne."r tkxcvg."cpf " pqr tqhkw" qti cpl cvkqp"0" Qti cpl cvkqp" r tqxkf kpi " o cvej "hwpf kpi " o wuv"cuq" uwr r n{ "j wo cp" tguwtegu."lphqto cvkqp"ecr kcn"qt"cevxgn" r ctvlekr cvg"lp"cpqyj gt"y c{ "vq"dg"eqpukf gtgf "r tqlgew" r ctvgtu"0"K"cf f kqpcn."cr r rkecpw"y knipggf "vq" kpenmf g"e" hqto cn"ucvgo gpv"qh"uwr r qtv"htqo "yj g" O c{qt." qt" qyj gt" j ki j guv" tcvnkpi " qh"hekn" f guki pcvki " { qwt" r tqlgew"cu" qpg" qh" wr "vq" yj q" cr r rlecvkqp"dgkpi "uwdo kwgf "hqt" yj g"rjecn"i qxgtpo gpv"vq"dg"grki kdrq"vq"cr r n{ 0U4"ecp" f tch"vj ku" ucvgo gpv"qh"uwr r qtv"htqo "{ qwt"tgxkgy "cpf "f grkxgt { "vq" yj g"rjecn"i qxgtpo gpv"0" **F gcf rlpq<Nqecni" i qxgtpo gpv"pqr tqhkw"r ctvgtu"kf gpv"htgf "d{ "Lw{ '4; 0"**

50 **Confirm Project Concept, Budget, and Match:** [ qwt"vgco "uj qwf "ugv"wr "c"ecm'y kj "U4"vq" f kuewui" { qwt" eqo o wplk\ø"r tqlgev" eqpegr v."t gxlgy "y j g" cr r rdecvkqp" tgs wkt go gpvu" hqt" { qwt" ej qugp" ctu" f kuek rkp.g. cpf "gpwtg"vj cv"vj g"r tqlgev"eqphqto u"vq"vj g"[Qwt"Vqy p"t gxlgy "etkgtk0'](#) [ qwt"vgco "uj qwf "y gp" f tch" c" dwmgvf "r tqlgev"ueqr g"y kj "guvko cvgf "g zr gpugu" hqt" gcej "rkg" kgo . "y j lej "y kn' j gr " f gvto kpg" y j g" r tqlgev" dwf i gv' cpf "uk g" qh" y j g" 3-3" r qecr" o cvej 0' Y g" tgeqo o gpf " cr r n" " hqt" pq" o qtg" y j cp" &72.222" hqt" c" vqcr" r tqlgev" equv' qh" &322.222" vq" dg" eqo r gvkkxg" hqt" hwpf kpi 0"

**F gcf rkp g<Rt qlgev'ueqr g.'dwf i gv.'cpf 'b cvej 'eqphkto gf 'd{ 'Lwaf '4; 0''**

60 **One-Page Briefing Sheet:** "U4"y kn'letgcvg" c" qpg/ r ci g" dtlghkpi "uj gg"vj cv'engctn" "eqo o wplecvgu" y j g" r tqlgev" i qcn" cpf "y j go gu" y j cv'ecp" dg" j cpf gf "vq" ng{ "ucngj qrf gtu" cpf "r qvgr" kn' r ctvpgtu" y j tqwi j qw" y j g' i tcpv" r tqeguu" Vj ku" dtlghkpi "uj gg"vj kn'cnuq" dg" wugf "vq" eqphkto "ci t ggo gp'vco qpi " ucngj qrf gtu" qp" y j g" r tqlgev'ueqr g" cpf "dwf i gv" 0"

**F gcf rkp g<Qpg/ r ci g' dtlghkpi 'uj gg'v'eqo r ngv' d{ 'Lwaf '530''**

70 **SF-424 Submission:** Vj g" P GC" Qwt" Vqy p" cr r rdecvkqp" ctg" uwo kwgf "kp" y q" ugr u' Ugr "3" ku" y j g" uwo ku' kqp" qh" y j g" qti cpk' cvkqcr" eqpcev" kphqto cvkqp" cpf "c" r tqlgev' ucvg" gpv" y j tqwi j " I tcpw" qx. " cpf "Ugr "4" ku" y j g" uwo ku' kqp" qh" y j g" hmn' r tqr qucr" vq" [P.GC" Cr r rdecpv' r qtvcr' Vq](#) ceegu" y j g" Cr r rdecpv' Rqtvcn" { qw" m" pggf " { qwt" Agency Tracking Number/NEA Application Number" Vj g" P GC" cu' ki pu" y j ku' pwo dgt" vq" { qwt" cr r rdecvkqp" 3/4" dwukpguu" f c { u' chgt" { qw' uwo k' Rctv' 3" qh" { qwt" cr r rdecvkqp" 0' Vj gtghqg. " { qwt" eqo o wplk\ø" "uj qwf "r rcp" vq" uwo k' Rctv' 3" qh" y j g" cr r rdecvkqp" cu' uqpp" cu' r quukdrg" 0"

**F gcf rkp g<Rct v'3' uwo kvgf 'd{ 'Cwi wuv'80''**

80 **Project Narrative:** U4" ku" r tgr ctgf "vq" vng" y j g" r gcf "qp" y j g" i tcpv" y tkkpi " ghqtv. " y j lej "y kn' r tko ctkn" eqpuku" kp" f tch" kpi "c" pcttcvxg" r tqr qucr" vq" crki p" y kj "y j g" r tqi tco ø" ugrgevkp" etkgtk0' U4" y kn' y qtm' y kj " { qwt" vgco "vq" qdvc" cp { " tgrgxcpv" kphqto cvkqp" hqt" y j g" r tqr qucr" Vj ku" y kn' kpenf g" qti cpk' cvkqcr" kphqto cvkqp. " hpcpekr" kphqto cvkqp. " r tqi tco o cve" j kvqt { . " tgrv" gf " gf wcvkqcr" qt" qwt gcej " r tqi tco o kpi . " r rppgf " r gthqto cpeg" o gcuwtgo gpvu. " cpf " kphqto cvkqp" qp" r tqlgev' r ctvpgtu" U4" y kn' v' r g' w' f tch' v' gur qpugu" vq" y j g" cr r rdecvkqp" s wgvkqp" hqt" { qwt" vgco ø" t gxlgy " cpf " kpeqr qtcvg" cm' gf ku" cpf " eqo o gpw" kvq" y j g" hpcr" cr r rdecvkqp" 0' [Uco r r r tqlgev' pcttcvxg' u' hqo ' r t gxlqwu' cy ctf ggu' ecp' dg' hqwpf ' j gtg0''''''](#)

**F gcf rkp g<F t ch' hqt ' t gxlgy ' d{ ' Cwi wuv' 32. hpcr' f t ch' d{ ' Cwi wuv' 360''**

90 **Partner Letters:** [ qwt"vgco "y kn' pggf "vq" kpenf g" c" qpg/ r ci g" ucvg" gpv' hqo "y j g" tgrgxcpv' r qecr" ctu" qti cpk' cvkqp" ugtxkpi " cu" y j g" tgs wkt gf " r tko ct { " r ctvpgt. " tgrgevkpi " ku" uwr r qt v' hqt" cpf " kpxqrkgo gpv' kp" y j g" r tqlgev' 0' Hqt" xgt hkecvkqp" r wtr qugu. " kpenf g" y j g" pco g. " r j qpg" pwo dgt. " cpf " go cki qh' c" eqpcev' r gtuqp" y j kj kp" y j g" ctu" qti cpk' cvkqp" 0' Vj ku" ku' tgs wkt gf " kp" cf f kkp" vq" c" r gwtg' qh" uwr r qt v' hqo " y j g" j ki j guv' tcpnkpi " qh' hkecr" qh' c" r qecr" i qxgtpo gpv' cr r rdecpv' 0' U4" y kn' f tch" c" vgo r nvg' r gwtg' qh' uwr r qt v' hqt" { qwt" t gxlgy " cpf " f kwt kdwkqp" 0"

**F gcf rkp g<Ugpf 'qvw' go r nvg' ct v' hqti cpk' cvkqp' uwr r qt v' hqwtg' d{ ' Cwi wuv' 6. 'vq' dg' tki pgf " cpf ' t gwt pgf ' d{ ' Cwi wuv' 360''**

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:0 **Statements of Support:** "P GC "gpeqwtci gu"cr r rdecpu"vq"lpenmf g"ucvgo gpvu"qh"uwr r qtv"htqo " rncf gtu."eqo o wpxk{ "o go dgtu."cpf "eqo o wpxk{/dcugf "qti cpk cvkqpu"y j q"y kn'dgpghk'htqo "qt" eqpvtkdwg"vq"vj g"r tqlgv'Y g"uj qwf "eqo g"wr "y kj "c"rkuv'qh'wr "vq"vpg"ng{ "ucngj qrf gtu"htqo " y j qo " vq" uqrlek" ngvgtu'U" y kn' f tch' c" vgo r rncv" ngvgt " qh' uwr r qtv' hqt" { qw" t gxlgy " cpf " f kvtkdwwkp'0**F gcf rpg<Ugpf "qww'vgo r rncv'uwr r qtv'ngvgt 'd{ 'Cwi wuv'6.'vq'dg'uki pgf 'cpf " t gwt pgf 'd{ 'Cwi wuv'360"**

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;0 **Artist Samples/Work Samples:** P GC "t gxlgy gtu"go r j cuk g"vj g"ko r qtvpeg"qh'lpenmf kpi "y qtnl uco r ngu"vj cv'ctg"tgr t gupv'vkg" qh'ctvuke "gzegmppeg"qt"ngxgn'qh'f guki p"vj cv' { qw'cpf " { qw" r ctvgtu"ecp"cej kxg'Uco r ngu'uj qwf "dg'tgegpv."qh'j ki j "s wcrk{ ."cpf "cu'tgrxcpv'vq"vj g'r tqlgv' cu'r quikdng'Y g'ecp"y qtnly kj "{ qw"vgo "vq'f gvgto kpg'vj tgg"vq'hqwt"y qtnl uco r ngu'vj cv'ctg'vj g" o quv' tgrxcpv'cpf "dguv"uwr r qtv' { qw" r tqr qugf " r tqlgv' "Y g" y kn' cnuq" pggf " vq" lpenmf g" c" f guetk vkap"qh'vj g'y qtnl uco r ng"cpf "j qy "k'tgrcvu"vq"vj g'r tqlgv'hqt"y j lej "{ qw'ctg'tgs wguvki " uwr r qtv'0**F gcf rpg<Uggev'ico r ngu'd{ 'Cwi wuv'360"**

""

**320 Documentation of Nonprofit Status and EIN/TIN:** Hqt "c"723\*e+\*5+"cr r rdecpu"vj g'qti cpk cvkqp" y kn'pggf "vq"r tqxkf g"e"eqr { "qh"{ qw"ewtgpv'KU"723\*e+\*5+"ucwu'ngvgt "vq'dg'lpenmf gf "y kj "vj g" cr r rdecvkap"cu"y gni'cu"vj g"; /f ki k'pwo dgt "vj cv'y cu'cuuki pgf "vq"{ qw"qti cpk cvkqp"d{ "vj g'KU' **F gcf rpg<Rngcug'r tqxkf g'f qewo gpv'vkap'qh' { qw'qti cpk cvkqpu'ucvuu'd{ 'Cwi wuv'360"**

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**330 Submission:** Cmb cvgtkn'b wuv'dg'uwdo kvgf 'd{ 'Vwuf c{ .'Cwi wuv'3: .'4242'cv'33-7; ro " GUV0"

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Rngcug'eqpvcev'Uctcj "O ctlp'cv'42462: 0347'y kj "cp{ "s wguvku0"

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

2020 National Endowment for the Arts Grant

**ISSUE:** The 2020 National Endowment for the Arts Our Town grants support projects that integrate arts, culture and design activities into efforts that strengthen communities by advancing local economic, physical and/or social outcomes. Successful Our Town projects ultimately lay the groundwork for systemic changes that sustain the integration of arts, culture and design into local strategies for strengthening communities. These projects require a partnership between a local government entity and nonprofit organization in order to apply. These are cost share/matching grants with a minimum of \$25,000 match.

The city would like to partner with the Lamb Arts Center for Arts and Healing to apply for a 2020 Our Town grant. The premise of the project would be for public art installation throughout the downtown, and to build upon the Hopewell Arts Fest (held by Lamb Arts). Our hope is to also add the Hopewell Downtown Partnership as a partner and to work in tandem to install murals throughout the downtown district and hold an interactive “exhibit” to unveil these murals at the 2021 Hopewell Arts Fest.

Lamb Arts would take the lead on this project if funded, but it is required by the NEA that they City of Hopewell serve as a partner on the application. This project would **NOT** require a financial commitment from the City of Hopewell. The match required from the City of Hopewell would come from in-kind services, such as: a very small portion of staff’s time to assist with the coordination of the grant application, the mural installation and the Hopewell Arts Fest, and possibly waiving permit and other fees associated with holding a special event in the city of Hopewell. A majority of the match would come from Lamb Arts.

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			



This project would not only increase the amount of arts initiatives available throughout the city, but would also add to the excitement of our revitalizing downtown district.

**RECOMMENDATION:** Approve the City of Hopewell to apply for a 2020 NEA grant, with the understanding that no financial commitment from the City is required.

**TIMING:** Immediate.

**BACKGROUND:** None.

**ENCLOSED DOCUMENTS:**

- NEA Our Town FY21 Memo

**STAFF:**

Charles Dane, Assistant City Manager

Stacey English, Economic Development Specialist

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_  
\_\_\_\_\_

**Roll Call**

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**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:** Request for City Council direct the City Manager to provide City Council with a full update as to the current delay in completing the FY18 Comprehensive Annual Finance Report (CAFR Audit) and status of the FY16 Schedule of Expenditures of Federal Awards (SEFA). The City Manager’s report shall include options for City Council consideration to address the City’s CAFR/SEFA delay – to include hiring additional/new staff or separating the audit team from the City’s Finance Department Team. Direct the City Manager to provide City Council with options to determine an alternative to adjust course to obtain results to improve the financial situation of the City and to obtain revoked bond ratings.

**Request for City Council direct the City Manager**

**ISSUE:** The City’s CAFRs have been delinquent since FY15. A majority of City Council supported hiring an outside finance consultant to service bring the city current with audits. City Council was originally informed that the delinquent CAFRs (FY16, FY17, and FY18) would be completed with a year. They have not been completed and city staff requested an extension of the agreement. The last audit supplied to City Council was the FY17 audit for fiscal year (July 1, 2016 - June 30 2017) June 2019. FY18. FY19 and FY20 are currently outstanding.

**RECOMMENDATION:** City Council direct the City Manager to accomplish the directive to be determined by City Council by a specific date.

**TIMING:** Immediately

**BACKGROUND:****ENCLOSED DOCUMENTS:****SUMMARY:**

- |                          |                          |                                    |                          |                          |                                      |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    | <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  | <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |                          |                          |                                      |

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

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**Roll Call**

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**SUMMARY:**

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|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
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| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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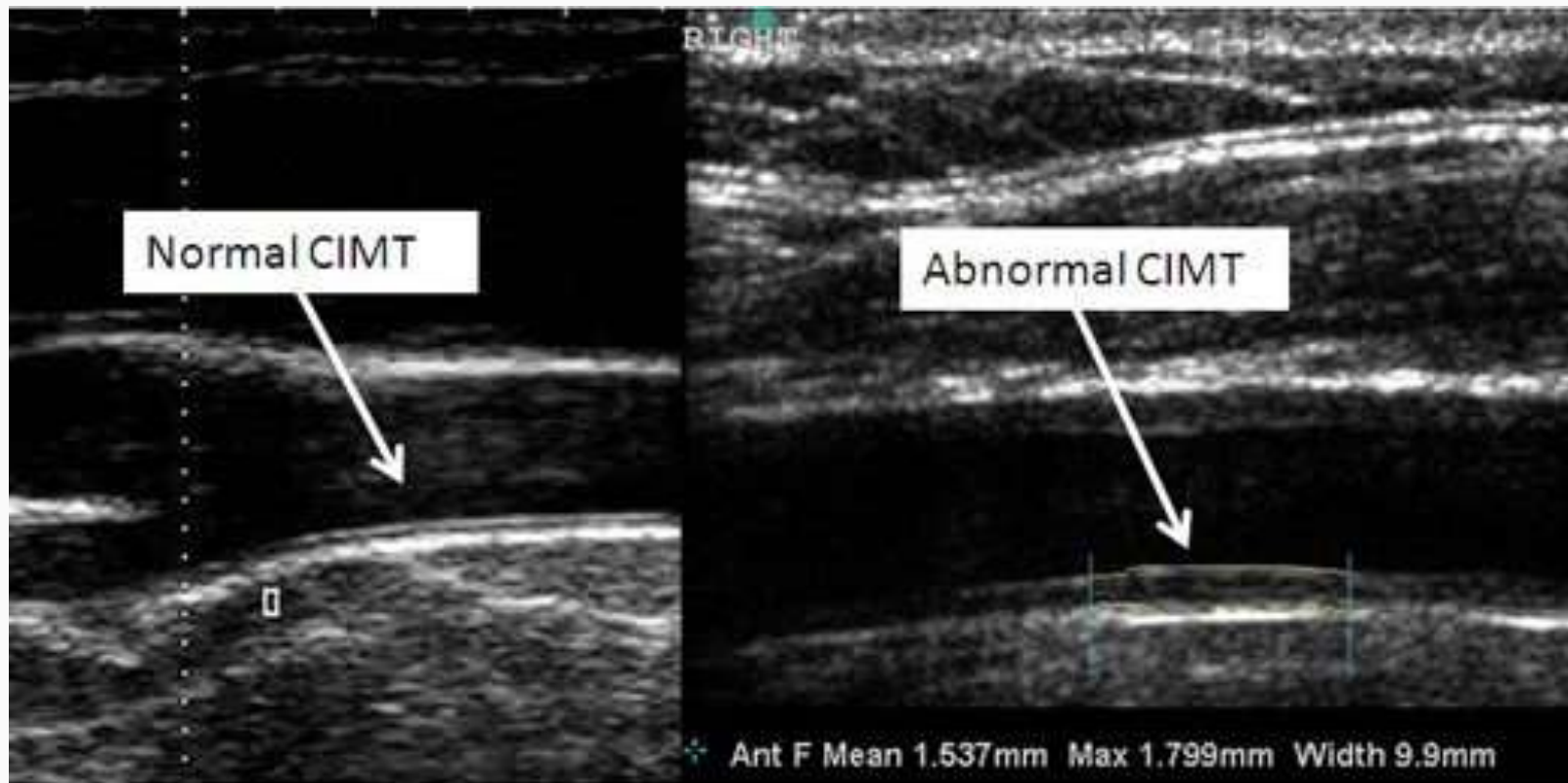
”

# Kepona to Blue Zone

Cliff Morris MD

Morris Cardiovascular & Risk Reduction Center









# HOPEWELL THEN AND NOW



**BLUE ZONES**  
LONGEVITY HOTSPOTS

**BLUE ZONE LIFE LESSONS**

- MOVE NATURALLY
- RIGHT TRIBE
- RIGHT OUTLOOK
- EAT WISELY

LOMA LINDA  
CALIFORNIA

NICOYA  
COSTA RICA

SARDINIA  
ITALY

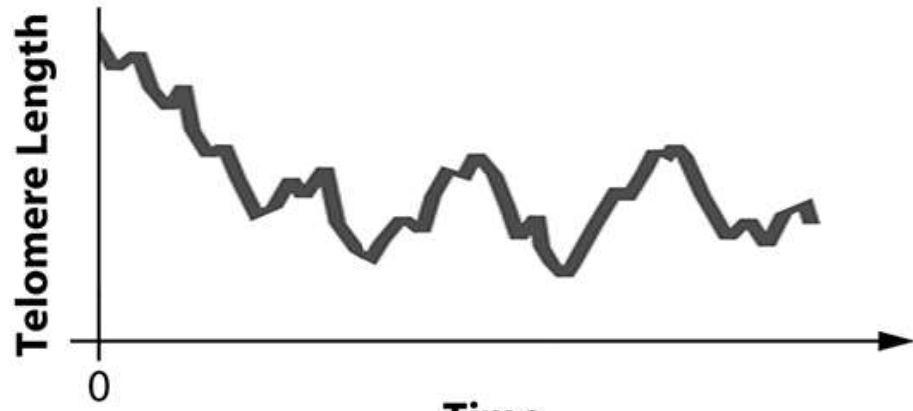
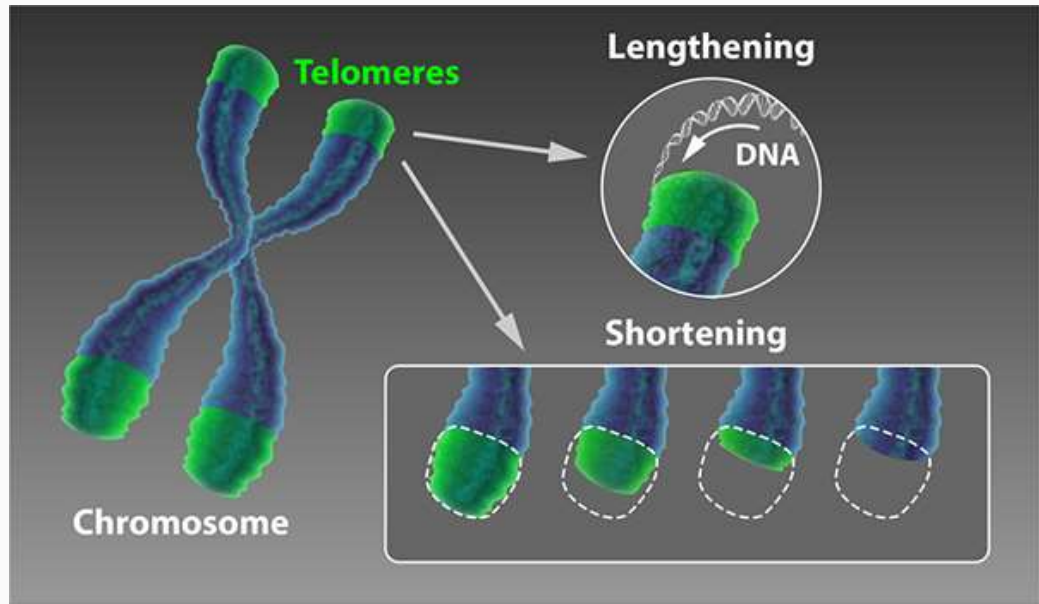
ICARIA  
GREECE

OKINAWA  
JAPAN

# Cool Your Jets



**Elizabeth Blackburn**  
**Molecular biologist**



- **Double digit drop in obesity**
- **Measurable drops in employee absenteeism**
- **Increase in life expectancy**

# Could it be.....

Hopewell's  
time is now?



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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

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**Action:**

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- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to consider Creating a Covid-19 Specialist to assist development and roll out of City Covid-19 Relief

**ISSUE:** Due to Covid-19 several households are struggling to maintain and multiple resources have been established at the federal, state and regional level. The City of Hopewell is developing plans for how the City will disperse federal Covid-19 Relief aid. Since several are experiences gaps with workforce, housing, food, education, technology, etc. And the populations include the elderly, homeless, single-family and multi-family, the City should invest in one individual that can loop are resources into one POC. This POC will help ensure that there are no service gaps while assisting the City of Hopewell develop and implement Covid-19 resources. Additionally, this individual will be the fact when speaking with residents to assist them and be a source to identify additional need and how effective relief is. Several resources established at the federal and state level are hard to access and in some instances do not meet the actual need.

**RECOMMENDATION:** City Council approve hiring a contractor to work with Director Griffin to implement a the City’s objectives.

**TIMING:** Immediate

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

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**SUMMARY:**

- | Y                        | N                        |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

**STAFF: Mayor Gore**

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

\_\_\_\_\_

**Roll Call**

**SUMMARY:**

- Y N**
- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor John B. Partin, Ward #3
- Mayor Jasmine Gore, Ward #4

- Y N**
- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Vice Mayor Patience Bennett, Ward #7

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

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- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

City of Hopewell Participation in Governor Northam’s Health Equity Pilot Program

**ISSUE:** Health Equity Working Group (HEWG) collaboratively the equity leadership team guides the overall work of the HEWG and all subworking groups of the COVID-19 response. Per the organizational chart, the HEWG reports directly to the COVID-19 Unified Command Leadership Group. The HEWG is an innovative coalition embedded at the senior-level of Virginia’s unified command structure for the COVID-19 public health crisis. The first-of-its-kind in Virginia state history and nationally to exist within an emergency response body, the nearly 50 member HEWG serves as a cabinet-level mechanism that convenes representatives from:

- each agency and advisory board of the Virginia Health and Human Resources Secretariat;
  - the Office of the Secretary of the Commonwealth and related constituent advisory boards;
  - leadership from relevant state entities across the Commonwealth; as well as
  - representatives from private human service organizations, advocacy and stakeholder groups, community leaders, and diverse faith leaders
- in order to ensure health equity is central to every decision made throughout this crisis. The purpose of the HEWG is to apply a health equity lens to the Commonwealth of Virginia’s COVID-19 response by proactively and reactively:
- Identifying and prioritizing resources and decision points impacting marginalized and at-risk individuals and communities.
  - Supporting intentional inclusion of the needs of at-risk and marginalized individuals and communities within each working group related to preparedness, mitigation, response, and recovery

**SUMMARY:**

- | Y                        | N                        |                                    |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

**RECOMMENDATION:** City Council determine which Healthy Equity option for staff to work with the state board to coordinate, selection of mobile testing, community webinar date and the purchase of bags.

**TIMING:** Immediate

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

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**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

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**Roll Call**

**SUMMARY:**

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|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

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| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

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- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Healthy Hopewell – Ward 4 Covid-19 Kit Donation - Dupont

**ISSUE:** Due to Covid-19, many households are experiencing a loss of income. Many localities and elected officials are provided PPE to residents. As such, I have been working to get donations to supply the residents of Ward 4 PPE in addition to advocating for the City of Hopewell to participate in the Governor’s Health Equity Program to provide PPE to a majority, if not all City residents. DuPont Teijin Films would like to help by donating four cases (16 gallons) of sanitizer and (500) disposable masks

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:****ENCLOSED DOCUMENTS:**

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**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			



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**SUMMARY:**

- | <b>Y</b>                 | <b>N</b>                 |                                    |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | <b>Y</b>                 | <b>N</b>                 |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

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**Action:**

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- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Strategic Plan and Crime Meeting Transparency – Post Online Records for Public

**ISSUE:** City Council held three Town Hall Meetings in 2019 to develop a draft Strategic Plan. The resident feedback from those meetings is not posted online for the public to view. Additionally, City Council held several Advances to prepare the Strategic Plan. The first draft (skeleton) and the City Managers’ feedback is not posted online. Each step to include the date should be made available to the public. The Crime Meeting resident feedback should also be posted online.

**RECOMMENDATION:** Post resident feedback, skeleton (Advance Notes), City Manager’s bullet point submission, City Manager’s table submission and what the City Manager submits at the Feb. 1<sup>st</sup> Meeting.

**TIMING:** Immediate

**BACKGROUND:** None

**ENCLOSED DOCUMENTS:**

- None

**STAFF:**

None

**FOR IN MEETING USE ONLY****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

**MOTION:** \_\_\_\_\_

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**Roll Call**

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**SUMMARY:**

- | <b>Y</b>                 | <b>N</b>                 |                                    |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | <b>Y</b>                 | <b>N</b>                 |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

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- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

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**Action:**

- Approve and File
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- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to support and fund technological improvements to modernize the online access for residents to complete city services. For example- Online forms, online payments, credit cards, Wi-Fi access, etc. in light of Covid-19.

**ISSUE:** Discussion

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

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**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

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- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to direct the City Clerk to work with the IT Department to develop a system that posts vacancy information for City Boards, Commissions and Authorities

**ISSUE:** Due to Covid-19, many residents are more in tuned with their local governments. Residents are seeking ways to become involved. As such, many are researching the City’s Boards, Commissions and Authorities. The City’s website does not list current vacancies to let people know how which boards are open for service/appointment.

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:****ENCLOSED DOCUMENTS:**

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**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
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|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |



**Roll Call**

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**SUMMARY:**

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor John B. Partin, Ward #3
- Mayor Jasmine Gore, Ward #4

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Vice Mayor Patience Bennett, Ward #7

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

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**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to review the Court Services and VJCCA Budget and review programs offered for juvenile delinquency; the state's annual report for the City of Hopewell's recidivism rate.

**ISSUE:** Discussion

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:** VJCCA Manual

[http://www.djj.virginia.gov/pdf/community/VJCCCA\\_Manual\\_July\\_2014.pdf](http://www.djj.virginia.gov/pdf/community/VJCCCA_Manual_July_2014.pdf)

**ENCLOSED DOCUMENTS:**

- VJCCCA Budget Screenshot

**STAFF:** Mayor Gore

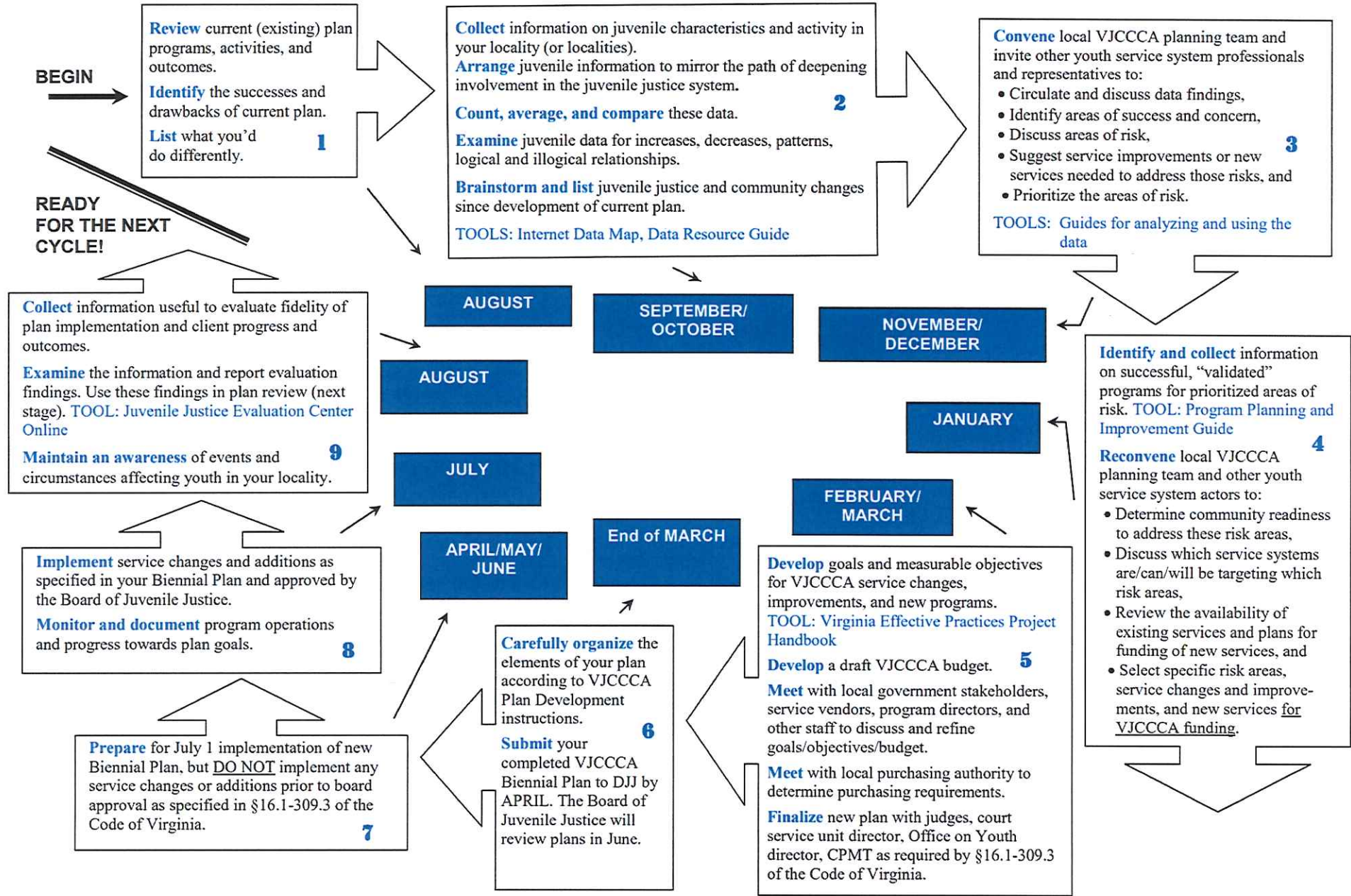
**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

# VJCCCA PLANNING ACTIVITIES MODEL



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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

City Council establish a Quarterly Joint School Board Meetings to discuss the Direction of the School Board, a plan for Woodlawn Learning Center and Covid-19

**RECOMMENDATION:** City Council normally meets with the School Board once or twice during the budget season; however, there is a need to meet routinely with the School Board for City Council to be aware of the direction of the School System.

Currently, gaps in communication exist and City Council is notified of school actions and/or alerts once the public has been notified. There have been longstanding requests to establish frequent meetings to build the relationship between City Council and the School Board as appointees of City Council. Moreover, School Board members also serve on the John Tyler Board as representatives of City Council.

Due to Covid-19 the public is contacting their City Council representatives to learn about the School Systems plans and response to Covid-19. City Council also needs to be briefed about the overall goals for the Hopewell School System, current graduation rates, SOL status, etc.

Additionally, City Council can discuss feedback from residents, share initiatives of interest and assist the School Board if needed.

Overall, the dynamic between both parties working to advance education within the City of Hopewell will be improved and a true partnership.

**TIMING:** Immediate

**BACKGROUND:**

**SUMMARY:**

- |                          |                          |                                    |                          |                          |                                      |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    | <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  | <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |                          |                          |                                      |

**ENCLOSED DOCUMENTS:**

**STAFF: Mayor Gore and Councilor Holloway**

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

\_\_\_\_\_

**Roll Call**

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**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
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**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request City Council to pass Cities are Essential Resolutions to support NLC’s mission to advocate for Congress to give Cities, Towns and Villages direct Federal Aid.

**ISSUE:** Due to Covid-19, many localities are experiencing a loss of income. Cities are essential to America’s economic recovery. Communities will use federal aid and support to facilitate a reopening of the national economy. Local governments are calling for at least \$500 billion in direct federal funding to protect families, municipal workers and America’s economic future.

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:****ENCLOSED DOCUMENTS:**

- NLC Resolutions

**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

**Roll Call**

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**SUMMARY:**

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor John B. Partin, Ward #3
- Mayor Jasmine Gore, Ward #4

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Vice Mayor Patience Bennett, Ward #7

**Letter Instructions**

- This letter is to be used by **organizations and businesses** who wish to support NLC’s federal ask to Congress for direct relief to cities, towns and villages across the country.
- To use, please follow these simple steps:
  1. Download letter to your computer.
  2. Place letter on your organization’s letterhead and feel free to add a paragraph or language that is specific to your organization’s city, town or village.
  3. Please make sure to fill in the **BOLDED** sections below with your individual information.
  4. Send the letter directly to your Senator and Members of Congress.
  5. Letter should be emailed to the Member’s Chief of Staff.
  6. Please share a completed copy of the letter with NLC at [advocacy@nlc.org](mailto:advocacy@nlc.org)
- Any questions can be directed to Stephanie Martinez-Ruckman at 202-626-3098 or [martinez-ruckman@nlc.org](mailto:martinez-ruckman@nlc.org).

**Form Letter**

May X, 2020

[Insert Senator/Rep address]

Dear Senator X:

As Congress considers additional federal assistance packages in the wake of the COVID-19 pandemic, it is critical that you include direct relief to cities, towns and villages.

Businesses and community organizations across our country depend on the economic strength and vitality of municipalities. Not only do our nation’s cities provide an anchor for local economic development, they also provide the essential services that businesses depend on to ensure we remain competitive, including access to clean water, public safety, reliable infrastructure and a strong workforce base. Without a lifeline to recover and restore local economic activity, cities, towns and villages will be forced to make cuts to essential services that will have a ripple effect across the public and private sectors.

For organizations such as **[fill in the name of coalition partner name]**, based in **[city, state]**, it is because of our strong community partnership that we can thrive. The strong leadership of our local elected officials, and the partnership they have provided to local businesses is critical to our success. If cities fail to thrive, we all fail to thrive.

We know that you understand the importance of this relationship in our great state of **[insert state]** and we hope that we can rely on your support for legislation that includes:

- \$500 billion over two years of federal aid for local governments
- Fair and direct funding allocations to each and every local government, with no exclusions based on population
- Equal funding overall for municipal governments and county governments
- Maximum flexibility for the eligible use of funds to address the budget consequences of the COVID-19 pandemic

Thank you for your leadership on this important issue.

Sincerely,

**[name]**  
**[title]**  
**[organization]**

**RESOLUTION: [CITY NAME] IS ESSENTIAL: IN SUPPORT OF FAIR, DIRECT FEDERAL EMERGENCY SUPPORT TO REOPEN AND REBUILD LOCAL AMERICAN ECONOMIES**

WHEREAS, America’s cities, towns and villages face unprecedented threats due to the ongoing COVID-19 pandemic emergency; and

WHEREAS, municipalities are essential to America’s economic recovery and without funding support for local governments, municipalities may go from being a critical part of the economic solution, to becoming a major obstacle to long-term stabilization and recovery; and

WHEREAS, America’s cities, towns and villages will experience budgetary shortfalls of up \$134 billion in fiscal year 2020 alone, and the negative effects of the pandemic emergency on local communities will continue long after this year; and

WHEREAS, three million critical municipal worker jobs are at risk, threatening cuts to basic community services, including 9-1-1 response, sanitation, and maintenance; and

WHEREAS, communities have taken extraordinary measures to protect health, safety, and the continuation of essential services throughout the emergency; and

WHEREAS, [CITY NAME] [DESCRIBE HOW CITY HAS BEEN IMPACTED BY OR RESPONDED TO THE EMERGENCY, OR MADE BUDGETARY SACRIFICES]

WHEREAS, America’s rural communities and small towns are struggling just as much as big cities and risk being left behind or wiped out entirely.

NOW, THEREFORE, BE IT RESOLVED that [CITY NAME] calls on Congress to allocate fair and direct federal support to all of America’s communities, regardless of population size; and

BE IT FURTHER RESOLVED that this funding must be flexible and address not only the additional expenses incurred by communities to respond to the pandemic emergency, but also the dramatic budgetary shortfalls resulting from pauses in commerce, tourism, other economic engines; and

BE IT FURTHER RESOLVED that local governments will ensure federal funds are immediately used to rebuild and reopen the national economy; and

BE IT FURTHER RESOLVED that funding will keep middle class workers employed and critical services operating; and

BE IT FURTHER RESOLVED THAT [CITY NAME] has been part of the emergency response and now calls on Congress to build a united national partnership for a safe, healthy, prosperous life.

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## SENATE BILL NO. 1450

Offered January 9, 2019

Prefiled January 8, 2019

A BILL to amend the Code of Virginia by adding in Chapter 13.2 of Title 55 an article numbered 7, consisting of sections numbered 55-248.40:1 through 55-248.40:4, relating to the Eviction Diversion Pilot Program.

Patrons—Locke, Mason and McClellan

Referred to Committee on General Laws and Technology

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 13.2 of Title 55 an article numbered 7, consisting of sections numbered 55-248.40:1 through 55-248.40:4 as follows:**

*Article 7.*

*Eviction Diversion Pilot Program.*

**§ 55-248.40:1. Establishment of Eviction Diversion Pilot Program; purpose; goals.**

A. There is hereby established the Eviction Diversion Pilot Program (the Program) within the existing structure of the general district courts for the cities of Danville, Hampton, Petersburg, and Richmond. The purpose of the Program shall be to encourage the development of consistent methods for resolving unlawful detainer actions and to reduce the number of evictions of low-income persons. Notwithstanding any other provision of law, no eviction diversion court or program shall be established except in conformance with this section.

B. The goals of the Program shall include (i) reducing the number of evictions of low-income persons from their residential dwelling units for the failure to pay small amounts of money under the rental agreement, in particular when such persons have experienced an event that adversely affected financial circumstances such as the loss of employment or a medical crisis in their immediate family; (ii) reducing displacement of families from their homes and the resulting adverse consequences to children who are no longer able to remain in the same public school after eviction; (iii) encouraging the development of uniform court forms that describe all eviction-related processes and facilitate the landlord's and tenant's entering into a reasonable payment plan that provides for the landlord to receive full rental payments as contracted for in the rental agreement and for the tenant to have the opportunity to make current such rental payments; and (iv) encouraging tenants to make rental payments in the manner as provided in the rental agreement.

**§ 55-248.40:2. Eviction Diversion Pilot Program; administration.**

A. Administrative oversight of the implementation of the Program shall be conducted by the Executive Secretary of the Supreme Court of Virginia (Executive Secretary). The Executive Secretary shall be responsible for providing (i) oversight for the distribution of state funds appropriated for eviction diversion programs in the general district courts; (ii) technical assistance to general district courts participating in the Program; (iii) training for judges who preside over general district courts participating in the Program; and (iv) training to the providers of administrative, case management, and other services to courts participating in the Program.

B. The Executive Secretary shall prepare uniform court forms for the payment agreement between the landlord and tenant required by subsection B of § 55-248.40:3 and the notice of the tenant's failure to make payments required by subsection D of § 55-248.40:3. Such forms shall be made available in the office of the general district court clerk for each court participating in the Program.

C. The Executive Secretary shall provide instructions to any general district court participating in the Program on the collection of data to be used to evaluate the most effective methods for using the resources available to the court system to address the increasing number of evictions and to reduce the eviction-related workload of the court system. The Executive Secretary shall provide this data upon request to the Virginia Housing Commission to assist in monitoring the evaluation of the effectiveness and efficiency of the Program.

**§ 55-248.40:3. Eviction Diversion Pilot Program; process; court-ordered payment plan.**

A. A tenant in an unlawful detainer case shall be eligible to participate in the Program if he:

1. Appears in court on the first docket call of the case and requests to have the case referred into the Program;

2. Pays to the landlord or into the court at least 25 percent of the amount due on the unlawful detainer as amended on the first docket call of the case;

3. Provides sworn testimony that he is employed and has sufficient funds to make the payments under

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59 the court payment plan, or otherwise has sufficient funds to make such payments;

60 4. Provides sworn testimony explaining the reasons for being unable to make rental payments as  
61 contracted for in the rental agreement;

62 5. Has not been late within the last 12 months in payment of rent as contracted for in the rental  
63 agreement at the rate of either (i) more than two times in six months or (ii) more than three times in 12  
64 months;

65 6. Has not exercised the right of redemption pursuant to § 55-248.34:1 within the last six months;  
66 and

67 7. Has not participated in an eviction diversion program within the last 12 months.

68 B. The court shall direct an eligible tenant pursuant to subsection A and his landlord to participate  
69 in the Program and to enter into a court-ordered payment plan. The court shall provide for a  
70 continuance of the case on the docket of the general district court in which the unlawful detainer action  
71 is filed to allow for full payment under the plan. The court-ordered payment plan shall be based on a  
72 payment agreement entered into by the landlord and tenant and shall contain the following provisions:

73 1. All payments shall be (i) made to the landlord; (ii) paid by cashier's check, certified check, or  
74 money order; and (iii) received by the landlord on or before the fifth day of each month included in the  
75 plan;

76 2. The remaining payments of the amounts on the amended unlawful detainer after the first payments  
77 made on the first docket call of the case shall be paid on the following schedule: (i) 25 percent due by  
78 the fifth day of the month following the initial court hearing date, (ii) 25 percent due by the fifth day of  
79 the second month following the initial court hearing date, and (iii) the final payment of 25 percent due  
80 by the fifth day of the third month following the initial court hearing date; and

81 3. All rental payments shall continue to be made by the tenant to the landlord as contracted for in  
82 the rental agreement within five days of the due date established by the rental agreement each month  
83 during the course of the court-ordered payment plan.

84 C. If the tenant makes all payments in accordance with the court-ordered payment plan, the judge  
85 shall dismiss the unlawful detainer as being satisfied.

86 D. If the tenant fails to make a payment under the court-ordered payment plan or to keep current  
87 any monthly rental payments to the landlord as contracted for in the rental agreement within five days  
88 of the due date established by the rental agreement, the landlord shall submit to the general district  
89 court clerk a written notice that the tenant has failed to make payments in accordance with the plan. A  
90 copy of such written notice shall be given to the tenant in accordance with § 55-248.6.

91 The court shall enter an order of possession without further hearings or proceedings, unless the  
92 tenant files an affidavit with the court stating that the current rent has in fact been paid and that the  
93 landlord has not properly acknowledged payment of such rent. A copy of such affidavit shall be given to  
94 the landlord in accordance with § 55-248.6.

95 The landlord may seek a money judgement for final rent and damages pursuant to subsection B of §  
96 8.01-128.

97 E. Nothing in this section shall be construed to limit (i) the landlord from filing an unlawful detainer  
98 for a non-rent violation against the tenant while such tenant is participating in the Program or (ii) the  
99 landlord and tenant from entering into a voluntary payment agreement outside the provisions of this  
100 section.

101 **§ 55-248.40:4. State Eviction Diversion Pilot Program Advisory Committee; duties.**

102 A. The Virginia Housing Commission shall establish a State Eviction Diversion Pilot Program  
103 Advisory Committee (Committee). The Committee shall consist of stakeholders appointed by the chair of  
104 the Commission.

105 B. The Committee shall have the duty to (i) evaluate and recommend to the Commission standards  
106 for the planning and implementation of a statewide eviction diversion program; (ii) assist the  
107 Commission in the evaluation of the effectiveness and efficiency of the Program; and (iii) encourage and  
108 enhance cooperation among participating agencies regarding the planning and implementation of the  
109 Program.

110 **2. That it is the intent of the General Assembly, recognizing the critical need in the**  
111 **Commonwealth to reduce the number of evictions of low-income persons from residential dwelling**  
112 **units, to establish an eviction diversion pilot program to develop data for use in evaluating the**  
113 **benefits and costs associated with such a program.**

114 **3. That the provisions of the first enactment of this act shall become effective on July 1, 2020.**

115 **4. That the provisions of the first enactment of this act shall expire on July 1, 2023.**

116 **5. That the Virginia Housing Commission (Commission) shall develop a statewide evaluation model**  
117 **and conduct ongoing evaluations of the effectiveness and efficiency of the eviction diversion pilot**  
118 **program established by the first enactment of this act. To assist the Commission, the Office of the**  
119 **Executive Secretary of the Virginia Supreme Court shall provide the data requested by the**  
120 **Commission in electronic format, at such times as requested by the Commission. To further assist**

121 in evaluation of the eviction diversion pilot program, each participating general district court shall  
122 submit evaluative reports to the Commission as requested.  
123 6. That beginning on July 1, 2022, the Virginia Housing Commission shall evaluate data submitted  
124 by the Office of the Executive Secretary of the Virginia Supreme Court and general district courts  
125 participating in the eviction diversion pilot program. The Commission shall submit a report on its  
126 findings on or before November 30, 2022, to the General Assembly and the Chairs of the Senate  
127 Committees on Finance and Courts of Justice and the Chairs of the House Committees on  
128 Appropriations, Finance, and Courts of Justice, including recommendations for legislation for the  
129 2023 Session of the General Assembly.  
130 7. That the provisions of this section shall not apply to any tenant who has exercised the right of  
131 redemption pursuant to § 55-248.34:1 of the Code of Virginia at any time before July 1, 2020.

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
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- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to set a Work Session review and amend the City's Emergency Operations Plan due to the state in July and for City Council to receive a draft of the Continuity Operations Plan requested to be developed due to Covid-19.

**ISSUE:** The City Council voted to approve the purchase of OpenFinance in 2019. The system was supposed to be implemented for the FY20 budget cycle. City Council was informed in November during a public meeting that purchasing was underway. During the Budget Work Sessions, City Council was notified that the process had not yet begun.

**RECOMMENDATION:**

**TIMING: Immediate**

**BACKGROUND:****ENCLOSED DOCUMENTS:**

- City of Hopewell Emergency Operations Plan

**STAFF: Mayor Gore**

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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**SUMMARY:**

- | <b>Y</b>                 | <b>N</b>                 |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | <b>Y</b>                 | <b>N</b>                 |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

August 23, 2016  
Regular Meeting  
EXCERPT

**R-1. REGULAR BUSINESS: – 2016 EMERGENCY OPERATIONS PLAN UPDATE**

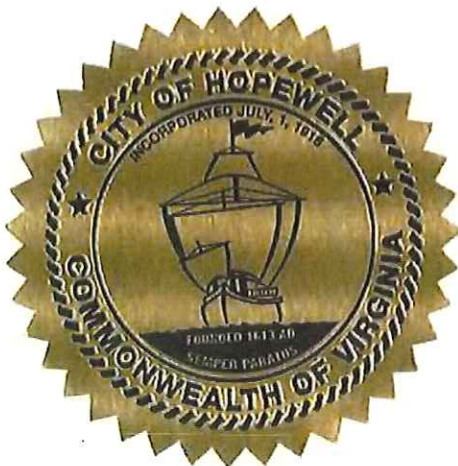
Every four years, the City updates its Emergency Operations Plan based on any changes to operations, staff, capabilities, etc. The Plan adopted in 2012 included significant changes to reflect a new operational structure in the Emergency Operations Center, and other programmatic updates. The 2016 revision is predominately a refresh and update of the 2012 plan. This revision gave the directors new to their positions since the 2012 adoption, an opportunity to review their portion of the plan and provide feedback and updates based on their department’s current operations.

**Motion** was made by Councilor Gore, seconded by Councilor Luman-Bailey to approve the 2016 Emergency Operations Plan as updated. Upon the roll call, the vote resulted:

- |                         |   |     |
|-------------------------|---|-----|
| Mayor Pelham            | - | yes |
| Vice Mayor Luman-Bailey | - | yes |
| Councilor Zevgolis      | - | yes |
| Councilor Gore          | - | yes |
| Councilor Walton        | - | yes |
| Councilor Shornak       | - | yes |

I, Ronnieye Arrington, Acting City Clerk of the City of Hopewell, Virginia do hereby certify the foregoing is a true and correct copy of the minutes of Hopewell City Council at its meeting held August 23, 2016.

Given under my hand and the Corporate Seal of the City of Hopewell, Virginia this 27<sup>th</sup> day of September, 2016.



*Ronnieye Arrington*  
Acting City Clerk

### § 44-146.19. Powers and duties of political subdivisions

A. Each political subdivision within the Commonwealth shall be within the jurisdiction of and served by the Department of Emergency Management and be responsible for local disaster mitigation, preparedness, response and recovery. Each political subdivision shall maintain in accordance with state disaster preparedness plans and programs an agency of emergency management which, except as otherwise provided under this chapter, has jurisdiction over and services the entire political subdivision.

B. Each political subdivision shall have a director of emergency management who, after the term of the person presently serving in this capacity has expired and in the absence of an executive order by the Governor, shall be the following:

1. In the case of a city, the mayor or city manager, who shall appoint a coordinator of emergency management with consent of council;
2. In the case of a county, a member of the board of supervisors selected by the board or the chief administrative officer for the county, who shall appoint a coordinator of emergency management with the consent of the governing body;
3. A coordinator of emergency management shall be appointed by the council of any town to ensure integration of its organization into the county emergency management organization;
4. In the case of the Towns of Chincoteague and West Point and of towns with a population in excess of 5,000 having an emergency management organization separate from that of the county, the mayor or town manager shall appoint a coordinator of emergency services with consent of council;
5. In Smyth County and in York County, the chief administrative officer for the county shall appoint a director of emergency management, with the consent of the governing body, who shall appoint a coordinator of emergency management with the consent of the governing body.

C. Whenever the Governor has declared a state of emergency, each political subdivision within the disaster area may, under the supervision and control of the Governor or his designated representative, control, restrict, allocate or regulate the use, sale, production and distribution of food, fuel, clothing and other commodities, materials, goods, services and resource systems which fall only within the boundaries of that jurisdiction and which do not impact systems affecting adjoining or other political subdivisions, enter into contracts and incur obligations necessary to combat such threatened or actual disaster, protect the health and safety of persons and property and provide emergency assistance to the victims of such disaster. In exercising the powers vested under this section, under the supervision and control of the Governor, the political subdivision may proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, levying of taxes, and appropriation and expenditure of public funds.

D. The director of each local organization for emergency management may, in collaboration with (i) other public and private agencies within the Commonwealth or (ii) other states or localities within other states, develop or cause to be developed mutual aid arrangements for reciprocal assistance in case of a disaster too great to be dealt with unassisted. Such arrangements shall be consistent with state plans and programs and it shall be the duty of each local organization for emergency management to render assistance in accordance with the provisions of such mutual aid arrangements. Except where a mutual aid arrangement for reciprocal assistance exists between localities, no locality shall prohibit another locality from providing emergency medical services across local boundaries solely on the basis of financial considerations.

E. Each local and interjurisdictional agency shall prepare and keep current a local or interjurisdictional emergency operations plan for its area. The plan shall include, but not be limited to, responsibilities of all local agencies and shall establish a chain of command, and a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01. The Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be the lead coordinating agencies for those individuals determined to be victims, and the plan shall also contain current contact information for both agencies. Every four years, each local and interjurisdictional agency shall conduct a comprehensive review and revision of its emergency operations plan to ensure that the plan remains current, and the revised plan shall be formally adopted by the locality's governing body. In the case of an interjurisdictional agency, the plan shall be formally adopted by the governing body of each of the localities encompassed by the agency. Each political subdivision having a nuclear power station or other nuclear facility within 10 miles of its boundaries shall, if so directed by the Department of Emergency Management, prepare and keep current an appropriate emergency plan for its area for response to nuclear accidents at such station or facility.

F. All political subdivisions shall provide (i) an annually updated emergency management assessment and (ii) data related to emergency sheltering capabilities, including emergency shelter locations, evacuation zones, capacity by person, medical needs capacity, current wind rating, standards compliance, backup power, and lead agency for staffing, to the State Coordinator of Emergency Management on or before May 1 of each year.

G. By July 1, 2005, all localities with a population greater than 50,000 shall establish an alert and warning plan for the dissemination of adequate and timely warning to the public in the event of an emergency or threatened disaster. The governing body of the locality, in consultation with its local emergency management organization, shall amend its local emergency operations plan that may include rules for the operation of its alert and warning system, to include sirens, Emergency Alert System (EAS), NOAA Weather Radios, or other personal notification systems, amateur radio operators, or any combination thereof.

H. Localities that have established an agency of emergency management shall have authority to require the review of, and suggest amendments to, the emergency plans of nursing homes, assisted living facilities, adult day care centers, and child day care centers that are located within the locality.

1973, c. 260; 1974, c. 4; 1975, c. 11; 1978, c. 495; 1982, c. 5; 1990, cc. 404, 945; 1993, cc. 621, 671, 781; 2000, c. 309; 2003, c. 622; 2004, c. 302; 2005, cc. 6, 205; 2006, c. 138; 2007, cc. 97, 129, 138; 2009, cc. 222, 269; 2012, c. 418; 2018, c. 228; 2020, cc. 94, 1021.





# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

City Council vote to establish an Ordinance and Resolution Clean-Up to index, organize, sign upload in Municode ordinances from 2015-2020.

**RECOMMENDATION:** When I became Mayor, January 2019, I informed City Council of the existing backlog of ordinance/resolution updates. During the City Council’s Strategic Plan and Council Advance Session, I asked City Council to determine the roles of the Mayor in order to provide clarity of supervision, duties and expectations. This was a follow up from the Council Memo sent to City Council and placed on City Council’s Meeting Agendas for discussion/action.

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- Overseeing that the Clerk Office follows the procedures to upload the documents into Municode, uploading the minutes/agenda packets online, placing signed minutes into the “Red Book” and updating the City’s website with appointment vacancies

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

JEFFREY D. STERN, Ph.D.  
State Coordinator



JOHN SCRIVANI  
Deputy Coordinator – Disaster Services

CURTIS C. BROWN  
Chief Deputy Coordinator/  
Acting Deputy Coordinator – Mission Support

# COMMONWEALTH of VIRGINIA

## Department of Emergency Management

10501 Trade Court  
North Chesterfield, Virginia 23236-3713  
Tel: (804) 897-6500 TDD (804) 674-2417 FAX (804) 897-6506

January 18, 2019

### MEMORANDUM

TO: The Honorable Ralph S. Northam, Governor  
 The Honorable Kirk Cox, Speaker of the House  
 The Honorable Todd C. Gilbert, House Majority Leader  
 The Honorable Eileen Filler-Corn, House Minority Leader  
 The Honorable Justin Fairfax, President of the Senate  
 The Honorable Thomas K. Norment, Senate Majority Leader  
 The Honorable Richard S. Saslaw, Senate Minority Leader  
 The Honorable Carlos Hopkins, Secretary of Veterans & Defense Affairs

VIA: Brian J. Moran, Secretary of Public Safety & Homeland Security

FROM: Jeffrey D. Stern, State Coordinator

SUBJECT: Report on the Commonwealth's Status of Plans

In accordance with § 44-146.18(B)(3) of the *Code of Virginia*, I am pleased to submit the *2018 Report on the Commonwealth's Status of Plans*.

VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT

# Status of Plans 2018

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§ 44-146.18(B)(3)

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## PREFACE

This report is provided in accordance with § 44-146.18(B)(3) of the *Code of Virginia*, which states:

The Department of Emergency Management shall in the administration of emergency services and disaster preparedness programs:

Submit to the Governor and to the General Assembly, no later than the first day of each regular session of the General Assembly, an annual executive summary and report on the status of emergency management response plans throughout the Commonwealth and other measures taken or recommended to prevent, respond to and recover from disasters, including acts of terrorism. This report shall be made available to the Division of Legislative Automated Systems for the processing of legislative documents and reports.

This report was developed in conjunction with state agency stakeholders, including the Department of Military Affairs, Virginia Department of Health, Virginia Department of Social Services, Virginia State Police and the Virginia Department of Conservation and Recreation.

## **EXECUTIVE SUMMARY**

This report summarizes the actions taken during 2018 to improve disaster preparedness through the maintenance of state and local plans. The Virginia Department of Emergency Management (VDEM) is responsible for developing and coordinating state level plans, providing technical support to localities, state agencies and public institutions of higher education regarding disaster preparedness, and coordinating state resources requested by localities, other states, and U.S. territories.

In the past year, VDEM's seven regional offices provided coordination and support to localities before, during, and after disaster operations. During non-disaster operations, regional staff participated in planning meetings and exercises, and provided technical support to both localities and institutions of higher education.

## PLANNING EFFORTS



### Local Emergency Operations Plans

*Code of Virginia* § 44-146.19(E) requires each political subdivision (cities, counties and five towns with independent emergency management programs) and interjurisdictional agencies to prepare and keep current a local or interjurisdictional emergency operations plan (EOP) for its area. Every four years, each local or interjurisdictional agency shall conduct a comprehensive review and revision of its EOP to ensure that the plan remains relevant; the revised plan shall be formally adopted by the locality's governing body. In order to verify the plan adoption by the local governing board, VDEM requests local jurisdictions to submit documentation, either a copy of the resolution from the local governing board or a copy of the minutes from the board meeting when the plan was adopted.

VDEM tracks plan currency on the four-year cycle and contacts the local governments when the EOPs are within a year of the due date to offer assistance with the plan revision process.

As indicated in the following tables, as of November 15, 2018, 135 of the 138 jurisdictions (97 %) have up-to-date EOPs. It is not uncommon for plans to go out of compliance for brief periods before being re-adopted. The overall percentage of compliant plans remains above 95%.

#### Table Legend:

-  Local jurisdiction's EOP is up-to-date and has been adopted by the local governing board.
-  Local jurisdiction's EOP has not been reviewed in the past four years and needs to be readopted by the local governing board.

VDEM Region 1	
Jurisdiction	Date EOP Adopted
Amelia County	10/21/2015
Brunswick County	05/20/2015
Charles City County	01/27/2015
Chesterfield County	08/24/2016
Colonial Heights City	12/12/2017
Dinwiddie County	05/19/2015
Emporia City	05/16/2017
Essex County	08/01/2016
Goochland County	04/04/2017
Greensville County	07/17/2017
Hanover County	06/10/2015
Henrico County	02/14/2017
Hopewell City	08/23/2016
King and Queen County	04/11/2016
King William County	10/24/2016
New Kent County	09/28/2016
Nottoway County	12/15/2016
Petersburg City	03/15/2015
Powhatan County	02/01/2016
Prince George County	01/13/2015
Richmond City	07/24/2017
Sussex County	08/18/2016





VDEM Region 3	
Jurisdiction	Date EOP Adopted
Albemarle County	12/04/2017
Amherst County	03/20/2018
Appomattox County	02/21/2017
Augusta County	09/14/2016
Buckingham County	05/08/2017
Campbell County	02/02/2016
Charlotte County	03/14/2017
Charlottesville City	12/06/2017
Cumberland County	11/14/2017
Farmville Town	11/08/2017
Fluvanna County	2/15/2017
Halifax County	01/08/2018
Harrisonburg City	10/24/2017
Lunenburg County	04/13/2017
Lynchburg City	01/26/2016
Mecklenburg County	10/10/2017
Nelson County	08/08/2017
Prince Edward County	03/29/2018
Rockingham County	10/25/2017
South Boston Town	03/26/2018
Staunton City	09/20/2016
Waynesboro City	09/26/2016

VDEM Region 4	
Jurisdiction	Date EOP Adopted
Bland County	11/24/2015
Bristol City	02/10/2015
Buchanan County	12/05/2017
Carroll County	08/14/2017
Dickenson County	07/25/2017
Galax City	10/21/2015
Giles County	10/19/2017
Grayson County	07/13/2017
Lee County	07/18/2017
Norton City	03/03/2015
Pulaski County	11/23/2015
Radford City	03/23/2015
Russell County	07/11/2016
Scott County	02/07/2018
Smyth County	04/14/2015
Tazewell County	01/20/2015
Washington County	10/27/2015
Wise County	05/24/2017

VDEM Region 5	
Jurisdiction	Date EOP Adopted
Wythe County	09/12/2016
Accomack County	06/20/2018
Chesapeake City	07/10/2018
Chincoteague Town	05/18/2017
Franklin City	11/09/2015
Gloucester County	10/03/2017
Hampton City	08/08/2018
Isle of Wight County	05/09/2016
James City County	12/08/2015
Lancaster County	03/09/2015
Mathews County	12/15/2015
Middlesex County	02/03/2015
Newport News City	10/27/2015
Norfolk City	03/27/2018
Northampton County	01/12/2016
Northumberland County	08/09/2018
Poquoson City	11/09/2015
Portsmouth City	01/27/2015
Richmond County	08/10/2017
Southampton County	11/23/2015
Suffolk City	08/19/2015
Surry County	06/02/2016
Virginia Beach City	09/20/2016
Westmoreland County	07/09/2018
Williamsburg City	03/10/2016
York County	10/04/2016



VDEM Region 6	
Jurisdiction	Date of Last EOP Adoption
Alleghany County	09/05/2017
Bath County	06/12/2018
Bedford County	01/24/2017
Botetourt County	04/25/2017
Buena Vista City	02/10/2015
Christiansburg Town	05/23/2017
Covington City	02/10/2015
Craig County	12/12/2016
Danville City	11/06/2014 <sup>1</sup>
Floyd County	02/13/2018
Franklin County	02/20/2018
Henry County	12/15/2015
Highland County	06/06/2017
Lexington City	10/10/2014 <sup>2</sup>
Martinsville City	09/11/2018
Montgomery County	09/11/2017
Patrick County	09/24/2015
Pittsylvania County	02/17/2015
Roanoke City	03/07/2016
Roanoke County	11/10/2015
Rockbridge County	10/10/2014 <sup>3</sup>
Salem City	02/08/2016
Vinton Town	05/15/2018

Out of Compliance Plans

1. Danville –Adoption anticipated in February 2019.
2. Lexington City - Adoption anticipated in February 2019.
3. Rockbridge County - Adoption anticipated in February 2019.

VDEM Region 7	
Jurisdiction	Date of Last EOP Adoption
Alexandria City	10/25/2016
Arlington County	05/24/2017
Fairfax City	07/27/2017
Fairfax County	07/27/2015
Falls Church City	02/08/2016
Loudoun County	07/15/2015
Manassas City	02/13/2017
Manassas Park City	01/17/2017
Prince William County	12/13/2016
Stafford County	09/05/2017

## State Plans for Colleges and Agencies

### *Institutions of Higher Education Crisis and Emergency Management Plans (CEMP)*



There are 40 public institutions of higher education (IHE) within the Commonwealth and all must meet the requirements of §23.1-804 of the *Code of Virginia*. These requirements include:

- The governing boards of each public IHE are to develop, adopt, and keep current a crisis and emergency management plan.
- Each public IHE is to conduct a comprehensive review and revision of its crisis and emergency management plan to ensure that the plan remains current. The revised plan shall be adopted formally by the governing board every four years and the adoption certified in writing to VDEM.
- The chief executive officer of each public institution of higher education to annually review the institution's crisis and emergency management plan, certify in writing to VDEM that review has been completed, and make recommendations to the institution for appropriate changes to the plan.
- Each public institution to annually conduct a test or exercise of the plan and certify in writing to VDEM that it was conducted. Activation of the crisis and emergency management plan and completion of an after-action report by the IHE in response to an actual event or incident satisfies the requirement to conduct such a test or exercise

Currently, 36 (90%) of state IHEs are compliant with these requirements. This is an improvement over 2017 when only 30 (75%) were compliant. This improvement can be attributed to the diligence of IHE emergency coordinators with increased support from VDEM regional staff. IHEs that have notified VDEM that they plan to bring the CEMPs into compliance in the near future are noted in the tables below.

The following chart provides an itemized list of requirements and compliance by the IHEs.

#### Table Legend:

-  Compliant with all sections of *Code of Virginia* §23.1-804 from 11/15/17-11/16/2018.
-  Noncompliant – One or more requirements have not been met.



Institution	Compliant as of 11/16/18	Executive Review	Exercise Complete	CEMP Adopted
<b>VDEM Region 1</b>				
J Sargeant Reynolds Community College	Y	Y	Y	Y
John Tyler Community College	Y	Y	Y	Y
Richard Bland College	Y	Y	Y	Y
Southside Virginia Community College	Y	Y	Y	Y
Virginia Commonwealth University	Y	Y	Y	Y
Virginia State University	Y	Y	Y	Y
<b>VDEM Region 2</b>				
Gemanna Community College	N	N	Y	N <sup>1</sup>
Lord Fairfax Community College	Y	Y	Y	Y
University of Mary Washington	N	Y	N	N <sup>2</sup>
<b>VDEM Region 3</b>				
Blue Ridge Community College	Y	Y	Y	Y
Central Virginia Community College	Y	Y	Y	Y
James Madison University	Y	Y	Y	Y
Longwood University	Y	Y	Y	Y
Piedmont Virginia Community College	Y	Y	Y	Y
University of Virginia	Y	Y	Y	Y
<b>VDEM Region 4</b>				
Mountain Empire Community College	Y	Y	Y	Y
New River Community College	Y	Y	Y	Y
Radford University	Y	Y	Y	Y
Southwest Virginia Community College	Y	Y	Y	Y
University of Va. College at Wise	Y	Y	Y	Y
Virginia Highlands Community College	Y	Y	Y	Y
Wytheville Community College	Y	Y	Y	Y
<b>VDEM Region 5</b>				
Christopher Newport University	Y	Y	Y	Y
College of William and Mary	N	Y	Y	N <sup>3</sup>
Eastern Shore Community College	Y	Y	Y	Y
Eastern Virginia Medical School	Y	Y	Y	Y
Norfolk State University	Y	Y	Y	Y
Thomas Nelson Community College	Y	Y	Y	Y
Old Dominion University	Y	Y	Y	Y
Paul D. Camp Community College	Y	Y	Y	Y
Rappahannock Community College	N	N	N	Y <sup>4</sup>
Tidewater Community College	Y	Y	Y	Y
<b>VDEM Region 6</b>				
Dabney Lancaster Community College	Y	Y	Y	Y
Danville Community College	Y	Y	Y	Y
Patrick Henry Community College	Y	Y	Y	Y



Virginia Military Institute	Y	Y	Y	Y
Virginia Western Community College	Y	Y	Y	Y
Virginia Tech	Y	Y	Y	Y
<b>VDEM Region 7</b>				
George Mason University	Y	Y	Y	Y
Northern Virginia Community College	Y	Y	Y	Y

Out of Compliance Plans:

- 1. Germanna Community College.
- 2. University of Mary Washington.
- 3. College of William and Mary.
- 4. Rappahannock Community College.

***State Agency and Public Institutions of Higher Education Continuity Plans***

In 2018, 113 of the 115 state executive branch agencies and institutions of higher education submitted an updated continuity plan to VDEM, in accordance with Executive Order 41 (2011). VDEM staff worked with state agency and IHE emergency coordinators in 2018 and continues to support continuity plan reviews, activations, exercises, after-action reporting and provide technical assistance when needed. These agencies are documented in a separate report, entitled Status of State Continuity Plans.

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

City Council vote to establish an Ordinance and Resolution Clean-Up to index, organize, sign upload in Municode ordinances from 2015-2020.

**RECOMMENDATION:** When I became Mayor, January 2019, I informed City Council of the existing backlog of ordinance/resolution updates. During the City Council’s Strategic Plan and Council Advance Session, I asked City Council to determine the roles of the Mayor in order to provide clarity of supervision, duties and expectations. This was a follow up from the Council Memo sent to City Council and placed on City Council’s Meeting Agendas for discussion/action.

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- Assisting to prepare the Agenda
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- Signing Ordinances/Resolutions
- Managing TBRs to ensure that vacancies are addressed in Closed Session for Appointments
- Overseeing that the Clerk Office follows the procedures to upload the documents into Municode, uploading the minutes/agenda packets online, placing signed minutes into the “Red Book” and updating the City’s website with appointment vacancies

**SUMMARY:**

- | Y                        | N                        |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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**SUMMARY:**

- | <b>Y</b>                 | <b>N</b>                 |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | <b>Y</b>                 | <b>N</b>                 |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

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- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

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- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to receive the CSA's policies and response to the State's Special Audit Directives in response to fraud

**ISSUE:** Discussion

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

- 

**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call**

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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- | Y                        | N                        |                                      |
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- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Crater Workforce Investment Board Grant Recipient

**ISSUE:** The Chief Local Elected Officials (CLEO) from all localities within the Crater Workforce Investment Board serve on as the oversight for the board. Annually, the board decides which locality will serve as the grant recipient for the entire region. The Unemployment Office relocated from Hopewell/Prince George to Petersburg under the prior CLEO’s term. Additionally, the board was required to undergo a forensic audit mandated by the state. This information was not provided to the former City Council. The newly organized CLEO board had been responsive to make adjustments to address issues that existed previously. Some members served with the former CLEO Board and have spoken to the drastic changes to correct operations, efficiency and delivery of services. Moreover, I have participated in the revamp process as the CLEO Board hired additional staff has been hired, new contracts have been administered as well as an overhaul of policies and guidelines. The Grant recipient will be the employer of record but not fund the Crater Workforce Investment Board staff. Does the City of Hopewell wish to be considered as the grant recipient for the regional Workforce Development?

**RECOMMENDATION:** City Council vote to provide the Mayor, direction to report back to the CLEO Board.

**TIMING:** Immediate

**BACKGROUND:****ENCLOSED DOCUMENTS:****SUMMARY:**

- | Y                        | N                        |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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**T/44”**

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to evaluate all departments that provide direct services to residents and share publicly how the funds are directly invested into the Community; I.E. Upcoming road payments, stormwater projects, community events & programs

**ISSUE:** Discussion

**RECOMMENDATION:**

**TIMING:**

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

- 

**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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**T/45”**

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

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- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

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Crater Workforce Investment Board Grant Recipient

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**RECOMMENDATION:** City Council vote to provide the Mayor, direction to report back to the CLEO Board.

**TIMING:** Immediate

**BACKGROUND:****ENCLOSED DOCUMENTS:****SUMMARY:**

- | Y                        | N                        |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
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- Safe & Healthy Environment
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**Order of Business:**

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**TIMING:** Immediate

**BACKGROUND:****ENCLOSED DOCUMENTS:****SUMMARY:**

- | Y                        | N                        |                                    |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
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**Action:**

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- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
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- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to evaluate all departments that provide direct services to residents and share publicly how the funds are directly invested into the Community; I.E. Upcoming road payments, stormwater projects, community events & programs

**ISSUE:** Discussion

**RECOMMENDATION:**

**TIMING:**

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

- 

**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			





# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
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- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
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- Regular Business
- Reports of Council Committees

**Action:**

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- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to consider holding a public hearing or Community Town Hall about the City's Policing Policies, establishing a community task force comprised of residents impacted by neighborhood gun violence, inclusion of mental health professionals to assist after shootings within neighborhoods and a citizen oversight board for complaints to increase engagement/transparency.

**ISSUE:** Request City Council discuss how they would like to proceed and give staff objectives to return back to City Council with recommendations for action.

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:****ENCLOSED DOCUMENTS:**

- 

**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call****SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

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- Housing
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- None (Does not apply)

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**Action:**

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- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

City Council vote to establish an Ordinance and Resolution Clean-Up to index, organize, sign upload in Municode ordinances from 2015-2020.

**RECOMMENDATION:** When I became Mayor, January 2019, I informed City Council of the existing backlog of ordinance/resolution updates. During the City Council’s Strategic Plan and Council Advance Session, I asked City Council to determine the roles of the Mayor in order to provide clarity of supervision, duties and expectations. This was a follow up from the Council Memo sent to City Council and placed on City Council’s Meeting Agendas for discussion/action.

While serving as Vice Mayor, I supervised the City Clerk’s Office. This was due to the Mayor voluntarily stepping down from supervision due to tensions with the Clerk Office. During my tenure of supervision, I did not oversee tasks that directly impacted the role of the Mayor. This included:

- Assisting to prepare the Agenda
- Signing Minutes
- Signing Ordinances/Resolutions
- Managing TBRs to ensure that vacancies are addressed in Closed Session for Appointments
- Overseeing that the Clerk Office follows the procedures to upload the documents into Municode, uploading the minutes/agenda packets online, placing signed minutes into the “Red Book” and updating the City’s website with appointment vacancies

**SUMMARY:**

- | Y                        | N                        |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
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- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
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- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

City Council vote to establish an City Council Minutes Clean-Up to index, organize, sign upload online Agenda Packed and Minutes from 2017-2020.

**RECOMMENDATION:** When I became Mayor, January 2019, I informed City Council of the existing backlog of ordinance/resolution updates. During the City Council’s Strategic Plan and Council Advance Session, I asked City Council to determine the roles of the Mayor in order to provide clarity of supervision, duties and expectations. This was a follow up from the Council Memo sent to City Council and placed on City Council’s Meeting Agendas for discussion/action.

While serving as Vice Mayor, I supervised the City Clerk’s Office. This was due to the Mayor voluntarily stepping down from supervision due to tensions with the Clerk Office. During my tenure of supervision, I did not oversee tasks that directly impacted the role of the Mayor. This included:

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**SUMMARY:**

- | Y                        | N                        |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

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- Housing
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- None (Does not apply)

**Order of Business:**

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**Action:**

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- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:****ISSUE:**

The City of Hopewell Charter states that all powers vested in the City is under City Council’s authority.

“The city shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to cities under the constitution and law of the commonwealth and all other powers pertinent to the conduct of the city government, the exercise of which is not expressly prohibited by the said constitution and laws and which in the opinion of the council are necessary and desirable to promote the general welfare of the city and the safety, health, peace, good order, comfort, maintenance and morals of its inhabitants, as fully and completely as though such powers were specifically enumerated in this charter, and no enumeration of particular powers herein shall be held to be exclusive but shall be held to be in addition to this general grant of power.”

As such, City Council must serve as the decision-maker and approve, disapprove and/or amend the agenda requests. If a request is approved, City Council needs to direct a member of staff to facilitate completing the request.

The following items have been submitted to City Council Meeting Agendas for members of City Council to take action. Several items have been submitted repeatedly on agendas, waiting to either be heard/discussed, followed-up on for a decision and or simply voted on.

I am requesting for all items to be voted on in order to receive determinates – this will remove them from future agendas unless the matter has been passed.

January 22, 2019

**SUMMARY:**

- |                          |                          |                                    |                          |                          |                                      |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    | <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  | <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |                          |                          |                                      |

CCR1-1 Participatory Budgeting

January 22, 2019

CCR-2- Community Policing and Shooting Taskforce

February 12, 2019

IR- 2-Rental Inspection Program- Request that City Council hold a Work Session to revise the City Rental Inspection Program. Rental units are evaluated every four years. The entire City is not included in the rental inspection area, and Council will need to confirm breaking down the City into quadrants/staffing.

February 12, 2019

IR-2-Mayor Memo to City Council – Address issues and workflow of City Council, City staff and Council appointees. Request that City Council provide direction on all items listed in the memo via consensus or vote. Request that all items be included in City Council’s Rules of Procedure as an addendum (return item).

February 12, 2019

IR-7 -Community Policing and Shooting Taskforce- Request for City Council to consider creating a citizen board with key stakeholders to address gun violence within the community, and solicit state and federal resources. Consider using key persons to create a sub-committee to address community complaints.

February 12, 2019

CCR-4- Veteran Support- Request City Council to conduct a Work Session to review city resources to benefit Veterans. Resources include City discounts, setting up monthly satellite office hours for Veteran Benefits with the Virginia Department of Veteran Services, partnership with John Randolph Medical Center and the courts for a Veteran Court.

February 12, 2019

CCR-5- Vendor List and Procurement Policy- Approximately 2 years ago, I solicited City Council’s support for the “Start Up in A Day Challenge” with the Small Business Administration. The overall goal was to cut the red tape for new business creation and to support small/local businesses. I requested a review of the City’s purchasing records to identify how many local, small, minority, Veterans or women vendors/contractors were used. That request was never fulfilled. Request Council review procurement policy and vendor reports to identify wasteful spending due to not ordering in bulk or cost comparisons. Review data to determine what percentage of City contracts/vendors are: local, small, minority, Veterans or women.

March 5, 2019

IR-7-ClearGov is a budget app that assists cities with transparency and budgeting. I am asking Council to use a portion of its marketing budget to purchase this tool (return item)

March 26, 2019

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**SUMMARY:**

<b>Y</b>	<b>N</b>		<b>Y</b>	<b>N</b>	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

IR-5 Request changes to Council Rules 406 and 203. Change Rule 406 to limit Council’s ability to make personal, impertinent, abusive or slanderous statements, or incite disorderly conduct. Change 203 to limit discussion to ensure that the Council meetings are more efficient.

April 9, 2019

IR-12 Access to MUNIS/Budget Reporting

April 23, 2019

IR-3 Rule 203 options – Stefan Calos to provide options regarding request to limit discussion to ensure that the Council meetings are more efficient

April 23, 2019

IR-4 Hopewell B-Corp creation - In 2018, I started the “Pillars” initiative in response to the Cities of Opportunity Grant award. Pillars calls on all “pillars of the community” to share what they provide as free or low cost resources to the City and its residents. The goal is to create a local database of services and resources to begin to fill in the gaps within the community. Request City Council to approve using a \$10,000 budget decrease from City Council’s budget to create a community incentive for business to become a “local” variation of BCorps and to demonstrate that they are “Pillars of the Community”. Money to be provided in the form of a grant to any local organization that provides free services, supports community events, provides goods, manpower, leave for employees to support community initiatives/Big Brother’s Big Sisters, etc. Request that Mayor work with City Manager to develop a policy and guidelines for submission in anticipation of the FY20 budget adoption. I will be investing a portion of the Ward 4 Improvement to create “Pillar” decals to provide to businesses that are members. The goal is honor and display the “Pillars in the Community” during the “I ♥ Hopewell” festival by conducting a Community Awards program. Invite City Council participation to join efforts to co-host Community Call to Action and Awards Program. (return item)

April 23, 2019

IR-4 Beacon Theater Sunday use - Last year, City Council supported adding an additional \$100,000 to the Beacon Theaters budget for community programs. Requesting Beacon Theater financial report to show expenditures from that amount and current plans for remaining community funding. Request City Council to approve FREE access to theater on Sundays after the Beacon Church service for community events. Request City Council develop an Ad-Hoc Committee to review submissions and recommended approval of programs to be offered at theater for the public. Request that the City Manager serve as the Chair of the Ad-Hoc since his role serves as the Chair of the Beacon Theater LLC. (return item)

April 23, 2019

IR-6 Pending List - Request City Manager and City Clerk meet to create list for the re-established pending list. City Council approved including the list in the City Council Agenda Packet. Since Feb, City Council has requested several Work Sessions and IR items. We need a list to visualize order of requests, action deadline and next steps. Request City Council approve list to be included in the next City Council Agenda Packet for initial approval and then to be updated by the City

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**SUMMARY:**

- |                          |                          |                                    |                          |                          |                                      |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    | <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
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| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |                          |                          |                                      |



manager’s Office and submitted to Clerk per agenda rules for inclusion in City Council’s Agenda Packet. (return item)

May 28, 2019

IR-3 Gore City Council Strategic Advance – Part I briefing – City Council will receive the notes from the Advance and next steps

May 28, 2019

IR-4 Gore Incident Reports – request that Council approve bi-weekly reports from Staff for City issues, incidents or concerns. Maintain timely notification of major incidents communicated to the City Manager, for him to relay immediately to Council. Ask to create a weekly incident log to relay other notable incidents of which Council should be made aware, but that do not rise to the level of instant notification.

June 9, 2019

IR-4 Gore - Request City Council hire an internal auditor to begin work immediately on consolidating and investigating Council on audit findings and to provide an overview of the liabilities posed by not addressing material weaknesses and poor audit findings. Present plan on how to provide internal control structures/measures for Council to provide efficient financial oversight and to place the City in a better management status for upcoming financial/program audits.

June 9, 2019

IR-5 Gore - Request City Council adopt a citywide policy that requires monthly reconciliation of all public accounts and the elimination of budget transfers between City Departments. Records must be supplied to City Council Finance Committee for review and then disseminated to all members of City Council. Request draft be submitted to City Council for review at July 9th Regular Meeting- at the start of the FY20 Fiscal year that begins on July 1st.

June 9, 2019

IR-7 Gore - Request all internal city policies existing policies and procedures over the billing, third-party booking, collections and accounting functions of the Sewer Service Fund, Solid Waste Fund, Storm Water Fund, social services department, and Beacon Theatre Fund. Request all internal city policies pertaining to all forms of reconciliations (credit card/account, etc.), repeated purchasing from same vendor/store (threshold/frequency) and requirements for supporting documents and/or purchase justifications. Deadline to submit to Council July 8th.

June 9, 2019

IR-8 Gore - State of the City Address- Select new date to conduct event now that Strategic Advance has concluded.

June 9, 2019

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**SUMMARY:**

- | <b>Y</b>                 | <b>N</b>                 |                                    | <b>Y</b>                 | <b>N</b>                 |                                      |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  | <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |                          |                          |                                      |

IR-9 Gore - Strategic Plan- Determine deadline for staff to have draft tasks, costs and time frame for items listed by Council in part II of the Strategic Plan Advance. Council will need to set a work session to review cost and time frame to determine level of priority and approval.

June 11, 2019

IR-1 Gore - Request that boards, commissions, committees of council report annually to Council.

June 11, 2019

IR-2 Gore - Local historic marker program

August 29, 2019

IR-3 Gore - State of the City Address- Select new date to conduct event now that Strategic Advance has concluded. (return item - April 2019)

August 29, 2019

IR-5 Gore – Request to amend agenda template to include section for Strategic Plan updates/progress report (new item)

September 10, 2020

IR-6 Gore – Request to amend agenda template to include section for Strategic Plan updates/progress report (new item)

September 24, 2019

IR-6 Gore – Request to amend agenda template to include section for Strategic Plan updates/progress report (new item)

September 24, 2019

IR-8 Tree City USA (new item)

October 2, 2019

SB-1 Verification of the City purchase of upgrades from Tyler for MUNIS, to include costs and implementation schedule. Additional requests include verifying external programs the City has, the purpose of the programs, and their costs.

October 2, 2019

SB-6 Review and approval of financial policies, resolutions, etc.

ISSUE: City Council reviewed the Resolution Adopting Hopewell City Policy Statements, the Resolution Reducing the Spending Limit to \$3,000 and the Budget Document at its August 20, 2019 meeting in Closed Session. Council is asked to review the documents again prior to adoption.

October 9, 2019

R-10 The current Efficiency Study and Technology Review was originally designed to include an element of staff engagement. The desire was to include members of staff by creating an innovation

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**SUMMARY:**

<b>Y</b>	<b>N</b>		<b>Y</b>	<b>N</b>	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

competition for them to suggest problem-solving ideas to help the City operate better and improve customer service.

December 6, 2019  
Creation and Appointment to, Community Enhancement Committee

December 6, 2019  
Discussion of community engagement plan for crime and shootings

December 10, 2019  
R-8 Neighborhood Watch Advisory Board

January 28, 2010  
IR-12 Request for City Council to vote to direct the Youth Services Commission to research if Big Brothers Big Sisters will come back to the City of Hopewell. Additionally, for the Commission to contact the Hopewell Public Schools the Recreation and Parks Department to determine what gaps exist for after-school programming and public transportation options to facilities. The Youth Service Commission will contact back to City Council at the second meeting in February with a report and draft request for proposals (RFPs), if needed).

February 25, 2020  
POLCO usage and Grant citizen questionnaire.

February 25, 2020  
IR-3 Request for City Council to vote direct the City Manager to delegate to the GIS/Development Office to begin mapping City of Hopewell social determinate data for the Cities of Opportunities Pilot Program

February 25, 2020  
IR-4 Request for City Council to vote to establish a rule that supports the new practice to limit City Councilors ability to place items on future agendas, conduct research with staff and seek legal guidance for potential legislative items.

February 25, 2020  
IR-7 Request for City Council direct the City Manager review city owned space and rental properties to identify a location for the Office on Youth to offer programs. In addition, for the City Manager to provide an update as to the costs/needs to renovate Mallonee Gym to house the Office on Youth and the status of the \$250,000 previously allocated by City Council for renovation.

February 25, 2020  
IR-9 Request for City Council direct the City Manager to delegate to staff to review non-developed city land to identify a location for a practice field for youth sports and free citizen usage.

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**SUMMARY:**

<b>Y</b>	<b>N</b>		<b>Y</b>	<b>N</b>	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

February 25, 2020

IR-11 Request City Council to direct the City Manager to provide Council with the status of uncollected funds within the City of Hopewell

February 25, 2020

IR-12 Request for City Council to vote to direct the City Manager provide City Council with options to dissolve the Beacon Theater LLC. The prior City Council voted to support dissolving the LLC in order to create a Regional Performing Arts Center and/or improve community programs and access to the Beacon Theater. In the meantime, the City Council will support opening the Beacon Theater free on Sundays after the Beacon Church for groups to offer free services/programs to the public.

February 25, 2020

IR-15 Strategic Plan and Crime Meeting Transparency – Post Online Records for Public

March 31, 2020

IR-13 City Council Questions for COVID-19 and City Administration Planning

**RECOMMENDATION:**

**TIMING:** Immediate

**BACKGROUND:** Pending City Council Agenda Request dating back to 2019.

**ENCLOSED DOCUMENTS:**

**STAFF:** Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

\_\_\_\_\_

**Roll Call**

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

City Council vote to establish an City Council Minutes Clean-Up to index, organize, sign upload online Agenda Packed and Minutes from 2017-2020.

**RECOMMENDATION:** When I became Mayor, January 2019, I informed City Council of the existing backlog of ordinance/resolution updates. During the City Council’s Strategic Plan and Council Advance Session, I asked City Council to determine the roles of the Mayor in order to provide clarity of supervision, duties and expectations. This was a follow up from the Council Memo sent to City Council and placed on City Council’s Meeting Agendas for discussion/action.

While serving as Vice Mayor, I supervised the City Clerk’s Office. This was due to the Mayor voluntarily stepping down from supervision due to tensions with the Clerk Office. During my tenure of supervision, I did not oversee tasks that directly impacted the role of the Mayor. This included:

- Assisting to prepare the Agenda
- Signing Minutes
- Signing Ordinances/Resolutions
- Managing TBRs to ensure that vacancies are addressed in Closed Session for Appointments
- Overseeing that the Clerk Office follows the procedures to upload the documents into Municode, uploading the minutes/agenda packets online, placing signed minutes into the “Red Book” and updating the City’s website with appointment vacancies

**SUMMARY:**

- | Y                        | N                        |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | Y                        | N                        |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

Staff will present a plan to City Council at a future outlining the use of the funding.

**ENCLOSED DOCUMENTS:**

- Memorandum from Secretary of Finance, Aubrey L. Layne, Jr., dated July 28, 2020
- Certification of Receipt of Coronavirus Relief Fund Payments

**STAFF:**

John M. Altman, Jr., City Manager  
 Michael Terry, Director of Finance

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

\_\_\_\_\_

**Roll Call**

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**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |





# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
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- Public Hearing
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**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:****ISSUE:**

The City of Hopewell Charter states that all powers vested in the City is under City Council’s authority.

“The city shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to cities under the constitution and law of the commonwealth and all other powers pertinent to the conduct of the city government, the exercise of which is not expressly prohibited by the said constitution and laws and which in the opinion of the council are necessary and desirable to promote the general welfare of the city and the safety, health, peace, good order, comfort, maintenance and morals of its inhabitants, as fully and completely as though such powers were specifically enumerated in this charter, and no enumeration of particular powers herein shall be held to be exclusive but shall be held to be in addition to this general grant of power.”

As such, City Council must serve as the decision-maker and approve, disapprove and/or amend the agenda requests. If a request is approved, City Council needs to direct a member of staff to facilitate completing the request.

The following items have been submitted to City Council Meeting Agendas for members of City Council to take action. Several items have been submitted repeatedly on agendas, waiting to either be heard/discussed, followed-up on for a decision and or simply voted on.

I am requesting for all items to be voted on in order to receive determinates – this will remove them from future agendas unless the matter has been passed.

January 22, 2019

**SUMMARY:**

- |                          |                          |                                    |                          |                          |                                      |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  | <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |                          |                          |                                      |

## Guidance

It is extremely important for you to know that all of the same conditions that existed for the first round of CRF allocations continue for the second round of allocations. To that end, I encourage you to refer to my May 12, 2020, memorandum and to the federal guidance and frequently asked questions located at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

This information is routinely updated and has been revised several times since my May 12, 2020, memorandum. Compliance with the federal guidance is your responsibility and failure to do so could result in disallowed expenses requiring you to repay the associated funds to the federal government. As stated previously, if you fail to repay any funds spent for nonqualifying expenses as required by the federal government, the state Comptroller will recover such amounts from future state payments to your locality via the State Aid Intercept Program.

In addition to the revised federal guidance, on July 2, 2020, the U.S. Treasury's Office of the Inspector General issued information related to reporting and audit requirements that had not been published at the time of my original communication to you. Information regarding the audit and reporting requirements can be found at the same link provided above. Further, the State Comptroller's office has subrecipient monitoring responsibilities that will necessitate evaluation and additional correspondence with localities regarding the use of funds.

As a reminder, the overarching federal guidance states that these funds must be used for qualifying expenses of state and local governments. Specifically, the CARES Act provides that payments from the CRF only may be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

The federal guidance continues to state that the CRF funds can be used only for the direct costs associated with the response to the COVID-19 pandemic and cannot be used to address revenue shortfalls. State and local government officials have requested that this restriction be lifted or that additional federal funds be provided to address the loss of state and local revenue. To date, no action has been taken by Congress to allow that flexibility or to provide funding for that purpose.

CRF funds should be considered "one time" monies and should not be used for ongoing services and/or base operations. Because the funds must be expended by December 30, localities are advised not to create services with expenses beyond that period. Any expenses beyond December 30, 2020, must be paid entirely by the locality from local funds.

**Allocation of CRF Funds to Localities**

The remaining fifty (50) percent of the locally-based allocations will be distributed to counties and cities by the Department of Accounts (DOA) after receipt from the locality of a new, signed certification form and after completion of a survey on the locality’s actual and planned uses of the CRF funds. This distribution will be made to the local treasurer in the same manner that the first round of funds were distributed within five business days following receipt of the completed documents.

Each locality’s allocation will be based on the proportion that the locality’s population represents of the statewide total population. Appendix A reflects the population used by U.S. Treasury to allocate CRF funds to the states. This population data is the basis for determining the allocations to each locality.

This table also reflects each locality’s share of the remaining distribution based on the population data displayed. Please note that the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

**Requirements: Survey on the Use of Funds and Certifications**

General

The amounts listed in Appendix A reflect the funds that will be transferred to each locality after:

- 1. completion of an online survey located at: (NOTE: *the link to this survey will be provided by separate communication later this week*), and
- 2. receipt of a certification form (Appendix D) from the locality signed by the chief executive officer, the chief financial officer (Treasurer), and the chief elected officer.

Before signing the certification, I recommend that you read and understand the federal guidance and the frequently asked questions contained in Appendix B and Appendix C, respectively. The most recent information on this guidance and the frequently asked questions can be obtained at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

Please note that the certification statement includes an acknowledgment that you may be required to return funds to the federal government if it is determined that those funds were spent for purposes that do not qualify. Since these funds are being provided to you “up front” rather than on a reimbursement basis, it is important for you to understand that the burden of ensuring that all CRF funds are spent for qualifying purposes falls to the local government.

You are responsible for maintaining all necessary documentation to ensure compliance with the federal requirements. The State Comptroller is responsible for all subrecipient monitoring and may require additional information in the future from each locality to address that responsibility.

If the federal government determines that you have used CRF funds for purposes that do not qualify, you must return those funds to the state promptly so that they may be returned to the federal government. As a condition of receiving CRF funds, you are agreeing that the state can use state aid intercept to recover any funds necessary for expenses that were not for a qualifying purpose or that were unexpended as of December 30, 2020.

For Counties Only

As previously stated, the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

Counties must ensure that an equitable share of the CRF funds it receives are shared with and granted to each town within its jurisdiction. Just as with the funds retained by the county, the funds granted to towns must be spent in accordance with the same requirements and the same documentation must be retained for audit purposes. The county issuing the grant is responsible for the ensuring compliance with each town’s documentation requirements and must ensure that the use of the funds meets the requirements set forth by the federal government.

Completion of Survey

The Commonwealth has partnered with Accenture to create a survey to collect data on how each locality has used or plans to use its allocation of CRF funds. The survey instrument, which must be completed online, will be made available later this week by separate communication. This communication will include instructions regarding access to and completion of the survey. For questions about completion of the survey, please contact Jason Saunders, General Government Coordinator, Department of Planning and Budget, at [jason.saunders@dpb.virginia.gov](mailto:jason.saunders@dpb.virginia.gov).

We are requesting that this survey be completed no later than **5:00pm, Monday, August 10, 2020**, so that we may provide a report on the use of the CRF by locality to the General Assembly when it convenes for a special session beginning on August 18, 2020. For surveys that are not received by this due date, this report will reflect that the survey results were not received from that locality by the requested due date. More importantly, the survey must be completed, along with submission of the certification form, in order to receive the second distribution of CRF funds.

Submission of Certification

The certification in Appendix D contains more specific details on the responsibilities of the local governing body. A fillable .pdf form can be downloaded from the Secretary of Finance’s Website under “Recent News” at: <http://finance.virginia.gov/>

The signed certification form should be submitted no later than **August 10, 2020**, to the Department of Accounts in electronic or hard copy form:

By Email to: [GACCT@DOA.Virginia.gov](mailto:GACCT@DOA.Virginia.gov)

By US Mail to: Department of Accounts  
Attention: Local CRF Certification  
PO Box 1971  
Richmond, VA 23218-1971

If you have any questions regarding the appropriate use of CRF funds, please refer to the U.S. Treasury Website and guidance. For questions about this process, you may contact my office at (804) 786-1148. If you have technical questions about the certification form or the distribution of

County and City Elected Officials and Administrators

July 28, 2020

Page 5

the funds, please contact Melinda Pearson, Director, General Accounting, Department of Accounts, at [melinda.pearson@doa.virginia.gov](mailto:melinda.pearson@doa.virginia.gov) or by phone at 804-225-2376.

## Appendix A – Local Allocations

<b>Annual Estimates of the Resident Population for Counties in Virginia: as of July 1, 2019</b>	<b>Statewide Total = 8,535,519</b>	<b>% of Total <sup>1</sup></b>	<b>Current Allocation Base <sup>2</sup>= \$744,691,122</b>
<b>Locality</b>	<b>Population</b>		
.Accomack County, Virginia	32,316	0.3786%	\$2,819,446
.Albemarle County, Virginia	109,330	1.2809%	\$9,538,621
.Alleghany County, Virginia	14,860	0.1741%	\$1,296,478
.Amelia County, Virginia	13,145	0.1540%	\$1,146,851
.Amherst County, Virginia	31,605	0.3703%	\$2,757,414
.Appomattox County, Virginia	15,911	0.1864%	\$1,388,173
.Arlington County, Virginia	236,842	2.7748%	\$20,663,551
.Augusta County, Virginia	75,558	0.8852%	\$6,592,144
.Bath County, Virginia	4,147	0.0486%	\$361,810
.Bedford County, Virginia	78,997	0.9255%	\$6,892,184
.Bland County, Virginia	6,280	0.0736%	\$547,906
.Botetourt County, Virginia	33,419	0.3915%	\$2,915,679
.Brunswick County, Virginia	16,231	0.1902%	\$1,416,092
.Buchanan County, Virginia	21,004	0.2461%	\$1,832,518
.Buckingham County, Virginia	17,148	0.2009%	\$1,496,097
.Campbell County, Virginia	54,885	0.6430%	\$4,788,505
.Caroline County, Virginia	30,725	0.3600%	\$2,680,638
.Carroll County, Virginia	29,791	0.3490%	\$2,599,150
.Charles City County, Virginia	6,963	0.0816%	\$607,495
.Charlotte County, Virginia	11,880	0.1392%	\$1,036,484
.Chesterfield County, Virginia	352,802	4.1333%	\$30,780,614
.Clarke County, Virginia	14,619	0.1713%	\$1,275,451
.Craig County, Virginia	5,131	0.0601%	\$447,660
.Culpeper County, Virginia	52,605	0.6163%	\$4,589,583
.Cumberland County, Virginia	9,932	0.1164%	\$866,529
.Dickenson County, Virginia	14,318	0.1677%	\$1,249,190
.Dinwiddie County, Virginia	28,544	0.3344%	\$2,490,354
.Essex County, Virginia	10,953	0.1283%	\$955,607
.Fairfax County, Virginia	1,147,532	13.4442%	N/A
.Fauquier County, Virginia	71,222	0.8344%	\$6,213,845
.Floyd County, Virginia	15,749	0.1845%	\$1,374,040
.Fluvanna County, Virginia	27,270	0.3195%	\$2,379,202
.Franklin County, Virginia	56,042	0.6566%	\$4,889,448
.Frederick County, Virginia	89,313	1.0464%	\$7,792,215
.Giles County, Virginia	16,720	0.1959%	\$1,458,756

## Appendix A – Local Allocations

.Gloucester County, Virginia	37,348	0.4376%	\$3,258,469
.Goochland County, Virginia	23,753	0.2783%	\$2,072,358
.Grayson County, Virginia	15,550	0.1822%	\$1,356,678
.Greene County, Virginia	19,819	0.2322%	\$1,729,131
.Greensville County, Virginia	11,336	0.1328%	\$989,022
.Halifax County, Virginia	33,911	0.3973%	\$2,958,604
.Hanover County, Virginia	107,766	1.2626%	\$9,402,168
.Henrico County, Virginia	330,818	3.8758%	\$28,862,595
.Henry County, Virginia	50,557	0.5923%	\$4,410,903
.Highland County, Virginia	2,190	0.0257%	\$191,069
.Isle of Wight County, Virginia	37,109	0.4348%	\$3,237,617
.James City County, Virginia	76,523	0.8965%	\$6,676,337
.King and Queen County, Virginia	7,025	0.0823%	\$612,904
.King George County, Virginia	26,836	0.3144%	\$2,341,338
.King William County, Virginia	17,148	0.2009%	\$1,496,097
.Lancaster County, Virginia	10,603	0.1242%	\$925,071
.Lee County, Virginia	23,423	0.2744%	\$2,043,566
.Loudoun County, Virginia	413,538	4.8449%	\$36,079,596
.Louisa County, Virginia	37,591	0.4404%	\$3,279,670
.Lunenburg County, Virginia	12,196	0.1429%	\$1,064,054
.Madison County, Virginia	13,261	0.1554%	\$1,156,971
.Mathews County, Virginia	8,834	0.1035%	\$770,732
.Mecklenburg County, Virginia	30,587	0.3583%	\$2,668,598
.Middlesex County, Virginia	10,582	0.1240%	\$923,239
.Montgomery County, Virginia	98,535	1.1544%	\$8,596,799
.Nelson County, Virginia	14,930	0.1749%	\$1,302,585
.New Kent County, Virginia	23,091	0.2705%	\$2,014,601
.Northampton County, Virginia	11,710	0.1372%	\$1,021,652
.Northumberland County, Virginia	12,095	0.1417%	\$1,055,242
.Nottoway County, Virginia	15,232	0.1785%	\$1,328,933
.Orange County, Virginia	37,051	0.4341%	\$3,232,557
.Page County, Virginia	23,902	0.2800%	\$2,085,357
.Patrick County, Virginia	17,608	0.2063%	\$1,536,230
.Pittsylvania County, Virginia	60,354	0.7071%	\$5,265,654
.Powhatan County, Virginia	29,652	0.3474%	\$2,587,023
.Prince Edward County, Virginia	22,802	0.2671%	\$1,989,387
.Prince George County, Virginia	38,353	0.4493%	\$3,346,151
.Prince William County, Virginia	470,335	5.5103%	\$41,034,915
.Pulaski County, Virginia	34,027	0.3987%	\$2,968,725
.Rappahannock County, Virginia	7,370	0.0863%	\$643,004
.Richmond County, Virginia	9,023	0.1057%	\$787,222





# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE: CARES Coronavirus Relief Funds – 2<sup>nd</sup> & Final Allocation**

**ISSUE:** City Council to approve the receipt of \$1.9 million in CARES Coronavirus Relief Funds from the Commonwealth of Virginia.

**RECOMMENDATION:** Staff recommends City Council approval of receipt of \$1,965,568 of CARES Coronavirus Relief Funds Act funds the 2<sup>nd</sup> and final allocation from the Commonwealth of Virginia and authorization to execute the Certification of Receipt of Coronavirus Relief Fund Payments and other required documentation to receive and verify use of funds.

**TIMING:** Action is requested at the August 18, 2020 meeting

**BACKGROUND:** Congress passed and the President signed the *Coronavirus Aid, Relief, and Economic Security Act (CARES) of 2020*, which provides funding for programs that address the COVID-19 pandemic. One of the components of the CARES Act is \$150 billion in assistance to state, local, territorial, and tribal governments to address the direct impacts of COVID-19 through the establishment of the Coronavirus Relief Fund (CRF). The Commonwealth of Virginia received approximately \$3.1 billion from the CRF to be used for qualifying expenses of state and local governments (within populations greater than 500,000). Governor Northam, recognizing the impact of COVID-19 on all local governments, has determined to distribute funds to counties and cities based on a proportion of a locality’s population as a percentage of the statewide population. The funds must be expended by December 31, 2020.

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |



## Appendix A – Local Allocations

.Newport News city, Virginia	179,225	2.0998%	\$15,636,690
.Norfolk city, Virginia	242,742	2.8439%	\$21,178,304
.Norton city, Virginia	3,981	0.0466%	\$347,327
.Petersburg city, Virginia	31,346	0.3672%	\$2,734,818
.Poquoson city, Virginia	12,271	0.1438%	\$1,070,597
.Portsmouth city, Virginia	94,398	1.1059%	\$8,235,862
.Radford city, Virginia	18,249	0.2138%	\$1,592,155
.Richmond city, Virginia	230,436	2.6997%	\$20,104,653
.Roanoke city, Virginia	99,143	1.1615%	\$8,649,844
.Salem city, Virginia	25,301	0.2964%	\$2,207,415
.Staunton city, Virginia	24,932	0.2921%	\$2,175,221
.Suffolk city, Virginia	92,108	1.0791%	\$8,036,068
.Virginia Beach city, Virginia	449,974	5.2718%	\$39,258,497
.Waynesboro city, Virginia	22,630	0.2651%	\$1,974,380
.Williamsburg city, Virginia	14,954	0.1752%	\$1,304,679
.Winchester city, Virginia	28,078	0.3290%	\$2,449,697
<b>Total Funds Distributed (excludes Fairfax County)</b>			<b>\$644,573,383</b>
Source: U.S. Census Bureau, Population Division			
Release Date: March 2020			

<sup>1</sup> **Note:** Percentages are displayed as rounded numbers, however, the distributions are calculated using the full values.

<sup>2</sup> **Note:** The total allocation base includes Fairfax County in order to correctly calculate the allocation for the remaining localities.

## Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

### Guidance for State, Territorial, Local, and Tribal Governments Updated June 30, 2020<sup>1</sup>

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.<sup>2</sup>

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

#### ***Necessary expenditures incurred due to the public health emergency***

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

#### ***Costs not accounted for in the budget most recently approved as of March 27, 2020***

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the

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<sup>1</sup> This version updates the guidance provided under “Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020”.

<sup>2</sup> See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

## Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

### ***Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020***

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID-19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient’s usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient’s control.

## Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

### *Nonexclusive examples of eligible expenditures*

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
  - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including serological testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
  - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
  - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
  - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
  - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
  - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
  - Expenses for public safety measures undertaken in response to COVID-19.
  - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
  - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
  - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
  - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

## Appendix B: Coronavirus Relief Fund – Guidance from U.S. Treasury

- Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
  - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
  - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
    - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
    - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
    - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
  6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund’s eligibility criteria.

### *Nonexclusive examples of ineligible expenditures*<sup>3</sup>

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.<sup>4</sup>
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

<sup>3</sup> In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

<sup>4</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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The content below was provided by the U.S. Department of the Treasury.

**Coronavirus Relief Fund  
Frequently Asked Questions  
Updated as of July 8, 2020**

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).<sup>1</sup> Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

### **Eligible Expenditures**

***Are governments required to submit proposed expenditures to Treasury for approval?***

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

***The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?***

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

***The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?***

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

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<sup>1</sup> The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.



## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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***May a State receiving a payment transfer funds to a local government?***

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

***May a unit of local government receiving a Fund payment transfer funds to another unit of government?***

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

***Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?***

No. For example, a county recipient is not required to transfer funds to smaller cities within the county's borders.

***Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?***

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

***Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?***

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

***Are States permitted to use Fund payments to support state unemployment insurance funds generally?***

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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***Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?***

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

***The Guidance states that the Fund may support a “broad range of uses” including payroll expenses for several classes of employees whose services are “substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What are some examples of types of covered employees?***

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

***In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers’ compensation coverage. Is the cost of this expanded workers compensation coverage eligible?***

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

***If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?***

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

***May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?***

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.



## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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***May Fund payments be used for COVID-19 public health emergency recovery planning?***

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

***Are expenses associated with contact tracing eligible?***

Yes, expenses associated with contract tracing are eligible.

***To what extent may a government use Fund payments to support the operations of private hospitals?***

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

***May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?***

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

***May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?***

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

***Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?***

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

***May recipients create a “payroll support program” for public employees?***

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?***

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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***May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?***

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

***The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?***

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

***The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?***

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

***May Fund payments be used to assist impacted property owners with the payment of their property taxes?***

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

***May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?***

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

***Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?***

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

***The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?***

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

***The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?***

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?***

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

***Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?***

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

***Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?***

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government’s per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

***May a State impose restrictions on transfers of funds to local governments?***

Yes, to the extent that the restrictions facilitate the State’s compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

***If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?***

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the interest expense payable on TANs by the borrower and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

***May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?***

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

***Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?***

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

***May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?***

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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***May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?***

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

***May recipients use Fund payments to provide loans?***

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

***May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?***

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

***May funds be used to satisfy non-federal matching requirements under the Stafford Act?***

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund’s eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA’s determination of eligibility under the Stafford Act.

***Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?***

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

***May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?***

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

***May recipients use Fund payments to remarket the recipient’s convention facilities and tourism industry?***

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

***May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?***

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

***The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?***

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

***May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?***

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

### Questions Related to Administration of Fund Payments

***Do governments have to return unspent funds to Treasury?***

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.



## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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***What records must be kept by governments receiving payment?***

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

***May recipients deposit Fund payments into interest bearing accounts?***

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government’s general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

***May governments retain assets purchased with payments from the Fund?***

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

***What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?***

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

***Are Fund payments to State, territorial, local, and tribal governments considered grants?***

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are “other financial assistance” under 2 C.F.R. § 200.40.

***Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?***

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

***Are Fund payments subject to other requirements of the Uniform Guidance?***

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

***Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?***

Yes. The CFDA number assigned to the Fund is 21.019.

***If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients’ total funding received from the federal government for purposes of the Single Audit Act?***

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-

## Appendix C: Coronavirus Relief Fund – Frequently Asked Questions

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specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

***Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?***

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

***If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?***

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.



# Appendix D: Certification for Use of Coronavirus Relief Fund

*Note: Provided for reference only - download a fillable .pdf copy of this form from the Secretary of Finance’s Website under “Recent News” at: <http://finance.virginia.gov/>*

**CERTIFICATION for RECEIPT of  
CORONAVIRUS RELIEF FUND PAYMENTS  
by  
INSERT NAME OF LOCAL GOVERNMENT**

We the undersigned represent insert name of local government (the locality), and we certify that:

1. we have the authority to request direct payment on behalf of the locality from the Commonwealth of Virginia of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. we understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the locality.
3. the locality 's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
  - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
  - b. were not accounted for in the budget most recently approved as of March 27, 2020, for the locality; and
  - c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the locality or its grantee(s), must be returned to Commonwealth of Virginia no later than December 30, 2020, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days of December 30, 2020.
5. we understand that the locality will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
7. any CRF funds expended by the locality or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to

invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.

- 8. as a condition of receiving the CRF funds pursuant to this certification, the locality shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
- 9. the locality must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.
- 10. any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
- 11. any CRF funds received pursuant to this certification will not be used for expenditures for which the locality has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

**For counties only**

- 12. an equitable share of CRF funds received pursuant to this certification shall be shared with and granted to each town within its jurisdiction. Such grant(s) shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements required by this certification and shall ensure that the use of the funds meets the requirements set forth in this certification.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: _____	By: _____	By: _____
Signature: _____	Signature: _____	Signature: _____
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

**Request for City Council to vote to establish a rule that supports the new practice to limit City Councilors ability to place items on future agendas, conduct research with staff and seek legal guidance for potential legislative items.**

**ISSUE:** It has been common practice that City Councilors to place items on the City Council Meeting Agendas to obtain a vote from City Council to approve/deny the request. At some point in 2019, some members of City Council began to advocate for Councilors to be limited in their ability to place items on the agenda for City Council approval/denial. In turn, they began to limit the ability for a City Councilor to seek legal guidance to determine legality of any proposed legislation. As of now, some City Councilors are seeking to limit the ability to ask the City Manager to provide information so that one can make a determination about the feasibility of any proposed legislation.

**RECOMMENDATION:** City Council deny establishing any rule that limits City Councilors interaction with City Council’s Appointees (employees) about proposed legislation. City Council has hired professionals in their field of expertise. If he/she cannot assist without causing a high demand of strain on their workload- he/she can request to push the item back or simply request the matter be placed before City Council prior to proceeding. However, if he/she believes that providing assistance for routine/normal request and does not significantly affect his/her workflow – he/she may use discretion as professionals and assist their employer (City Councilors).

**TIMING:** Immediately

**BACKGROUND:****SUMMARY:**

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|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

\_\_\_\_\_

**Roll Call**

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |



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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:** Request for City Council direct the City Manager review city owned spaced and rental properties to identify a location for the Office on Youth to offer programs. In addition, for the City Manager to provide an update as to the costs/needs to renovate Mallonee Gym to house the Office on Youth and the status of the \$250,000 previously allocated by City Council for renovation.

**ISSUE:** The Office on Youth is currently housed in the United Way Building. The City rentals an office, storage space and front desk reception space. The Office on Youth currently has no dedicated space to offer youth programming.

**RECOMMENDATION:** City Council direct the City Manager to accomplish the directive to be determined by City Council by a specific date.

**TIMING:** Immediately

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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**Roll Call**

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**SUMMARY:**

- | <b>Y</b>                 | <b>N</b>                 |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | <b>Y</b>                 | <b>N</b>                 |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE**

**Request for City Council direct the City Manager to delegate to staff to review non-developed city land to identify a location for a practice field for youth sports and free citizen usage.**

**ISSUE:** Several groups and residents have shared the need for the City to establish a practice field for various youth supports. If the city can identify public land for the youth to practice during daylight and provide portable restrooms, we can immediately address the need. However, we will have to discuss long-term plans to officially develop the field; install lighting; restroom amenities etc. for a permanent location space.

**RECOMMENDATION:** City Council direct the City Manager to accomplish the directive by a specific date determined by City Council.

**TIMING:** Immediately

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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**Roll Call**

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**SUMMARY:**

- | <b>Y</b>                 | <b>N</b>                 |                                    |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- | <b>Y</b>                 | <b>N</b>                 |                                      |
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| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
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- Regular Business
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**Action:**

- Approve and File
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- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE**

**Request for City Council direct the City Manager to delegate to staff to review non-developed city land to identify a location for a practice field for youth sports and free citizen usage.**

**ISSUE:** Several groups and residents have shared the need for the City to establish a practice field for various youth supports. If the city can identify public land for the youth to practice during daylight and provide portable restrooms, we can immediately address the need. However, we will have to discuss long-term plans officially develop the field; install lighting; restroom amenities etc. for a permanent location space.

**RECOMMENDATION:** City Council direct the City Manager to accomplish the directive by a specific date determined by City Council.

**TIMING:** Immediately

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			



Mayor Gore



Vice Mayor Bennett



Councilor Randolph  
Ward 1



Councilor Holloway  
Ward 2



Councilor Partin  
Ward 3



Councilor Denton  
Ward 5



Councilor Pelham  
Ward 6

# Resident Connections

## HOW TO STAY UPDATED

- Contact the City Clerk’s Office to sign up for the City’s Freedom of Information Act (FOIA) List to receive all city press releases and meeting notifications
- Visit the City’s website to view the Weekly City Manager News Briefs
- Visit [hopewellva.gov](http://hopewellva.gov) to view the City’s online calendar for City and community events
- Visit [hopewellva.gov](http://hopewellva.gov) to watch City Council Meeting recordings, Agenda Packets & Minutes

## HOW TO STAY NOTIFIED

- Visit [hopewellva.gov](http://hopewellva.gov) or call (804) 541-2288 to sign up for  emergency alerts
- Visit [hopewellva.gov](http://hopewellva.gov) to sign up for  Public Safety alerts
- Visit [hopewellva.gov](http://hopewellva.gov) to sign up for Notify Me text notifications for City alerts
- Download the *NEW* City of Hopewell App to have direct access to City Hall

## HOW TO STAY CONNECTED

- Visit the [hopewellva.gov](http://hopewellva.gov) to view the complete list of City Resources for residents
  - Prescription Discount Program
  - Real Estate Tax Abatement Program
  - DMV Select
  - Adopt-A-Neighbor Outreach Program
  - Trash Collection/Recycling Services
  - Citizens Academy
  - Smoke Detector Testing
  - Car Seat and Child/Parenting Resources
  - Online Tax Portal
  - Wellness Checks



*Get Social* – FOLLOW, LIKE & SHARE  
@Hopewellva.gov & City Departments Online!



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**KT/6”**

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

Request for City Council to set a new date to deliver the “State of the City Address” in February to include the unveiling of the new City Council Strategic Plan.

**ISSUE:** City Council voted in 2019 to hold a “State of the City Address” in spring. However, the event never was organized or executed. Additionally, information was not compiled to provide an update to residents about the current state of the City, its affairs and City Council’s vision. Residents have complained about lack of City Communication and staff have complained about a lack of a Strategic Plan and collective vision from City Council.

**RECOMMENDATION:** City Council direct the City Manager to delegate to his staff accomplish the directive to be determined by City Council.

**TIMING:** Immediately

**BACKGROUND:** None

**ENCLOSED DOCUMENTS:**

- Town Hall Flyer

**STAFF:**

Jasmine E. Gore, Mayor

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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**Roll Call**

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**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

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**KT/7”**

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# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
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**Order of Business:**

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- Public Hearing
- Presentation-Boards/Commissions
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- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE: Request for City Council to direct the City Manager** provide City Council with the status of uncollected funds within the City of Hopewell prior to providing City Council with any recommendation to raise taxes or fees within the City for the upcoming budget cycle. In addition, final determination if the City and require all vendors the City has contracts with to have all of their taxes/fees paid in full prior to be eligible to do business with City; to include rental/real estate companies – require taxes/fees paid in full prior to receiving permits.

**Request for City Council to direct the City Manager**

**ISSUE:** The Mayor requested the following information on December 19, 2019 and was unable to obtain the data.

1. Wastwater (Water Renewal) uncollected bill amounts (write offs) (individual/business)
2. Data Integrators uncollected bill amounts (individual/business)
3. Uncollected taxes (real estate/personal property)
4. Trash uncollected bill amounts (write offs) (individual/business)
5. Audit reports/schedules with write-offs
6. Industry payments for Wastewater (Water Renewal) for the last 3 years
7. Total value of funding that could not be reconciled for the audit - City Funds/Accounts
8. Total value of funding that did not have backup docs/not approved - City Funds/Accounts
9. Status of money approached to support Wastewater Grant when DEQ required the City to have a reserve of funding approx.. of \$575,000. \*new

Prior to the City Council supporting any recommendation to increase taxes or fees, we must know how much funds has not been collected as projected. Additionally, we must identify why

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

funds are not being collected such as contract amendments, staffing, etc. and address those issues immediately before placing the burden on residents to pay to fix errors.

**RECOMMENDATION:** City Council direct the City Manager to complete task by a specific date.

**TIMING:** Immediately

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**Roll Call**

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**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

Chapter 20 - LICENSES<sup>11</sup>

Footnotes:

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**Charter reference**— Authority of city to raise revenue by annual licenses, Ch. II, § 2.

**Cross reference**— Dog licenses, § 6-46 et seq.; license for closing-out sales of certain goods, § 30-36 et seq.; license for fire, etc., sales, § 30-96 et seq.; taxation, Ch. 34.

**State Law reference**— Licenses generally, Code of Virginia, § 58.1-3700 et seq.; city license taxes, §§ 58.1-3702—58.1-3706.

ARTICLE I. - IN GENERAL

Sec. 20-1. - Definitions.

For the purposes of this chapter, unless otherwise required by the context:

*Affiliated group* means:

- (1) One (1) or more chains of corporations subject to inclusion connected through stock ownership with a common parent corporation which is a corporation subject to inclusion if:
  - a. Stock possessing at least eighty (80) percent of the voting power of all classes of stock and at least eighty (80) percent of each class of the nonvoting stock of each of the corporations subject to inclusion, except the common parent corporation, is owned directly by one (1) or more of the other corporations subject to inclusion; and
  - b. The common parent corporation directly owns stock possessing at least eighty (80) percent of the voting power of all classes of stock and at least eighty (80) percent of each class of the nonvoting stock of at least one (1) of the other corporations subject to inclusion. As used in this subdivision, the term "stock" does not include nonvoting stock which is limited and preferred as to dividends. The phrase "corporation subject to inclusion" means any corporation within the affiliated group irrespective of the state or country of its incorporation; and the term "receipts" includes gross receipts and gross income.
- (2) Two (2) or more corporations if five (5) or fewer persons who are individuals, estates or trusts own stock possessing:
  - a. At least eighty (80) percent of the total combined voting power of all classes of stock entitled to vote or at least eighty (80) percent of the total value of shares of all classes of the stock of each corporation; and
  - b. More than fifty (50) percent of the total combined voting power of all classes of stock entitled to vote or more than fifty (50) percent of the total value of shares of all classes of stock of each corporation, taking into account the stock ownership of each such person only to the extent such stock ownership is identical with respect to each such corporation.

When one (1) or more of the corporations subject to inclusion, including the common parent corporation, is a nonstock corporation, the term "stock" as used in this subdivision shall refer to the nonstock corporation membership or membership voting rights, as is appropriate to the context.

*Assessment* means a determination as to the proper rate of tax, the measure to which the tax rate is applied, and ultimately the amount of tax, including additional or omitted tax, that is due. An assessment shall include a written assessment made pursuant to notice by the assessing official or a self-assessment made by a taxpayer upon the filing of a return or otherwise not pursuant to notice. Assessments shall be deemed made by an assessing official when a written notice of assessment is delivered to the taxpayer

by the assessing official or an employee of the assessing official, or mailed to the taxpayer at his last known address. Self-assessments shall be deemed made when a return is filed, or if no return is required, when the tax is paid. A return filed or tax paid before the last day prescribed by ordinance for the filing or payment thereof shall be deemed to be filed or paid on the last day specified for the filing of a return or the payment of tax, as the case may be.

*Assessor or assessing official* means the commissioner of the revenue of the city.

*Base year* means the calendar year preceding the license year, except for contractors subject to the provisions of section 58.1-3715 of the Code of Virginia.

*Business* means a course of dealing which requires the time, attention and labor of the person so engaged for the purpose of earning a livelihood or profit. It implies a continuous and regular course of dealing, rather than an irregular or isolated transaction. A person may be engaged in more than one (1) business. The following acts shall create a rebuttable presumption that a person is engaged in a business: (i) advertising or otherwise holding oneself out to the public as being engaged in a particular business; or (ii) filing tax returns, schedules and documents that are required only of persons engaged in a trade or business.

*Contractor* shall have the meaning prescribed in section 58.1-3714 (B) of the Code of Virginia, as amended, whether such work is done or offered to be done by day labor, general contract or subcontract.

*Definite place of business* means an office or a location at which occurs a regular and continuous course of dealing for thirty (30) consecutive days or more. A definite place of business for a person engaged in business may include a location leased or otherwise obtained from another person on a temporary or seasonal basis and real property leased to another. A person's residence shall be deemed to be a definite place of business if there is no definite place of business maintained elsewhere and the person is not subject to licensure as a peddler or itinerant merchant.

*Direct seller* means any person who: (i) engages in the trade or business of selling or soliciting the sale of consumer products primarily in private residences and maintains no public location for the conduct of such business; and (ii) receives remuneration for such activities, with substantially all of such remuneration being directly related to sales or other sales-oriented services, rather than to the number of hours worked; and (iii) performs such activities pursuant to a written contract between such person and the person for whom the activities are performed and such contract provides that such person will not be treated as an employee with respect to such activities for federal tax purposes.

*Financial services* means the buying, selling, handling, managing, investing, and providing of advice regarding money, credit, securities, or other investments and shall include the service for compensation by a credit agency, an investment company, a broker or dealer in securities and commodities or a security or commodity exchange, unless such service is otherwise provided for in this chapter.

*Broker* means an agent of a buyer or a seller who buys or sells stocks, bonds, commodities, or services, usually on a commission basis.

*Commodity* means staples such as wool, cotton, etc. which are traded on a commodity exchange and on which there is trading in futures.

*Dealer* for purposes of this chapter means any person engaged in the business of buying and selling securities for his own account, but does not include a bank, or any person insofar as he buys or sells securities for his own account, either individually or in some fiduciary capacity, but not as part of a regular business.

*Security* for purposes of this chapter shall have the same meaning as in the Code of Virginia, Securities Act (§ 13.1-501 et seq.) or in similar laws of the United States regulating the sale of securities.

Those engaged in rendering financial services include, but without limitation, the following:

Buying installment receivables

Chattel mortgage financing



- Consumer financing
- Credit card services
- Credit unions
- Factors
- Financing accounts receivable
- Industrial loan companies
- Installment financing
- Inventory financing
- Loan or mortgage brokers
- Loan or mortgage companies
- Safety deposit box companies
- Security and commodity brokers and services
- Stockbroker
- Working capital financing

*Gross receipts* means the whole, entire, total receipts attributable to the licensed privilege, without deduction, except as may be limited by the provisions of Code of Virginia, chapter 37 of title 58.1.

*Itinerant merchant* means a person who engages in, does, or transacts any temporary or transient business and who, for the purpose of carrying on such business, occupies any location for a period of less than one (1) year.

*License year* means the calendar year for which a license is issued for the privilege of engaging in business.

*Peddler* means a person who carries from place to place any goods, wares or merchandise and sells or offers to sell or barter the same.

*Peddler at wholesale* means a person, firm or corporation who or which sells or offers to sell goods, wares or merchandise to licensed dealers, other than at a definite place of business operated by the seller, and at the time of such sale or exposure for sale delivers, or offers to deliver, the goods, wares or merchandise to the buyer. Any delivery made on the day of sale shall be construed as delivery at the time of sale.

*Personal services* means rendering for compensation any repair, personal, business or other services not specifically classified as "financial, real estate or professional service" under this chapter, or rendered in any other business or occupation not specifically classified in this chapter unless exempted from local license tax by Code of Virginia, title 58.1.

*Professional services* means services performed by architects, attorneys-at-law, certified public accountants, dentists, engineers, land surveyors, surgeons, veterinarians, and practitioners of the healing arts (the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities) and such occupations, and no others, as the Virginia Department of Taxation may list in the BPOL guidelines promulgated pursuant to Code of Virginia, § 58.1-3701. The department shall identify and list each occupation or vocation in which a professed knowledge of some department of science or learning, gained by a prolonged course of specialized instruction and study is used by its practical application to the affairs of others, either advising, guiding, or teaching them, and in serving their interests or welfare in the practice of an art or

science founded on it. The word "profession" implies attainments in professional knowledge as distinguished from mere skill, and the application of knowledge to uses for others rather than for personal profit.

*Purchases* means all goods, wares and merchandise received for sale at each definite place of business of a wholesale merchant. The term shall also include the cost of manufacture of all goods, wares and merchandise manufactured by any wholesaler or wholesale merchant and sold or offered for sale. A wholesaler or wholesale merchant may elect to report the gross receipts from the sale of manufactured goods, wares and merchandise if it cannot determine the cost of manufacture or chooses not to disclose the cost of manufacture.

*Real estate services* means rendering a service for compensation with respect to the purchase, sale, lease, rental, or appraisal of real property, unless the service is otherwise specifically provided for in this chapter, and such services include, but are not limited to, the following:

- Appraisers of real estate
- Escrow agents, real estate
- Fiduciaries, real estate
- Lessors of real property
- Real estate agents, brokers and managers
- Real estate selling agents
- Rental agents for real estate

*Retailer or retail merchant* means any person or merchant who sells goods, wares and merchandise for use or consumption by the purchaser or for any purpose other than resale by the purchaser, but does not include sales at wholesale to institutional, commercial and industrial users.

*Services* means things purchased by a customer which do not have physical characteristics, or which are not goods, wares, or merchandise.

*Wholesaler or wholesale merchant* shall mean any person or merchant who sells wares and merchandise for resale by the purchaser, including sales when the goods, wares and merchandise will be incorporated into goods and services for sale, and also includes sales to institutional, commercial and industrial users which because of the quantity, price, or other terms indicate that they are consistent with sales at wholesale.

(Ord. No. 96-33, § C, 11-12-96)

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title, repealed former § 20-1 which defined "gross receipts". Such section bore no history note. Provisions designated herein as § 20-1 were derived from Ord. No. 96-33, C.

Sec. 20-2. - Adoption of state law.

- (a) As to all questions in regard to the duty and conduct of the officers of the city in collecting and enforcing the taxes imposed under this chapter, and in regard to questions of construction and for definition of terms used in this chapter, and the rules and regulations applicable to putting same in operation, reference is hereby made to the provisions of title 58.1, Code of Virginia, for the assessment, levy and collection of taxes for the current year, or to so much thereof as is applicable to this chapter and is not inconsistent with it and the other ordinances of the city. For the conduct and guidance of the officers of the city and other parties affected by this chapter and for fixing their

powers, rights, duties and obligations, the provisions of title 58.1, Code of Virginia, so far as applicable, are hereby adopted without being specifically herein quoted.

- (b) The definition of the various businesses, occupations, trades or professions provided for in this chapter shall be and hereby are defined to be the same as the definitions given in Code of Virginia, title 58.1, unless otherwise defined herein, and all constructions of same by the state tax commissioner shall have equal force to this chapter.

(Code 1963, § 21-21; Ord. No. 96-31, 11-12-96)

Sec. 20-3. - Enforcement of chapter generally.

- (a) The city manager shall require the chief of police and every member of the police department of the city to enforce this chapter. It shall be the duty of the chief of police and of every member of the police department to check whether all new business or professional men commencing any business, employment or profession in the city have complied with the provisions of this chapter.
- (b) It shall be the duty of the commissioner of revenue to report every person, known to him, who shall commence to prosecute any licensable business, employment or profession without a license or who shall unlawfully fail for a longer period than one month to obtain a new license, to the city attorney, who shall cause warrants to be issued for such persons and shall prosecute them.

(Code 1963, §§ 21-19, 21-20)

Sec. 20-4. - Construction of chapter; interstate commerce; obstruction of public ways; nuisances.

- (a) Nothing in this chapter shall be construed as imposing a license tax on or otherwise regulating or restricting interstate commerce. Any business or portion thereof embraced in the term "interstate commerce" is not made subject to a license by this chapter.
- (b) Nothing in this chapter shall be construed as giving the right to any person to obstruct sidewalks, streets or other public places or to commit or maintain a nuisance.

(Code 1963, §§ 21-17, 21-18)

Sec. 20-4.5. - Overriding conflicting ordinances.

Except as may be otherwise provided by the laws of the Commonwealth of Virginia, and notwithstanding any other current ordinances or resolutions enacted by this council, whether or not compiled in the Code of this city, to the extent of any conflict, the provisions of this chapter shall be applicable to the levy, assessment, and collection of licenses required and taxes imposed on businesses, trades, professions and callings and upon the persons, firms and corporations engaged therein within the city.

(Ord. No. 96-33, § A, 11-12-96)

**Editor's note**— Ord. No. 96-33, § A, did not specify manner of codification, but has been designated by the editor as § 20-4.5.

Sec. 20-5. - Engaging in business without license; penalty.

- (a) Whenever a license is required by this chapter, and whenever this Code imposes a license fee or levies a license tax on a business, employment or profession, it shall be unlawful to engage in such

business, employment or profession without first obtaining the required license. Any person who engages in a business without obtaining a license required by this chapter, or after being refused such license, shall not be relieved of the tax imposed by this chapter.

- (b) If any person shall:
  - (1) Commence to prosecute any business, trade, occupation, employment or profession in the city without obtaining a license required by this chapter; or
  - (2) Continue a business, trade, occupation, employment or profession in the city after the expiration of a license previously issued under this chapter without obtaining a new license or a renewal of the expired license,

he shall be guilty of a Class 3 misdemeanor.

(Code 1963, § 21-1; Ord. No. 96-33, § B, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title repealed § 20-5(a). Sec. B of such ordinance has been codified as § 20-5(a) by the editor.

Sec. 20-6. - License requirement.

- (a) Every person engaging in this city in any business, trade, profession, occupation or calling (collectively hereinafter "a business") as defined in this chapter, unless otherwise exempted by law, shall apply for a license for each such business if (i) the person has a definite place of business in this city; (ii) there is no definite place of business anywhere and the person resides in this city; or (iii) there is no definite place of business in this city but the person operates amusement machines or is classified as a peddler or itinerant merchant, carnival or circus as specified in Code of Virginia, §§ 58.1-3717, 3718, or 3728, respectively, or is a contractor subject to Code of Virginia, § 58.1-3715, or is a public service corporation subject to Code of Virginia, § 58.1-3731. A separate license shall be required for each definite place of business and for each business. A person engaged in two (2) or more businesses or professions carried on at the same place of business may elect to obtain one (1) license for all such businesses and professions if all of the following criteria are satisfied: (i) each business or profession is subject to licensure at the location and has satisfied any requirements imposed by state law or other provisions of the ordinances of this city; (ii) all of the businesses or professions are subject to the same tax rate, or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest rate; and (iii) the taxpayer agrees to supply such information as the assessor may require concerning the nature of the several businesses and their gross receipts.
- (b) Reserved.
- (c) Reserved.
- (d) In computing the amount of license tax due, the commissioner of the revenue shall round all amounts to the nearest dollar; that is, all amounts of forty-nine cents (\$0.49) or less shall be rounded down and all amounts of fifty cents (\$0.50) or more shall be rounded up.

(Ord. No. 87-17, 6-23-87; Ord. No. 94-36, 11-2-94; Ord. No. 96-33, § D, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title repealed § 20-6(a)—(c). Sec. D of such ordinance was designated by the editor as § 20-6(a). See also the editor's note following § 20-7.

Sec. 20-7. - Due dates; late payment penalties and interest.

- (a) Each person subject to a license tax under this chapter shall apply for a license prior to beginning business if he was not subject to licensure in this city on or before January 1 of the license year, or no later than March 1 of the current license year if he had been issued a license for the preceding license year. The application shall be on forms prescribed by the assessing official.
- (b) The tax shall be paid with the application in the case of any license not based on gross receipts. If the tax is measured by the gross receipts of the business, the tax shall be paid on or before March 31. Semiannual payments for license taxes shall be authorized pursuant to section 20-19.
- (c) The assessing official may grant an extension of time, not to exceed ninety (90) days, in which to file an application for a license, for reasonable cause. The extension may be conditioned upon the timely payment of a reasonable estimate of the appropriate tax, subject to adjustment to the correct tax at the end of the extension together with interest from the due date until the date paid and, if the estimate submitted with the extension is found to be unreasonable under the circumstances, a penalty of ten (10) percent of the portion paid after the due date.
- (d) A penalty of ten (10) percent of the tax may be imposed upon the failure to file an application or the failure to pay the tax by the appropriate due date. Only the late filing penalty shall be imposed by the assessing official if both the application and payment are late; however, both penalties may be assessed if the assessing official determines that the taxpayer has a history of noncompliance. In the case of an assessment of additional tax made by the assessing official, if the application and, if applicable, the return were made in good faith and the understatement of the tax was not due to any fraud or reckless or intentional disregard of the law by the taxpayer, there shall be no late payment penalty assessed with the additional tax. If any assessment of tax by the assessing official is not paid within thirty (30) days, the treasurer may impose a ten (10) percent late payment penalty. The penalties shall not be imposed, or if imposed, shall be abated by the official who assessed them, if the failure to file or pay was not the fault of the taxpayer. In order to demonstrate lack of fault, the taxpayer must show that he acted responsibly and that the failure was due to events beyond his control.

"Acted responsibly" means that: (i) the taxpayer exercised the level of reasonable care that a prudent person would exercise under the circumstances in determining the filing obligations for the business, and (ii) the taxpayer undertook significant steps to avoid or mitigate the failure, such as requesting appropriate extensions (where applicable), attempting to prevent a foreseeable impediment, acting to remove an impediment once it occurred, and promptly rectifying a failure once the impediment was removed or the failure discovered.

"Events beyond the taxpayer's control" include, but are not limited to, the unavailability of records due to fire or other casualty; the unavoidable absence (e.g., due to death or serious illness) of the person with the sole responsibility for tax compliance; or the taxpayer's reasonable reliance in good faith upon erroneous written information from the assessing official, who was aware of the relevant facts relating to the taxpayer's business when he provided the erroneous information.

- (e) Any person failing to make the application required by this section shall be guilty of a Class 4 misdemeanor.
- (f) It shall be the duty of the commissioner of the revenue to keep a record of all applications filed under this section.
- (g) Interest shall be charged on the late payment of the tax from the due date until the date paid without regard to fault or other reason for the late payment. Whenever an assessment of additional or omitted tax by the assessing official is found to be erroneous, all interest and penalty charged and collected on the amount of the assessment found to be erroneous shall be refunded together with interest on the refund from the date of payment or the due date, whichever is later. Interest shall be paid on the refund of any tax paid under this chapter from the date of payment or due date, whichever is later, whether attributable to an amended return or other reason. Interest on any refund shall be paid at the same rate charged under Code of Virginia, § 58.1-3916.

No interest shall accrue on an adjustment of estimated tax liability to actual liability at the conclusion of a base year. No interest shall be paid on a refund or charged on a late payment in event of such

adjustment, provided the refund or the late payment is made not more than thirty (30) days from (i) the date of the payment that created the refund, or (ii) the due date of the tax, whichever is later.

(Ord. No. 96-33, § E, 11-12-96)

**Editor's note**— At the request of the city, provisions formerly designated as § 20-6(d) and (e) were redesignated as § 20-7(e) and (f), and § 20-7(e) was redesignated as (g). See also the editor's note following § 20-10.

Sec. 20-8. - Situs of gross receipts.

- (a) *General rule.* Whenever the tax imposed by this chapter is measured by gross receipts, the gross receipts included in the taxable measure shall be only those gross receipts attributed to the exercise of a privilege subject to licensure at a definite place of business within this city. In the case of activities conducted outside of a definite place of business, such as during a visit to a customer location, the gross receipts shall be attributed to the definite place of business from which such activities are initiated, directed, or controlled. The situs of gross receipts for different classifications of business shall be attributed to one (1) or more definite places of business or offices as follows:
- (1) The gross receipts of a contractor shall be attributed to the definite place of business at which his services are performed, or if his services are not performed at any definite place of business, then the definite place of business from which his services are directed or controlled, unless the contractor is subject to the provisions of Code of Virginia, § 58.1-3715.
  - (2) The gross receipts of a retailer or wholesaler shall be attributed to the definite place of business at which sales solicitation activities occur, or if sales solicitation activities do not occur at any definite place of business, then the definite place of business from which sales solicitation activities are directed or controlled; however, a wholesaler or distribution house subject to a license tax measured by purchases shall determine the situs of its purchases by the definite place of business at which or from which deliveries of the purchased goods, wares and merchandise are made to customers. Any wholesaler who is subject to license tax in two or more localities and who is subject to multiple taxation because the localities use different measures, may apply to the department of taxation for a determination as to the proper measure of purchases and gross receipts subject to license tax in each locality.
  - (3) The gross receipts of a business renting tangible personal property shall be attributed to the definite place of business from which the tangible personal property is rented or, if the property is not rented from any definite place of business, then the definite place of business at which the rental of such property is managed.
  - (4) The gross receipts from the performance of services shall be attributed to the definite place of business at which the services are performed or, if not performed at any definite place of business, then the definite place of business from which the services are directed or controlled.
- (b) *Apportionment.* If the licensee has more than one definite place of business and it is impractical or impossible to determine to which definite place of business gross receipts should be attributed under the general rule and the affected jurisdictions are unable to reach an apportionment agreement, except as to circumstances set forth in § 58.1-3709 of the Code of Virginia, the gross receipts of the business shall be apportioned between the definite places of businesses on the basis of payroll. Gross receipts shall not be apportioned to a definite place of business unless some activities under the applicable general rule occurred at, or were controlled from, such definite place of business. Gross receipts attributable to a definite place of business in another jurisdiction shall not be attributed to this city solely because the other jurisdiction does not impose a tax on the gross receipts attributable to the definite place of business in such other jurisdiction.
- (c) *Agreements.* The assessor may enter into agreements with any other political subdivision of Virginia concerning the manner in which gross receipts shall be apportioned among definite places of

business. However, the sum of the gross receipts apportioned by the agreement shall not exceed the total gross receipts attributable to all of the definite places of business affected by the agreement. Upon being notified by a taxpayer that its method of attributing gross receipts is fundamentally inconsistent with the method of one (1) or more political subdivisions in which the taxpayer is licensed to engage in business and that the difference has resulted in, or is likely to result in, taxes on more than one hundred (100) percent of its gross receipts from all locations in the affected jurisdictions, the assessor shall make a good faith effort to reach an apportionment agreement with the other political subdivisions involved.

(Ord. No. 96-33, § F, 11-12-96)

**Note**— See the editor's note following § 20-10.

Sec. 20-9. - Limitations and extensions.

- (a) Where, before the expiration of the time prescribed for the assessment of any license tax imposed pursuant to this chapter, both the assessing official and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.
- (b) Notwithstanding Code of Virginia, § 58.1-3903, the assessing official shall assess the local license tax omitted because of fraud or failure to apply for a license for the current license year and the six (6) preceding license years.
- (c) The period for collecting any local license tax shall not expire prior to the period specified in Code of Virginia, § 58.1-3940, two (2) years after the date of assessment if the period for assessment has been extended pursuant to this subdivision of this chapter, two (2) years after the final determination of an appeal for which collection has been stayed pursuant to section 20-10(b) or (d) of this chapter, or two (2) years after the final decision in a court application pursuant to Code of Virginia, § 58.1-3984 or similar law for which collection has been stayed, whichever is later.

(Ord. No. 96-33, § G, 11-12-96)

Sec. 20-10. - Appeals and rulings.

- (a) Any person assessed with a local license tax as a result of an audit may apply within ninety (90) days from the date of such assessment to the assessor for a correction of the assessment. The application must be filed in good faith and sufficiently identify the taxpayer, audit period, remedy sought, each alleged error in the assessment, the grounds upon which the taxpayer relies, and any other facts relevant to the taxpayer's contention. The assessor may hold a conference with the taxpayer if requested by the taxpayer, or require submission of additional information and documents, a further audit, or other evidence deemed necessary for a proper and equitable determination of the application. The assessment shall be deemed prima facie correct. The assessor shall undertake a full review of the taxpayer's claims and issue a determination to the taxpayer setting forth its position. Every assessment pursuant to an audit shall be accompanied by a written explanation of the taxpayer's right to seek correction and the specific procedure to be followed in this city (e.g., the name and address to which an application should be directed).
- (b) Provided a timely and complete application is made, collection activity shall be suspended until a final determination is issued by the assessor, unless the assessor determines that collection would be jeopardized by delay or that the taxpayer has not responded to a request for relevant information after a reasonable time. Interest shall accrue in accordance with the provisions of section 20-7(g) of this chapter, but no further penalty shall be imposed while collection action is suspended. The term "jeopardized by delay" includes a finding that the application is frivolous, or that a taxpayer desires to

- (i) depart quickly from the locality, (ii) remove his property therefrom, (iii) conceal himself or his property therein, or (iv) do any other act tending to prejudice, or to render wholly or partially ineffectual, proceedings to collect the tax for the period in question.
- (c) Any person assessed with a local license tax as a result of an audit may apply within ninety (90) days of the determination by the assessing official on an application pursuant to subsection (a) of this section for a correction of such assessment. The tax commissioner shall issue a determination to the taxpayer within ninety (90) days of receipt of the taxpayer's application, unless the taxpayer and the assessing official are notified that a longer period will be required. The application shall be treated as an application pursuant to Code of Virginia, § 58.1-1821, and the tax commissioner may issue an order correcting such assessment pursuant to Code of Virginia, § 58.1-1822. Following such an order, either the taxpayer or the assessing official may apply to the appropriate circuit court pursuant to Code of Virginia, § 58.1-3984. However, the burden shall be on the party making the application to show that the ruling of the tax commissioner is erroneous. Neither the tax commissioner nor the department of taxation shall be made a party to an application to correct an assessment merely because the tax commissioner has ruled on it.
- (d) On receipt of a notice of intent to file an appeal to the tax commissioner under subsection (c) of this section, the assessing official shall further suspend collection activity until a final determination is issued by the tax commissioner, unless the assessor determines that collection would be jeopardized by delay or that the taxpayer has not responded to a request for relevant information after a reasonable time. Interest shall accrue in accordance with the provisions of subsection (g) of section 20-7, but no further penalty shall be imposed while collection action is suspended. The term "jeopardized by delay" shall have the same meaning as set forth in subsection (b) of this section.
- (e) Any taxpayer may request a written ruling regarding the application of the tax to a specific situation from the assessor. Any person requesting such a ruling must provide all the relevant facts for the situation and may present a rationale for the basis of an interpretation of the law most favorable to the taxpayer. Any misrepresentation or change in the applicable law or the factual situation as presented in the ruling request shall invalidate any such ruling issued. A written ruling may be revoked or amended prospectively if (i) there is a change in the law, a court decision, or the guidelines issued by the department of taxation upon which the ruling was based, or (ii) the assessor notifies the taxpayer of a change in the policy or interpretation upon which the ruling was based. However, any person who acts on a written ruling which later becomes invalid shall be deemed to have acted in good faith during the period in which such ruling was in effect.

(Ord. No. 96-33, § H, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title repealed former §§ 20-7—20-10, state forms, penalty and interest for late payment of tax, advertising of business and separate license for each place and class of business. Secs. E—H of such ordinance have been designated as §§ 20-7—20-10, by the editor.

Sec. 20-11. - Failure to file statements.

If any person subject to the payment of a license tax required under this chapter shall fail or refuse to file the statements required by this chapter, he shall be guilty of a Class 3 misdemeanor.

(Code 1963, § 21-5)

Sec. 20-12. - False statements in affidavits.

If any person subject to the payment of a license tax required under this chapter shall make any false statement in the affidavit required by this chapter, he shall be guilty of a Class 3 misdemeanor.



(Code 1963, § 21-6)

Sec. 20-13. - Propounding interrogatories to applicant.

As one of the means of ascertaining the amount of any license tax, the commissioner of the revenue may propound interrogatories to each applicant under the provisions of this chapter and use such other evidence as he may procure. Such interrogatories shall be answered under oath. Any applicant refusing to answer such interrogatories under oath shall be guilty of a Class 4 misdemeanor.

(Code 1963, § 21-7)

Sec. 20-14. - Estimates to determine tax for beginners, etc.

- (a) For the purpose of ascertaining the license tax to be paid by any person beginning a new business, employment or profession, and whose license tax is based on gross receipts, gross sales, gross purchases, gross commissions, gross contracts or orders, the licensee shall estimate the basis for measuring the license tax between the date of issuance of the license and the thirty-first of December following.
- (b) The license tax of every person who was licensed at a definite place of business within the city for only a part of the next preceding license year shall be computed for the then current license year on the basis of an estimate of the amount of gross receipts, gross sales or gross purchases which the licensee will make throughout the then current license year, except that any commission merchant or wholesale merchandise broker shall be licensed on the basis of gross commissions of the next preceding license year or any parts thereof.
- (c) Every underestimate under this section shall be subject to correction by the commissioner of the revenue, whose duty it shall be to assess such licensee with such additional taxes as may be found to be due after the close of the license year on the basis of gross receipts, gross sales, gross purchases, gross commissions or gross contracts or orders. In case of overestimate, the commissioner of the revenue shall order a refund in the amount of the overpaid tax.

Sec. 20-14.5. - Exclusions and deductions from "gross receipts".

- (a) General rule. Gross receipts for license tax purposes shall not include any amount not derived from the exercise of the licensed privilege to engage in a business or profession in the ordinary course of business.
- (b) The following items shall be excluded from gross receipts:
  - (1) Amounts received and paid to the United States, the commonwealth or any county, city or town for the Virginia retail sales or use tax, for any local sales tax or any local excise tax on cigarettes, or for any federal or state excise taxes on motor fuels.
  - (2) Any amount representing the liquidation of a debt or conversion of another asset to the extent that the amount is attributable to a transaction previously taxed (e.g., the factoring of accounts receivable created by sales which have been included in taxable receipts even though the creation of such debt and factoring are a regular part of its business).
  - (3) Any amount representing returns and allowances granted by the business to its customer.
  - (4) Receipts which are the proceeds of a loan transaction in which the licensee is the obligor.
  - (5) Receipts representing the return of principal of a loan transaction in which the licensee is the creditor, or the return of principal or basis upon the sale of a capital asset.
  - (6) Rebates and discounts taken or received on account of purchases by the licensee. A rebate or other incentive offered to induce the recipient to purchase certain goods or services from a person other than the offeror, and which the recipient assigns to the licensee in consideration of

the sale of goods and services shall not be considered a rebate or discount to the licensee, but shall be included in the licensee's gross receipts together with any handling or other fees related to the incentive.

- (7) Withdrawals from inventory for purposes other than sale or distribution and for which no consideration is received and the occasional sale or exchange of assets other than inventory, whether or not a gain or loss is recognized for federal income tax purposes.
  - (8) Investment income not directly related to the privilege exercised by a business subject to licensure not classified as rendering financial services. This exclusion shall apply to interest on bank accounts of the business, and to interest, dividends and other income derived from the investment of its own funds in securities and other types of investments unrelated to the licensed privilege. This exclusion shall not apply to interest, late fees and similar income attributable to an installment sale or other transaction that occurred in the regular course of business.
  - (9) Any trade-in accepted by a motor vehicle dealer as part of the sale of a motor vehicle.
  - (10) License and admission taxes established under Code of Virginia, §§ 59.1-392 and 59.1-393, respectively, or pari-mutuel wagering pools as established under Code of Virginia, § 59.1-392.
  - (11) Amounts received by any real estate broker which arise from real estate sales transactions to the extent such amounts are paid to a real estate agent as a commission on any real estate sales transaction and the agent is subject to the business license tax on such receipts. The broker claiming the exclusion shall identify on its license application each agent to whom the excluded receipts have been paid, and the jurisdiction in the Commonwealth of Virginia to which the agent is subject to business license taxes.
- (c) The following shall be deducted from gross receipts or gross purchases that would otherwise be taxable:
- (1) Any amount paid for computer hardware and software that are sold to a United States federal or state government entity provided that such property was purchased within two (2) years of the sale to said entity by the original purchaser who shall have been contractually obligated at the time of purchase to resell such property to a state or federal government entity. This deduction shall not occur until the time of resale and shall apply to only the original cost of the property and not to its resale price, and the deduction shall not apply to any of the tangible personal property which was the subject of the original resale contract if it is not resold to a state or federal government entity in accordance with the original contract obligation.
  - (2) Any receipts attributable to business conducted in another state or foreign country in which the taxpayer is liable for an income or other tax based upon income.

(Ord. No. 96-33, § J, 11-12-96)

**Editor's note**— Sec. J of Ord. No. 96-33, was codified by the editor as § 20-14.5.

Sec. 20-15. - Allowances for freight and other deductible items in computing tax.

In computing license taxes on merchants and others under this chapter, an allowance for freight and other deductible items shall be made in all cases where the state tax code provides that the same shall be allowed in computing state license taxes on merchants and others, and such allowance shall be on the same basis as that provided by the state tax code for state license taxes. No such deductions shall be allowed, unless gross receipts or other basis is reported and deductions itemized.

Sec. 20-16. - Assessment of tax and issuance of license generally.

The commissioner of revenue shall assess each applicant for a license or other person of whom a license is required by this chapter with the license tax required by this chapter, and shall issue a license,

signed by the commissioner, to prosecute the business, employment, profession or thing to be done therein named, which license shall not be valid or effective unless and until the tax required shall be paid to the city treasurer, as collector of city taxes and levies, and such payment shall be shown on the license.

Sec. 20-17. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-17, assessment of additional tax.

Sec. 20-18. - Proration of license taxes.

No license tax based upon gross receipts shall be imposed upon any business, trade, profession, occupation or calling, or upon any person, firm or corporation for any fraction of a year during which such person, firm or corporation has permanently ceased to engage in such business, trade, profession, occupation or calling within the city. In the event a person, firm or corporation ceases to engage in a business, trade, profession or calling within the city during a year for which a license tax based on gross receipts has already been paid, the taxpayer shall be entitled, upon application, to a refund for that portion of the license tax already paid, prorated on a monthly basis so as to ensure that the licensed privilege is taxed only for that fraction of the year during which it is exercised within the city. Any refund due under this section shall be offset against any amount of past-due taxes owed by the same taxpayer. No flat fee or flat tax shall be subject to refund.

(Ord. No. 96-33, § L, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title, repealed former § 20-18, Proration of tax, generally. Sec. L of such ordinance has been designated by the editor as § 20-18.

Sec. 20-19. - Semiannual payment of tax; retention of written license document; issuance of receipt; display of receipt; etc.

The requirements relative to the semiannual payment of license taxes shall be as follows:

- (1) The city treasurer shall accept semiannual payments from any person to whom a city license has been or may be issued by the commissioner of the revenue, where the total amount of the license tax in question aggregates five hundred dollars (\$500.00) or more. The provisions of this section shall not apply to any person who did not procure a city license for the entire immediately preceding year nor where an individual license is required for each person engaged in a business, occupation, or profession.
- (2) Such semiannual payments shall become due and payable on the first days of January and July of each year, and if not paid within thirty (30) days from such due date, the city treasurer shall collect a penalty of ten (10) percent on such sums and interest on said sum and penalty at the rate of ten (10) percent per annum, and the remaining unpaid installments shall immediately become due and payable and such delinquent person may immediately be prosecuted for failure to obtain a license to engage in business in the city as provided by law.
- (3) The city treasurer shall retain all licenses issued by the commissioner of the revenue for the current year until fully paid, together with all penalties, interest, and costs, and in lieu of delivery of such license to the licensee, the treasurer shall issue his receipts for each semiannual payment made to him, which such receipt shall be posted in a conspicuous place in the room or place where the business for which such license is issued is transacted.
- (4) This section shall not be construed as permission to issue semiannual licenses, but the foregoing provisions of this section are adopted as a convenient method of payment, and this

chapter shall not be construed to release any person from the unpaid installments for such license by the discontinuance of business or for any other reason.

(Code 1963, § 21-9; Ord. No. 81-12, 9-15-81; Ord. No. 87-17, 6-23-87)

Sec. 20-20. - Display of license or receipt for semiannual payment.

Every person required to pay a license tax under the provisions of this chapter shall keep the license in question or the receipt for semiannual payment issued under section 20-19 in a convenient place and, whenever requested to do so, shall exhibit such license or receipt to any member of the police department or any officer or his deputy, who is charged with the duty of enforcing the provisions of this Code and other ordinances of the city relative to revenue taxes, when so requested.

(Code 1963, § 21-12)

Sec. 20-21. - Transfer of license.

- (a) Licenses issued under this chapter shall be transferable, except where otherwise provided. In no case, however, shall any transfer of the license be legal or valid until notice in writing of such transfer has been given to the commissioner of revenue and until the transfer has been approved by such commissioner in writing on the license. Such notice shall state the time of the transfer and the place of the business and the name of the person to whom transferred.
- (b) No license otherwise transferable shall be transferred until the total amount of the annual license tax in question has been fully paid to the city treasurer. The commissioner of revenue shall not approve any assignment or the making of any transfer of a license until the provisions of this section have been fully complied with.
- (c) Only that part of a license based on gross receipts that is in excess of the gross receipts of the transferer for that part of the year during which the transferer has prosecuted business under such license shall be transferable. The person to whom such license is being transferred shall pay the additional estimated license tax to the end of the license year, or an amount sufficient to make the minimum cost of the license as provided in this chapter, whichever is the greater.
- (d) The commissioner of revenue shall keep a record of all license transfers.
- (e) The attempted assignment or attempted transfer of any license in violation of the provisions of this section shall be void, and, of no effect, and any such purported assignee or transferee may be prosecuted for engaging in such business without a license. In addition thereto he shall be liable to the city for the amount of the proper license tax together with penalties, interest and costs.
- (f) Any person transferring or attempting to transfer any license contrary to the provisions of this section shall be guilty of a Class 3 misdemeanor.

(Code 1963, §§ 21-13—21-15)

Sec. 20-22. - Term and expiration date of licenses.

All licenses granted under the provisions of this chapter shall be issued for a period of twelve (12) months beginning the first day of January and expiring on the thirty-first day of December, unless otherwise provided.

(Code 1963, § 21-8; Ord. No. 81-12, 9-15-81)

**State Law reference**— Similar provisions, Code of Virginia, § 58-247.

Sec. 20-23. - Tax not imposed contrary to federal or state law.

Nothing in this chapter contained shall be construed as imposing any license tax on any business, occupation or professional employment, or on any part thereof, on which the city is prohibited, by federal or state law, from imposing the same.

Sec. 20-24. - Licensee's records generally.

- (a) Every person liable for a license tax under this chapter which is based on actual or probable purchases or sales, actual or probable commissions, gross receipts from a business or profession or contracts or orders accepted, or which is graded in any other way, shall, where such tax is based on actual or probable purchases or sales, keep all invoices and a record of all purchases and from whom made, a record of all sales, and where otherwise based, keep a record of all commissions, gross receipts, and contracts or orders accepted, from whom received and with whom made, and the report of such purchases, sales, commissions, receipts, contracts or orders accepted, required to be made for the computation of the license tax, shall be taken from such invoices and records and general books of account.
- (b) All such invoices and record and general books of account shall be open to inspection and examination, on the premises of the business, employment or profession, by the director of finance, commissioner of revenue or any other officer of the city charged in any manner with the duty of assessing or collecting license taxes.
- (c) Any person who shall fail or refuse to keep the records required by this section shall be guilty of a Class 4 misdemeanor.

Sec. 20-24.1. - Recordkeeping and audits.

Every person who is assessable with a license tax shall keep sufficient records to enable the assessor to verify the correctness of the tax paid for the license years assessable and to enable the assessor to ascertain what is the correct amount of tax that was assessable for each of those years. All such records, books of accounts and other information shall be open to inspection and examination by the assessor in order to allow the assessor to establish whether a particular receipt is directly attributable to the taxable privilege exercised within this city. The assessor shall provide the taxpayer with the option to conduct the audit in the taxpayer's local business office, if the records are maintained there. In the event the records are maintained outside this city, copies of the appropriate books and records shall be sent to the assessor's office upon demand.

(Ord. No. 96-33, § I, 11-12-96)

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, did not specify manner of codification; hence, inclusion as § 20-24.1 was at the discretion of the editor.

Sec. 20-25. - Examination and audit of licensee's records.

- (a) Should any officer of the city charged in any manner with the duty of assessing or collecting license taxes have reason to believe, in any case, that the amount of actual or probable purchases or sales, or actual or probable commissions, or the gross or net receipts from any business or profession, or any other matters that may be pertinent to the assessment of such license tax, have been incorrectly reported or returned, such officer shall make a report thereof to the commissioner of revenue. Upon receipt of such report, or upon the commissioner's own motion, the commissioner of revenue is authorized and empowered to summon such person before him and require the production of any and all of such person's records, books and papers likely to throw any light upon the matter under investigation. The commissioner of revenue is also authorized and empowered to make or cause to be made such other and further investigations, examinations and audits of the records, books and

papers of such person as the commissioner shall deem proper, in order to accurately determine the proper return to be made by such person.

- (b) If, after an investigation, examination or audit pursuant to this section, it shall appear that purchases, sales, commissions, receipts or other matters pertinent to the assessment have been incorrectly reported or returned, the commissioner of revenue shall assess such person with the proper city license tax. If it shall appear that such purchases, sales, commissions, receipts or other matters pertinent to the assessment have been willfully incorrectly reported or returned, such person shall pay, in addition to such increased license tax assessed, a penalty of fifty (50) percent of such increased assessment. Any incorrect report or return shall be deemed prima facie willful.
- (c) Any person who shall fail to appear before the commissioner of revenue and produce such records, books and papers, when duly summoned, or who shall refuse to permit the commissioner of revenue to make or cause to be made such other and further investigation and audit of such books and papers, shall be deemed guilty of a Class 3 misdemeanor.

Sec. 20-26. - Authority of commissioner of revenue to require information concerning subcontracts.

The commissioner of revenue, in performing the duties of such office, shall have authority to require any person having a contractor's license in the city to furnish a list of subcontractors to whom any part of the original contract is sublet, and the amount of such subcontract. Any person refusing to furnish such information shall be guilty of a Class 4 misdemeanor and each day's failure to furnish such information shall constitute a separate offense.

Sec. 20-27. - Business license not to be issued until taxes paid.

No business license authorized to be issued under Code of Virginia, chapter 37, title 58.1, and Chapter 20 of the Hopewell City Code shall be issued unless all outstanding business license taxes, personal property taxes, and meals and lodging taxes owed by said business have been paid, and until satisfactory proof of payment of said taxes has been produced by the applicant for the business license.

(Ord. No. 93-25, 9-14-93)

Sec. 20-28. - Exemption/reduction of business and professional occupational license fees for new firms locating in the enterprise zone and existing firms relocating in the enterprise zone.

New firms locating in the enterprise zone qualify for the following exemption of business and professional occupational license fees:

Year of Operation	Percentage of Exemption
1st Year	100%
2nd Year	75%
3rd Year	50%
4th Year	25%
5th Year	0%

Existing firms relocating in the enterprise zone qualify for the following exemption of business and professional occupational license fees:

Year of Operation	Percentage of Exemption
1st Year	100%
2nd Year	75%
3rd Year	50%
4th Year	25%
5th Year	0%

( [Ord. No. 2014-04](#), 3-11-14)

Secs. 20-29—20-39. - Reserved.

ARTICLE II. - LICENSE TAX SCHEDULE

Sec. 20-40. - License fee and tax.

Every person or business subject to licensure under this chapter shall be assessed and required to pay annually:

- (1) A fee for the issuance of such license in the amount of thirty dollars (\$30.00) for persons or businesses with gross receipts of (\$12,000.00) or less, except that first-time filers in the first year of business operation which anticipate gross receipts of (\$12,000.00) or less are excused from paying the fee; or
- (2) Except as may be otherwise provided in §§ 58.1-3712, 58.1-3712.1 and 58.1-3713 of the Code of Virginia, every such person or business with annual gross receipts of more than twelve thousand dollars (\$12,000.00) shall be assessed and required to pay annually a license tax on all the gross receipts of such persons includable as provided in this chapter at a rate set forth below for the class of enterprise listed:
  - a. For contracting and persons constructing for their own account for sale sixteen cents (\$0.16) per one hundred dollars (\$100.00) of gross receipts;
  - b. For retailers and short-term rental businesses as defined in Code of Virginia, 58.1-3510, twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts;
  - c. For financial, real estate and professional services, fifty-eight cents (\$0.58) per one hundred dollars (\$100.00) of gross receipts;

- d. For repair, personal and business services and all other businesses and occupations not specifically listed or excepted in this section or otherwise by law, thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of gross receipts;
- e. For wholesalers, twenty-five cents (\$0.25) per one hundred dollars (\$100.00) of purchases;
- f. For carnivals, circuses and speedways, five hundred dollars (\$500.00) for each performance held in this city;
- g. For fortunetellers, clairvoyants and practitioners of palmistry or phrenology, one thousand dollars (\$1,000.00) per year;
- h. For massage parlors, five hundred dollars (\$500.00) per year;
- i. For photographers as defined under Code of Virginia, § 58.1-3727, thirty dollars (\$30.00) per year;
- j. For permanent coliseums, arenas or auditoriums having a maximum capacity in excess of ten thousand (10,000) persons, open to the public, one thousand dollars (\$1,000.00) per year;
- k. For savings institutions and state-chartered credit unions, fifty dollars (\$50.00) per year;
- l. For direct sellers as defined in Code of Virginia, § 58.1-3719.1 with total annual sales in excess of four thousand dollars (\$4,000.00), twenty cents (\$0.20) per one hundred dollars (\$100.00) of total annual retail sales or twenty-five cents (\$0.25) per one hundred dollars (\$100.00) of total annual wholesale sales, whichever is applicable; and
- m. For commission merchants as defined under Code of Virginia, § 58.1-3733, thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of commission income.

(Ord. No. 96-33, § K, 11-12-96; Ord. No. 97-14, 9-13-97)

**Editor's note**— Ord. No. 96-33, provided by title for the repeal of § 20-40, Class I, contracting and persons contracting for their own account for sale, and § 20-41, Class II, retail merchants. Sec. K of such ordinance was designated by the editor as § 20-40.

Sec. 20-41. - Reserved.

**Note**— See the editor's note following § 20-40.

Sec. 20-42. - Alcoholic beverages.

- (a) The annual license tax on any person licensed by the state alcoholic beverage control commission to manufacture, bottle, or sell alcoholic beverages in the city shall be as follows:
  - (1) Manufacturers' licenses:
    - a. Distiller's license ..... \$500.00
    - b. Winery license ..... 250.00
    - c. Brewery license ..... 250.00
  - (2) Bottlers' license ..... 200.00
  - (3) Wholesalers' licenses:
    - a. Wholesale beer license ..... 75.00
    - b. Wholesale wine distributor's license ..... 50.00



c. Wholesale druggist's license ..... 10.00

(4) Retailers' licenses:

- a. Beer on-premises ..... 40.00
- b. Beer off-premises ..... 40.00
- c. Beer on- and off-premises ..... 45.00
- d. Wine and beer on-premises ..... 45.00
- e. Wine and beer off-premises ..... 45.00
- f. Wine and beer on- and off-premises ..... 55.00
- g. Wine and beer on-premises and beer off-premises ..... 50.00
- h. Wine and beer off-premises and beer on-premises ..... 50.00
- i. Wine off-premises ..... 40.00
- j. Banquet (for each banquet) ..... 5.00

(5) Retailers of mixed beverage or liquor by the drink:

- a. Two hundred dollars (\$200.00) per annum for each restaurant with a seating capacity at tables for fifty (50) to one hundred (100) persons.
- b. Three hundred fifty dollars (\$350.00) per annum for each restaurant with a seating capacity at tables for more than one hundred (100) but not more than one hundred fifty (150) persons.
- c. Five hundred dollars (\$500.00) per annum for each restaurant with a seating capacity at tables for more than one hundred fifty (150) persons.
- d. Three hundred fifty dollars (\$350.00) per annum for a private, nonprofit club operating a restaurant located on the premises of such club.

- (b) The licenses referred to in subsection (a) above shall be as respectively defined by the act of the General Assembly of Virginia, known as "The Alcoholic Beverage Control Act" and the terms "alcoholic beverage," "beer," "club," "sell," "wine," and "wholesale druggist," wherever used in this section, shall have the meanings respectively prescribed to them by said act.
- (c) No license shall be issued under this section to any person, unless such person shall hold or shall secure simultaneously therewith the proper state license required by the Alcoholic Beverage Control Act, which state license shall be exhibited to the commissioner of revenue.
- (d) Retailers' licenses, enumerated in subsection (a)(4) above shall not be prorated.
- (e) All wine and beer licenses shall be issued for twelve-month periods beginning on July first of each calendar year and expiring on June thirtieth of the following calendar year.
- (f) No license, the tax for which is designated in this section shall be assigned or transferred, but such license may be amended to show a change in the place of business.

(Ord. No. 82-34, 12-21-82)

**Cross reference**— Sale of beer and wine on Sunday, § 25-5.

**State Law reference**— Alcoholic Beverage Control Act, Code of Virginia, § 4.1-100 et seq.; authority for above tax, §§ 4.1-205, 4.1-233.

Secs. 20-43—20-47. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed §§ 20-43—20-47, which pertained to specific types and kinds of licenses. Such sections were derived from Ord. No. 82-34, adopted Dec. 21, 1982. Current provisions relative to such subject matter are contained in § 20-40.

Sec. 20-48. - Coin-operated machines.

- (a) For the purposes of this section, an "operator" is defined as any person selling, leasing, renting, or otherwise furnishing or providing a coin-operated machine or device operated on the coin in the slot principle, which machine or device is located within the city, whether or not such operator has a fixed place of business within the city; provided, however, that the term "operator" shall not include a person owning less than three (3) coin machines and operating such machines on property owned or leased by such person.
- (b) Every operator operating ten (10) or more coin machines shall pay for the privilege an annual license tax of two hundred dollars (\$200.00). Every operator operating more than two (2) and less than ten (10) coin machines shall pay for the privilege an annual license tax of one hundred seventy-five dollars (\$175.00). Such tax shall not apply to operators of weighing machines, automatic baggage or parcel checking machines or receptacles, nor to operators of vending machines, which machines are so constructed as to do nothing but vend goods, wares, and merchandise, or postage stamps, or provide service only, nor to operators of viewing machines or photomat machines, nor operators of devices or machines affording rides to children, or for the delivery of newspapers. The license tax on an operator shall not be prorated, and an operator's license shall not be transferred.
- (c) In addition to the operator's license tax imposed by subsection (b) above, there shall be a gross receipts tax on the gross receipts actually received from coin machines or devices operated within this city, as follows:
  - (1) Gross receipts from machines vending merchandise or postage stamps shall be deemed gross receipts from retail sales and taxed at the rate of twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts.
  - (2) Gross receipts from coin-operated laundries shall be deemed gross receipts from a business service and taxed at the rate of thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of gross receipts.
  - (3) Gross receipts from all other machines operated on the coin in the slot principle shall be taxed at the rate of twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts.
- (d) Every operator shall furnish to the commissioner of revenue a complete list of all machines on location in the city and the address of each location on or before the thirty-first day of January of each year. Each machine shall have conspicuously located thereon a decal, sticker, or other adhesive label, no less than one by two (1 x 2) inches in size, clearly denoting the operator's name and address.
- (e) Any person providing any coin-operated machines or other devices and failing to procure a license under this section or otherwise violating this section shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense and the machine or other device shall become forfeited to the city.
- (f) Gross receipts from coin-machines in a business not classified as an "operator" under paragraph (a) above shall be deemed gross receipts from retail sales and taxed at the rate of twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts.
- (g) Nothing contained in this section shall be construed as permitting any person to keep, maintain, exhibit, or operate any coin-operated machine or other device, the operation of which is prohibited by law.

(Ord. No. 82-34, 12-21-82; Ord. No. 88-2, 2-23-88; Ord. No. 96-32, 11-12-96)

**Cross reference**— Fraudulent use of coin-operated machines, § 25-28.

Sec. 20-49. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-49, fortune-tellers, clairvoyants, etc., derived from Ord. No. 82-34, adopted Dec. 21, 1982. Current provisions concerning such subject matter are included in § 20-40.

Sec. 20-50. - Liquidators—Stocks of goods purchased in bulk at court sales outside of city.

- (a) Any person who shall bring into this city from any place beyond its limits, a stock of goods or merchandise which has been purchased in bulk at any trustee, receiver, or bankrupt sale with the intention of selling the same at retail, either at public auction or privately, shall pay a specific license tax of one thousand dollars (\$1,000.00). Such license tax shall not be prorated and the license upon which such tax is paid shall not be transferable.
- (b) This section shall not be construed to apply to regularly licensed retail merchants of the city having an established place of business in the city for a period of six (6) months prior to such sales.

(Ord. No. 82-34, 12-21-82)

**Cross reference**— License for going-out-of-business, etc., sales, § 30-96 et seq.

Sec. 20-51. - Same—Secondhand motor vehicles, major appliances, etc.

- (a) Any person bringing into the city a stock of secondhand automobiles, motorcycles, refrigerators, or similar commodities for sale shall, in addition to the regular city merchant's license, pay a license tax of three hundred dollars (\$300.00) per calendar year. Such license tax shall not be prorated. The license for which such license tax is paid shall not be transferrable.
- (b) For the purpose of this section, the word "stock" shall mean two (2) or more such commodities at any one time.
- (c) This section shall not apply to a regularly established merchant who has operated a business in the city and paid all city and state license taxes for not less than six (6) months immediately preceding. The license for which the license tax is indicated in this section does not permit the sale of bankrupt stock.

(Ord. No. 82-34, 12-21-82)

Sec. 20-52. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, provided by title for the repeal of § 20-52, massage, etc., businesses, derived from Ord. No. 82-34, adopted Dec. 21, 1982. For current provisions concerning such subject matter, see § 20-40.

Sec. 20-53. - Merchandise exhibitions, etc.

The license tax for merchandise exhibitions, food shows, or automobile shows, for advertising purposes or for which an admission fee is charged, shall be one hundred dollars (\$100.00).

(Ord. No. 82-34, 12-21-82)

Sec. 20-54. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-54, merchants, wholesale, derived from Ord. No. 82-34, adopted Dec. 21, 1982. See § 20-40.

Sec. 20-55. - Museums, historical and educational exhibitions.

The license tax for museums, historical, and educational exhibitions shall be at the rate of five dollars (\$5.00) per day. Such museums, historical, and educational exhibitions shall be under such rules and regulations as may be prescribed by the city council and the license shall be revocable at the pleasure of the council.

(Ord. No. 82-34, 12-21-82)

Sec. 20-56. - Patent medicine salesmen.

Any person who shall sell any patent, proprietary, or domestic medicines, salves, liniments, or compounds of a like kind, or any spices, extracts, toilet articles, or other articles of a like kind, except a licensed merchant at his regular place of business, whether he be the manufacturer thereof or not, shall pay a license tax of one hundred dollars (\$100.00) per week for each person so engaged, which shall be the only license required of such person for such privilege.

(Ord. No. 82-34, 12-21-82)

Sec. 20-57. - Peddlers.

- (a) Except as otherwise provided, any peddler or itinerant merchant as defined in Code of Virginia, § 58.1-3717 shall pay an annual license tax of five hundred dollars (\$500.00), which may not be paid in semiannual payments, except that:
  - (1) The license tax on peddlers of seafood who buy the seafood they peddle directly from persons who catch or take the same shall be ten dollars (\$10.00).
  - (2) Any person who peddles coal, oil, or wood from wagons or other vehicles, in small quantities, to consumers shall pay a license tax of ten dollars (\$10.00) per year for each vehicle used in such business, which shall be in addition to any other license required by law. Such license shall be issued for a specified vehicle and shall be in the possession of the person in charge of such vehicle at all times when business is being transacted.
- (b)
  - (1) No city license shall be required of persons who sell or offer for sale in person or by their employees, ice, wood, charcoal, meats, milk, butter, eggs, poultry, fish, oysters, game, vegetables, fruits, or other family supplies of a perishable nature, or farm products grown or produced by them and not purchased by them for sale.
  - (2) The license tax on peddlers of meat, milk, butter, eggs, poultry, fish, oysters, game, vegetables, fruit, or other family supplies of a perishable nature not grown or produced by them shall be fifty dollars (\$50.00) for each vehicle used in such peddling in the city. Such license shall be issued for a separate vehicle and shall be in the possession of such person in charge of such vehicle at all times when business is being transacted.
- (c) Every person claiming to be exempted from having to secure a license required by subsection (a) of this section because of the provisions of subsection (b) of this section shall on or before January first

of each year, file with the commissioner of revenue, a certificate under oath, on a form to be prepared by the commissioner of revenue, in which shall be given the name and post office address of the person filing the certificate, the location of the land on which the family supplies of a perishable nature are produced, whether the person filing the certificate is owner thereof, or renter, and in the latter case, the name of the landlord or owner and the time from which and to which the lease is to run.

- (d) Upon receipt of a certificate, as provided for in subsection (c) above, and such other evidence under oath as may be sufficient to establish the fact that the person filing such certificate is entitled to an exemption under subsection (b) above, the commissioner of revenue shall furnish to such person a tag suitable to be displayed on his vehicle on which shall be printed, "City of Hopewell, Producer No. \_\_\_\_\_," together with the year for which issued. Such producer or grower shall display such tag conspicuously on his vehicle in a prominent position so that it can be easily read at all times while such producer is engaged in selling or offering for sale any family supplies mentioned within subsection (b) above, within this city.
- (e) The commissioner of revenue may administer the oaths required by subsections (c), (d), and (e) of this section.

(Ord. No. 82-34, 12-21-82; Ord. No. 83-9, 6-28-83; Ord. No. 84-28, 10-9-84; Ord. No. 88-21, 6-28-88)

**Cross reference**— Application of ordinance regulating solicitors to peddlers licensed under this chapter, § 32-1.

Sec. 20-58. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, repealed § 20-58, savings and loan associations, derived from Ord. No. 82-34, adopted Dec. 21, 1982. See § 20-40.

Sec. 20-59. - Telegraph, telephone, water, heat, light, or power companies.

- (a) Any company engaging in the business of furnishing telegraph or telephone service shall pay one-half of one percent of the gross receipts of such company accruing from business in the city for the fiscal year ending the thirty-first day of December immediately next preceding; provided, however, that charges for long distance telephone calls shall not be considered receipts of business in the city.
- (b) Any company engaging in the business of furnishing water, heat, light, or power, whether by means of electricity or gas, shall pay one-half of one percent of the gross receipts of such company accruing from business in the city for the fiscal year ending the thirty-first day of December immediately next preceding.
- (c) Each such company applying for a license under this chapter shall submit to the commissioner of revenue a statement of such receipts, which statement shall be verified by the commissioner on an examination of the books of such company, and a certificate as to its correctness shall be filed with the commissioner of revenue.

(Ord. No. 82-34, 12-21-82)

**Cross reference**— Tax on purchasers of utility services, § 34-96 et seq.

Sec. 20-60. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-60, exclusions from gross tax receipts for license tax purposes, derived from Ord. No. 82-34, adopted Dec. 21, 1982. For current provisions pertaining to such subject matter, the user's attention is directed to § 20-14.5.

Sec. 20-61. - Tattooing.

- (a) Every person, firm, or corporation engaged in the business of tattooing in the City of Hopewell shall pay a license tax of one thousand dollars (\$1,000.00) which license shall not be proratable.
- (b) No license shall be issued hereunder unless and until there is presented to the commissioner of the revenue a certificate from the director of public health and the chief of police permitting the operation of this business.

(Ord. No. 84-21, 8-14-84)

**Cross reference**— Tattoo parlors generally, § 9-41 et seq.

**IR-6**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:**

**Request for City Council to vote to direct the City Manager provide City Council with options to dissolve the Beacon Theater LLC. The prior City Council voted to support dissolving the LLC in order to create a Regional Performing Arts Center and/or improve community programs and access to the Beacon Theater. In the meantime, the City Council will support opening the Beacon Theater free on Sundays after the Beacon Church for groups to offer free services/programs to the public.**

**ISSUE:** he City needs to address the status of the Beacon Theater’s management and finances. In the past, the City provided the Beacon Theater with approximately \$100,000 to provide community programs. City Council has not established guidelines for that money and support. Since the Beacon Theater is open on Sundays for the Beacon Church, members of the public that want to offer community services can utilize the space – as opposed to pay the high rental fees.

The City Council needs to also discuss management of the theater to fully take advantage of the renovation and to provide cultural opportunities for the community. Currently concerts is the primary event type offered by the Beacon. The Theater can also be a space to routinely offer plays, dance, spoke word, classes etc. to the community.

**RECOMMENDATION:** City Council direct the City Manager to complete task by a specific date.

**TIMING:** Timing

**BACKGROUND:**

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |



**ENCLOSED DOCUMENTS:**

- None

**STAFF:**

Mayor Jasmine E Gore

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

\_\_\_\_\_

**Roll Call**

**SUMMARY:**

- |                          |                          |                                    |
|--------------------------|--------------------------|------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3  |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4        |

- |                          |                          |                                      |
|--------------------------|--------------------------|--------------------------------------|
| <b>Y</b>                 | <b>N</b>                 |                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5     |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6     |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

**IR-7**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

**Order of Business:**

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

**Action:**

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:****City of Hopewell Finance Policies**

**ISSUE:** City Council discussed two finance policies during Fall Council meetings. Council’s last action was for the CM to prepare an alternative policy for submission for the November 12, 2019 agenda packet. The policy needed to be vetted by the City Attorney prior to submission. Council has not received the policy yet for discussion.

**RECOMMENDATION:** For Council to decide dollar thresholds for current policy, to give to the City Manager to address any oversights in work flow (e.g., paper submissions vs. electronic submissions).

**TIMING:** Immediately

**BACKGROUND:** None

**ENCLOSED DOCUMENTS:**

- October 16, 2019 minutes
- Small Purchase Local Comparisons
- Procurement Contract

**STAFF:**

Jasmine E. Gore, Mayor

**FOR IN MEETING USE ONLY**

**MOTION:** \_\_\_\_\_

**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Jasmine Gore, Ward #4			

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**Roll Call**

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**SUMMARY:**

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor John B. Partin, Ward #3
- Mayor Jasmine Gore, Ward #4

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Vice Mayor Patience Bennett, Ward #7

**DRAFT**  
**October 16, 2019**  
**Special Meeting**

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**SPECIAL MEETING WORK SESSION**

**WS-1 Review and approval of financial policies, resolutions, etc. Contract**

**Motion:** Councilor Partin moved to have the City Manager and the City Attorney work together to create a policy that reflects Hopewell’s needs, and to bring back a copy for action at the November 12 meeting (All three policies). Councilor Denton seconded the motion. Discussion ensued.

**Substitute Motion:** Councilor Randolph made a motion to make an amended motion. Upon the roll call, the vote resulted:

Mayor Gore	-	No
Councilor Denton	-	yes
Councilor Pelham	-	No
Vice Mayor Bennett	-	No
Councilor Randolph	-	yes
Councilor Holloway	-	No
Councilor Partin	-	yes

**Motion failed 4-3**

Council then voted on the original motion: to have the City Manager and the City Attorney to work together to create a policy that reflects Hopewell’s needs and to bring back a copy for action at our November meeting. (All three policies) Councilor Denton seconded the motion. Upon the roll call, the vote resulted:

Mayor Gore	-	No
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	No
Councilor Randolph	-	yes
Councilor Holloway	-	No
Councilor Partin	-	yes

**Motion passed 4-3**

<p><b>VIRGINIA BEACH – CITY</b></p>	
<p>Sec. 2-224.4. - Same— Contracts for provision of goods and services.</p>	<p><a href="https://library.municode.com/va/virginia_beach/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTVIFI_DIV2.5PR_S2-224.4SAONPRGOSE">https://library.municode.com/va/virginia_beach/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTVIFI_DIV2.5PR_S2-224.4SAONPRGOSE</a></p>
<p>Solicitations for goods and services contracts of more than fifty thousand dollars <b>(\$50,000.00)</b> shall include at least three (3) SWAM-certified small businesses, including minority-owned businesses, service disabled veteran-owned businesses or woman-owned businesses that are included on the list maintained pursuant to <a href="#">section 2-224.1</a> and are in the business of supplying goods or services of the kind to be procured, unless the list of available SWAM-certified vendors contains less than three (3) such businesses. In addition, the purchasing agent shall forward such solicitations, upon request, to any minority organization or other interested party.</p>	
<p><b>Norfolk City</b></p>	
<p>Sec. 33.1-39. - Small purchases.</p>	<p><a href="https://library.municode.com/va/norfolk/codes/code_of_ordinances?nodeId=COCI_CH33.1PR_ARTIVSOSECOFO_S33.1-39SMPU">https://library.municode.com/va/norfolk/codes/code_of_ordinances?nodeId=COCI_CH33.1PR_ARTIVSOSECOFO_S33.1-39SMPU</a></p>
<p>Any procurement for goods and services other than professional services not exceeding one hundred thousand dollars (\$100,000.00) and any procurement for professional services not exceeding sixty thousand dollars <b>(\$60,000.00)</b> may be made in accordance with small purchase procedures which shall be specified in the rules and regulations promulgated to implement this provision; provided, however, that contract requirements shall not be artificially divided so as to constitute a small purchase under this provision; provided also that any procurement of goods or services under five thousand dollars <b>(\$5,000.00)</b> may be made directly under the decentralized purchasing system. To the extent practicable, no less than three (3) businesses shall be solicited. Names of businesses solicited for procurement under this section shall be recorded with dates and amounts and such entries shall be maintained as public records. For the purchase of goods in an amount not exceeding one hundred thousand dollars (\$100,000.00) or the procurement of services in an amount not exceeding twenty-five thousand dollars <b>(\$25,000.00)</b>, the purchasing agent may issue a purchase order using a form prepared by the city attorney, without following the requirements set forth in section 2-7 of the City Code.</p>	
<p><b>City of Chesapeake</b></p>	
<p>Sec. 54-5. - Purchase orders totaling \$5,000.00 or more.</p>	<p><a href="https://library.municode.com/va/chesapeake/codes/code_of_ordinances?nodeId=PTIICOOR_CH54PUPR_ARTIIIMEPRAD_S54-61ENPRME">https://library.municode.com/va/chesapeake/codes/code_of_ordinances?nodeId=PTIICOOR_CH54PUPR_ARTIIIMEPRAD_S54-61ENPRME</a></p>
<p>(a)Approval of purchase orders totaling <b>\$5,000.00</b> or more. The procurement administrator or designee shall approve a purchase order totaling \$5,000.00 or more if it is properly charged to the correct appropriation account, and if there exists an unencumbered appropriation sufficient to pay for all such materials, supplies, equipment, and other things. After approval of the purchase order within the city's accounting system, the procurement administrator's or designee's signature shall be applied, and the purchase order shall be dispatched to the vendor.</p>	
<p>(b)Disapproval of purchase orders totaling <b>\$5,000.00</b> or more. If the procurement administrator or designee is of the opinion that a purchase order submitted for approval is not correct or is incomplete in any respect, the procurement administrator or designee shall return the purchase order to the department or agency head with a written memorandum stating the reasons for refusal to approve it.</p>	
<p>Sec. 54-35. - Approval of procurement administrator and department head required.</p>	<p>It shall be unlawful for any officer, employee or agent of the city to purchase any supplies, services or equipment or to incur any obligation on the part of the city without first having obtained the approval of the procurement administrator or designee and the head of the department or agency for which the supplies, services or equipment are to be used, except that the city manager may delegate authority for the purchase of supplies, services or equipment totaling <b>\$4,999.99</b> or less to department directors or agency heads under such terms and conditions as the city manager may deem appropriate.</p>
<p>Procurements under \$100,000.00 in value.</p>	<p>Procurements under \$100,000.00 in value. The specific terms and requirements of this chapter shall not be applicable to the following contracts, provided, however, that the procurement administrator, or designee, under the direction of the city manager or designee shall promulgate policies and procedures for contracts of this size which shall provide for competition wherever practicable. Such policies and procedures shall be approved as to form by the city attorney or designee prior to implementation:(1)Goods or services other than</p>

	<p>professional services and non-transportation-related construction, if the aggregate or sum of all phases is not expected to exceed \$100,000.00; and(2)Transportation-related construction, if the aggregate or sum of all phases is not to exceed \$25,000.00; and(3)Single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed \$80,000.00.(4)If small purchase procedures are adopted for construction, the procedures shall not waive compliance with the Uniform State Building Code.(5)All purchases under this subsection that are expected to exceed \$30,000.00 shall require the (a) written informal solicitation of a minimum of four bidders or offerors, and (b) posting of a public notice on the city's website, and may additionally be posted on electronic procurement websites, and any other appropriate websites as may be determined at the discretion of the procurement administrator of designee.</p>
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Newport News

Nothing Online?

Alexandria

Sec. 3-3-69 - Contracting for professional services by competitive negotiation.

[https://library.municode.com/va/alexandria/codes/code\\_of\\_ordinances?nodeId=PTIITHCOGEOR\\_TIT3FITAPR\\_CH3PUCOSE\\_ARTDCOFOMESOSE\\_DIV2CONE\\_S3-3-69COPRSECONE](https://library.municode.com/va/alexandria/codes/code_of_ordinances?nodeId=PTIITHCOGEOR_TIT3FITAPR_CH3PUCOSE_ARTDCOFOMESOSE_DIV2CONE_S3-3-69COPRSECONE)

Professional services shall be procured by competitive negotiation. The purchasing agent may establish purchase procedures, if adopted in writing, not requiring competitive negotiation for single or term contracts for professional services if the aggregate or the sum of all phases is not expected to exceed \$50,000; however, such small purchase procedures shall provide for competition wherever practicable.

The purchasing agent shall engage in individual discussions with two or more offerors deemed fully qualified, responsible and suitable on the basis of initial responses and with emphasis on professional competence to provide the required services. Repetitive informal interviews shall be permissible. Such offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project and to explore alternative concepts of performance of the contract. In addition, offerors informed of any ranking criteria that will be used by the purchasing agent in addition to the review of professional competence of the offeror. The request for proposals shall not seek estimates of person hours or costs for services However, these discussions may encompass nonbinding estimates of total project costs, including, but not limited to, where appropriate design, construction, life cycle costs and nonbinding estimates of price for services. Proprietary information from competitive offerors shall not be disclosed to the public or to competitors. At the conclusion of the discussions and on the basis of evaluation factors published in the request for proposals and all information developed in the selection process to this point, the purchasing agent shall select in the order of preference two or more offerors whose professional qualifications and proposed services are deemed most meritorious. Negotiations shall then be conducted, beginning with the offeror ranked first. If a contract satisfactory and advantageous to the city can be negotiated at a price considered fair and reasonable, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations shall be conducted with the offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price. Notwithstanding the foregoing, if the terms and conditions for multiple awards are included in the request for proposal, the city may award contracts to more than one offeror. If, at the conclusion of the discussions, the purchasing agent determines in writing and in his sole discretion that only one offeror is fully qualified or that one offeror is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that offeror. Once formally terminated, negotiations may not be reopened with any offeror.

(c)With respect to the procurement of legal services , the duties and responsibilities imposed upon the purchasing agent in subsection (b) above shall devolve upon the city attorney.

(d)A contract for architectural or professional engineering services relating to multiple construction projects may be awarded to a purchasing agent, provided (i) the projects require similar experience and expertise, (ii) the nature of the projects is clearly identified in the request for proposal, and (iii) the contract is limited to a term of one year or when the cumulative total project fees reach the maximum cost authorized in this subsection, whichever occurs first.

(1)Such contracts may be renewable for four additional one-year terms at the option of the purchasing agent. The fair and reasonable prices as negotiated shall be used in determining the cost of each project performed.

(2)The sum of all projects performed in a one-year contract term shall not exceed \$6 million.

(3)Competitive negotiations for such contracts may result in awards to more than one offeror provided (i) the request for proposal so states and (ii) the purchasing agent has established procedures for distributing multiple projects among the selected contractors during the contract term.

(4)The fee for any single project shall not exceed \$2.5 million.

(5)Any unused amounts from one contract term shall not be carried forward to any additional term.

(e)Multiphase professional services contracts satisfactory and advantageous to the completion of large, phased, or long-term projects may be negotiated and awarded based on a fair and reasonable price for the first phase only, when completion of the earlier phases is necessary to provide information critical to the negotiation of a fair and reasonable price for succeeding phases. Prior to the entering into of any such contract, the purchasing agent shall state the anticipated intended total scope of the project and determine in writing that the nature of the work is such that the best interests of the city require awarding the contract.

**Hampton**

Sec. 2-325. - Verification of funds; purchase orders. [https://library.municode.com/va/hampton/codes/code\\_of\\_ordinances?nodeId=CO\\_CH2AD\\_ARTXIVPROF\\_DIV1GE\\_S2-325VEFUPUOR](https://library.municode.com/va/hampton/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTXIVPROF_DIV1GE_S2-325VEFUPUOR)

The provisions of this section apply to all public procurements regardless of dollar amount. The fact that procurements below one thousand five hundred dollars (\$1,500.00) are exempt from competitive bids has no relation to this section nor does it create any exception.

Sec. 2-326. - Competitive bidding requirements. [https://library.municode.com/va/hampton/codes/code\\_of\\_ordinances?nodeId=CO\\_CH2AD\\_ARTXIVPROF\\_DIV1GE\\_S2-326COBIRE](https://library.municode.com/va/hampton/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTXIVPROF_DIV1GE_S2-326COBIRE)



Except in specific situations as defined in this article, all purchase orders or contracts for public procurement shall be issued only after prices have been obtained in accordance with the applicable processes set forth in this section as follows:

(1) Advertisements for competitive sealed bidding or competitive sealed proposals shall not be required for procurements below thirty thousand dollars (\$30,000.00). Instead, the following competitive procurement procedures shall apply:

a. For procurements not exceeding five thousand dollars (\$5,000.00) city departments shall solicit at least two (2) price quotes and at least one (1) quote shall be solicited from a minority-owned or woman-owned business enterprise, whenever feasible. Quotes may be obtained either orally or in writing.

b. For procurements between five thousand one dollars (\$5,001.00) and nine-thousand nine hundred ninety-nine dollars and ninety-nine cents (\$9,999.99) city departments shall solicit at least three (3) price quotes to include any price available pursuant to state or local government cooperative procurement, and where feasible, a quote from a local vendor and from a certified minority-owned or woman-owned business enterprise. Quotes may be obtained either orally or in writing.

c. For procurements between ten thousand dollars (\$10,000.00) and twenty-nine thousand nine hundred ninety-nine dollars and ninety-nine cents (\$29,999.99) the procurement office shall solicit at least four (4) written price quotes and at least two (2) of those quotes shall be solicited from certified minority-owned or woman-owned business enterprises.

(2) Formal, sealed bids or proposals shall be required for all procurements of thirty thousand dollars (\$30,000.00) and over and shall be administered by the procurement office of the department of finance. Advertisements for such bids or proposals shall be placed at least ten (10) days prior to the bid or proposal opening date in a newspaper having a general circulation in the city and shall state the place where vendors may examine any plans or specifications and receive bid or proposal forms, and the time and place where bids or proposals will be received and opened. The chief procurement officer or his designated representative is directed, in addition to the above-mentioned advertisement, to solicit bids or proposals from prospective vendors, including at least four (4) certified minority-owned or women-owned enterprises, by forwarding written notice to such prospective vendors.

All bids or proposals provided for in this subsection (2) shall be submitted sealed to the chief procurement officer or his designated representative at the place designated in the advertisement prior to the stated time for the opening. All such bids or proposals received shall be opened in public at the time and place stated in the advertisement.

(3) In solicitations for procurements of one hundred thousand dollars (\$100,000.00) and above, the chief procurement officer shall set individualized goals for participation of certified minority-owned business enterprises and women-owned business enterprises in accordance with the city's minority business program plan as approved and amended by city council from time to time upon the recommendation of the city manager.

(4) Where multiple quotes are obtained pursuant to any process set forth in this subsection, city departments and/or the procurement office, as applicable, shall award to the lowest "responsible" vendor as that term is defined by the Virginia Public Procurement Act, Virginia Code § 2.2-4300 et seq., as amended. The failure of any person or firm to receive notice of solicitation by letter or telephone shall not affect the validity of any procurement under this subsection. A written record of all the solicitations and the quotes or proposals received shall be made a part of the purchasing records, including documentation of all efforts required by this subsection to solicit quotes from minority- and women-owned businesses. The chief procurement officer shall issue policies setting forth the content and form of documentation necessary to satisfy the requirements of this subsection.

Portsmouth	
Sec. 12-220. - Same—Small purchases.	<a href="https://library.municode.com/va/portsmouth/codes/code_of_ordinances?nodeId=PTIICO_CH12FI_ARTVPUPR_DIV1GE_S12-185UNPU">https://library.municode.com/va/portsmouth/codes/code_of_ordinances?nodeId=PTIICO_CH12FI_ARTVPUPR_DIV1GE_S12-185UNPU</a>

(a) A contract may be made in accordance with small purchase procedures developed by the purchasing administrator if the aggregate or sum of all phases or terms is not expected to exceed \$100,000.00 in the case of goods and services (other than professional services) or non-transportation construction; \$25,000.00 in the case of

transportation-related construction; or \$60,000.00 in the case of a single or term contract for professional services; provided, however, that contract requireme not be artificially divided so as to constitute a small purchase under this section. Purchases under this section that are expected to exceed \$30,000.00 shall require the written informal solicitation of a minimum of four bidders or offerors. Awards shall be made to the business offering the lowest acceptable quotation. The name of the business submitting the quotation and the date and the amount of such quotation shall be recorded and maintained as a part of the contract file.(b)A single quotation or term contract may be accepted from any one source in contracts which do not exceed \$5,000.00.

Lynchburg city

Subject to such small purchase procedures as are established in the procurement manual adopted by the city manager pursuant to section 18.1-12, the city manager, or those to whom he delegates authority, may enter into single or term contracts for goods and services other than professional services if the aggregate or sum of all phases is not expected to exceed \$50,000.00. Such small purchase procedures shall provide for reasonable competition when practicable, including, without limitation, when such small purchases are for over \$10,000.00, use of three quotes when reasonably practicable.

Harrisonburg

(c) Employment Discrimination by Contractor Prohibited <https://www.harrisonburgva.gov/sites/default/files/Purchasing/files/Procurement%20Manual%20City%20of%20Harrisonburg%202-9-12.pdf>

Every contract of over \$10,000 shall include the provisions in one (1) and two (2) below:  
(1) During the performance of this contract, the contractor agrees as follows:  
(a) The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.  
(b) The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.  
(c) Notices, advertisement and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.  
(2) The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

4-3-44 Small Purchases <https://www.harrisonburgva.gov/sites/default/files/Purchasing/files/Procurement%20Manual%20City%20of%20Harrisonburg%202-9-12.pdf>

4-3-44 Small Purchases The purchasing agent may, in his discretion, make any contracts for purchases of less than Thirty Thousand Dollars (\$30,000) without obtaining bids or quotations; provided, that such purchases are made on the basis of one of the following requirements: (a) That the cost of the items purchased be the lowest of the supplier's current price lists in the office of the purchasing agent. The purchasing agent shall attempt to obtain at least two current price lists from suppliers prior to making purchases under this provision. A price list obtained within twelve months of the purchase shall be considered current. (b) That it is known by the purchasing agent that all competitors have substantially the same price for the items to be purchased. 21 (c) That the purchase of less than \$30,000 is a reorder of commodities purchased on a previous bid or part thereof obtained within twelve months prior to the proposed purchase. (d) That the contract or purchase is of nominal value as that term is defined herein. (e) That if a contract is to be awarded for professional services to a contractor who has performed professional services for the City prior to July 1, 1994 and in the discretion of the purchasing agent the best interest of the City will be served by the prior professional experience and expertise of such a contractor, a contract may be awarded for professional services to such a contractor without competitive negotiation or obtaining bids or quotations. (f) That in the opinion of the purchasing agent it is not practicable to obtain bids regarding the contracts or purchases. (g) Minority vendors/contractors as so registered with the State of Virginia. All other purchases shall be made in accordance with the provisions of this policy

<b>Charlottesville</b>	
Sec. 22-4. - Methods of procurement authorized.	<a href="https://library.municode.com/va/charlottesville/codes/code_of_ordinances?nodeId=CO_CH22CIPRGOSENVESO_ARTIINGE_S22-4MEPRAU">https://library.municode.com/va/charlottesville/codes/code_of_ordinances?nodeId=CO_CH22CIPRGOSENVESO_ARTIINGE_S22-4MEPRAU</a>

(f) The purchasing manager may establish written procedures, approved by the city manager, for single- or term-contracts for goods, services and professional services, if the aggregate or the sum of all amounts to be paid to the contractor during performance is not expected to exceed fifty thousand dollars (\$50,000.00) ("small purchase procedures"). Such small purchase procedures shall provide for competition wherever practicable.

(g) Upon a determination made in advance by the purchasing manager and set forth in writing that the purchase of goods, products or commodities from a public auction sale is in the best interests of the public, such items may be purchased at the auction, including online public auctions. The writing shall document the basis for this determination. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates, shall not be made by online public auctions.

<b>Danville</b>	
Sec. 30-35. - Same—Small purchases.	<a href="https://library.municode.com/va/danville/codes/code_of_ordinances?nodeId=PTIICO_CH30PRCO_ARTIICOPR_DIV1GE_S30-35SAMAPU">https://library.municode.com/va/danville/codes/code_of_ordinances?nodeId=PTIICO_CH30PRCO_ARTIICOPR_DIV1GE_S30-35SAMAPU</a>

(a) The purchase of goods, contractual services (excluding professional services), insurance and capital improvements estimated to be less than fifty thousand dollars (\$50,000.00) in value shall not be subject to the competitive bidding requirements of this article. Purchases under this subsection that are expected to exceed thirty thousand dollars (\$30,000.00) shall require the written informal solicitation of a minimum of four (4) bidders or offerors.

(b) For purchases of less than thirty thousand dollars (\$30,000.00), the City will endeavor to purchase such items on as competitive a basis as practical and the City Manager is authorized to establish the administrative controls considered necessary to govern such purchases. Written quotations from vendors shall be obtained where practical, although verbal quotations will be permitted, provided a written record of all such verbal quotations is made and filed with the records of the transaction.

(c) Professional services not expected to exceed thirty thousand dollars (\$30,000.00) in value shall not be subject to the competitive negotiation requirements of this article.

<b>Blacksburg</b>	
Section 16-200. - Methods of procurement.	<a href="https://library.municode.com/va/blacksburg/codes/code_of_ordinances?nodeId=CO_CH16PU_ARTIICOFO_S16-200MEPR">https://library.municode.com/va/blacksburg/codes/code_of_ordinances?nodeId=CO_CH16PU_ARTIICOFO_S16-200MEPR</a>

Any contracts with non-governmental contractors for the purchase or lease of goods, or for the purchase of services, insurance or construction shall be awarded after competitive sealed bidding or competitive negotiation, unless otherwise authorized by law.

(b)The purchasing agent may establish written small purchase procedures not requiring competitive sealed bids or competitive negotiation for single or term contracts for goods or services other than professional services if the aggregate of all phases is not expected to exceed \$50,000.00; however, the small purchase procedures shall provide for competition wherever practicable. Purchases that are expected to exceed \$30,000.00 shall require the written informal solicitation of a minimum of four bidders.

<b>Winchester</b>	
Sec. 21-25. - Methods of procurement.	<a href="https://library.municode.com/va/winchester/codes/code_of_ordinances?nodeId=CD_CH21PU_ARTIVMEPRON_DIV1MEPR_S21-25MEPR">https://library.municode.com/va/winchester/codes/code_of_ordinances?nodeId=CD_CH21PU_ARTIVMEPRON_DIV1MEPR_S21-25MEPR</a>

Field Purchase Order	\$1—\$4,999	No quotes needed	Department
Field Purchase Order	\$5,000—\$15,000	3 verbal quotes	Department

Purchase Order Professional Services	\$15,000.01—\$60,000	3 written quotes	Department
Purchase Order Goods & Non-Profess. Svcs.	\$15,000.01—\$100,000	3 written quotes	Department
Sealed Bid Process Goods & Non-Profess. Svcs.	\$100,000.01	Competitive Sealed Bid or Competitive Negotiation	Submit Specs to Purchasing

**Salem**

Sec. 8.1. - Public works or improvements; contracts for more than five thousand dollars. [https://library.municode.com/va/salem/codes/code\\_of\\_ordinances?nodeId=PTICH\\_CH8FIPR\\_S8.1PUWOIMCOMOFITHDO](https://library.municode.com/va/salem/codes/code_of_ordinances?nodeId=PTICH_CH8FIPR_S8.1PUWOIMCOMOFITHDO)

Any public work or improvement costing more than five thousand dollars shall be executed by contract, except where a specific work of [or] improvement is authorized by the city council and directed to be done by force account. Such work shall be based on detailed estimates submitted by the department authorized to execute such work or improvement, and approved by the city manager. All contracts for more than five thousand dollars shall be awarded to the lowest responsible bidder in such manner and under such bond as may be prescribed by ordinance and after the city manager shall have made due advertisement for such time as the city council may prescribe, by newspapers or posted notices. But the city manager shall have the power to reject any or all of the bids and advertise again, and all advertisements shall contain a reservation of this right.

Sec. 2-1. - Purchases in emergency cases; purchases exceeding \$500.00. [https://library.municode.com/va/salem/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2AD\\_ARTIINGE\\_S2-1PUEMCAPUEX500.00](https://library.municode.com/va/salem/codes/code_of_ordinances?nodeId=PTIICO_CH2AD_ARTIINGE_S2-1PUEMCAPUEX500.00)

In an emergency requiring immediate action, the city manager may proceed to do the work by procuring the required labor and materials without the necessity of advertising. The purchasing agent may, in emergency cases, make purchases in any department of the city government not to exceed **\$500.00** without specific permission from the council. For any purchases in excess of this amount, an order of the council shall be required.

**Fredericksburg**

2-387 Small Purchases. <https://ecode360.com/28963518?highlight=purchase,small%20purchases&searchId=8515525835695858>

The City Manager may enter into contracts for the purchase of goods and nonprofessional services, insurance, and construction without following the requirements of this article for competitive sealed bids or competitive negotiation on single or term contracts where the aggregate or the sum of all phases is not expected to exceed \$100,000. The City Manager may enter into contracts for the purchase of professional services without following the requirements of this article for competitive sealed bids or competitive negotiation on single or term contracts where the aggregate or the sum of all phases is not expected to exceed **\$60,000**.

B. The City Manager shall, wherever practicable, seek competitive prices on small purchases pursuant to this section. For the purchase of goods in excess of **\$5,000**, the City Manager shall secure at least three estimates or proposals from different vendors. Written quotations from vendors shall be obtained, where practicable, although verbal quotations will be permitted, provided the City Manager cause a written record of all such verbal quotations to be made and filed with the records of the transaction.

**Fairfax**

Sec. 2-335. - Small purchases. [https://library.municode.com/va/fairfax/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2AD\\_ARTVIFI\\_DIV3PRPR\\_S2-335SMPU](https://library.municode.com/va/fairfax/codes/code_of_ordinances?nodeId=PTIICO_CH2AD_ARTVIFI_DIV3PRPR_S2-335SMPU)

Any single or term contract not expected to exceed **\$60,000.00** in the aggregate may be made for goods and services other than professional services without competitive sealed bidding or competitive negotiation, in accordance with small purchase procedures administered by the director of finance. Notwithstanding the foregoing, contract

requirements shall not be artificially divided so as to constitute a small purchase under this section. Insofar as is practical, competition is to be encouraged even for small purchases made under this section, and where possible, no fewer than three businesses or individuals shall be solicited to submit quotations. These solicitation requirements do not apply for purchases under \$5,000.00.

**Waynesboro city**

Sec. 56-4. - Small purchases. [https://library.municode.com/va/waynesboro/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH56PR\\_S56-4SMPU](https://library.municode.com/va/waynesboro/codes/code_of_ordinances?nodeId=PTIICO_CH56PR_S56-4SMPU)

(a)The city may award single or term contracts for:(1)Professional services less than or equal to \$60,000.00;(2)Non-professional services less than or equal to \$100,000.00; and(3)Goods and non-transportation-related construction less than or equal to \$100,000.00 without competitive procurement by utilizing the following procedure: a identify at least three potential suppliers for the items being purchased.  
(b)Obtain pricing. Verbal proposals are acceptable, as are advertisements and world-wide-web pages, so long as they are current. Award the contract to the supplier offering the lowest price, in the absence of an articulated reason to award it to someone else.

**Bristol**

Sec. 2-3. - Purchases generally. [https://library.municode.com/va/bristol/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2AD\\_ARTIINGE\\_S2-3PUGE](https://library.municode.com/va/bristol/codes/code_of_ordinances?nodeId=PTIICO_CH2AD_ARTIINGE_S2-3PUGE)

Sec. 2-3. - Purchases generally.  
SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTION  
The following regulations, pursuant to the Virginia Public Procurement Act (VPPA), are adopted and shall hereinafter be referred to as the small purchases procedure:  
(1) Purchases made by the City of Bristol, Virginia, shall be in accordance with the Virginia Public Procurement Act.  
(2) Purchases that do not exceed \$5,000.00 are exempt from the competitive practices and procedures specified in this section. However, it is requested that city departments obtain the best pricing possible.  
(3) The procurement of goods or services that are expected to cost between \$5,000.01 and \$25,000.00 shall require a minimum of three written quotations.  
(4) The procurement of goods or services that are expected to cost between \$25,000.01 and \$100,000.00 shall require a minimum of four written quotations.  
(5) The procurement of goods or services that cost over \$100,000.00 shall require the solicitation of competitive sealed bids or proposals.  
(6) Professional services that are expected to exceed \$60,000.00 shall require the solicitation of competitive sealed proposals.  
(7) The city manager, in the case of an emergency that does not allow sufficient time to engage in normal procurement procedures, may authorize a contract or the purchase of goods or services on an emergency basis if it is determined to be in the city's best interest to do so.  
(8) In all cases, the names of each person or business submitting quotations, the date and amount of each quotation shall be recorded and maintained as a public record. In instances where the minimum number of quotations required are not obtained or are not available, the reasons why shall be recorded and maintained as a public record. Specifications or request for proposals that are prepared for any solicitation for goods or services shall also be maintained as a public record.  
(9) The use of separate purchase orders to avoid the above mentioned thresholds are prohibited. The above mentioned thresholds will relate to the aggregate purchase price for a specific purchase.

**Colonial Heights**

63-30 Small Purchases. <https://ecode360.com/9338754?highlight=purchase,purchased,purchasing,small%20purchase,small%20purchases&searchId=8516506461726001#9338754>

Single or term contracts not expected to exceed \$50,000 may be awarded without competitive sealed bids or competitive negotiation but shall be awarded on the basis of such competition as the Purchasing Agent, in his discretion, finds practicable. Such awards shall be based, except when the Purchasing Agent shall determine in writing that it is impracticable to do so, on three or more competitive bids, which may be informal but of which there shall be a written record.  
B. In making determinations as to practicability, the Purchasing Agent shall consider whether or not:  
(1) The cost of the items purchased is the lowest from the supplier current price lists in the Purchasing Office.  
(2) All competitors have the same price for the items to be purchased.

(3) The purchase is a reorder of commodities purchased on a previous bid or part thereof obtained within six months prior to the proposed purchase.

(4) Only two competitive bids are reasonably available. In making said determinations, the Purchasing Agent shall also consider the cost of the purchasing process relative to the cost of items being purchased and shall not be limited necessarily to consideration of factors specifically stated herein.

C. No contract amount shall be artificially divided so as to constitute a small purchase under this section.

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**PROCUREMENT POLICY AND PROCEDURES**

**PURPOSE**

In recognition of the City of Hopewell’s need to make purchases and enter into small contracts in order to ensure operational efficiency and to deliver timely and critical services, the Hopewell City Council hereby adopts the following small purchase policy and procedures for the City, pursuant to the authority vested in it by Va. Code Ann. §2.2-4303(G). It is the dual purpose of this policy to promote, support, and encourage investment in the local economy when purchasing or contracting for goods and non-professional services pursuant to this policy whenever such can be achieved and there is an objectively rational basis to do so.

This policy shall operate to delegate the City’s power to contract without formal competition and without first seeking approval by City Council under specific terms and conditions. Any contract not expressly approved by City Council or otherwise falling within these expressed conditions shall be deemed void and unenforceable.

This small purchase policy should be read in conjunction with the Virginia Public Procurement Act Va. Code Ann. §2.2-4300, *et seq*, as amended, (“the Act”) and shall apply to all public purchasing regardless of source.

Pursuant to Va. Code Ann. §15.2-1100, *et seq.*, and Art. IV, §2 of the Hopewell City Charter, the City Council reserves to itself all authority to bind the City by contract, except as expressly provided herein. The provisions of the Act shall govern all other procurement by the City.

**DEFINITIONS**

*Contract* means all types of agreements (e.g., purchase, purchase order, contract, change order), regardless of what they may be called for the procurement of goods, services, insurance, or construction.

*Emergency* shall exist when a breakdown in essential service occurs or under any circumstances when supplies are needed for immediate use in work which may affect the safety, health or welfare of the public. Within 30 days of emergency, the City Manager or designee shall submit to City Council a written report detailing the nature of the emergency as well as full fiscal and budgetary impact of the emergency including, if necessary, the potential for a supplemental budget appropriation necessitated by the emergency.

**VALIDITY OF CONTRACTS**

No public contract exceeding the value of \$\_\_\_\_\_ shall be valid and enforceable against the City unless it is signed and approved as to form by the city attorney or designee, as well as signed and approved as to substance (terms of the deal) by the city manager or designee. In consultation with the city manager or designee, the city attorney may develop standard terms and conditions, forms, or other checklists for use with or in administration of public contracts.

**UNAUTHORIZED CONTRACTS**

Contracts may not be artificially divided so as to constitute a small purchase.



**GENERAL PROVISIONS**

Employees are responsible for soliciting quotes for purchases as outlined below. Purchase orders submitted without the required quotes or a satisfactory explanation as to why quotes were not obtained (i.e., sole source, emergency, approved vendor) shall not be approved.

Up to \$ One verbal quote is required.

\$ Three verbal quotes must be obtained. The quote summary must be attached to the invoice. Physical records regarding the dates, contacts, and quotes received shall be retained in the department’s file for auditing purposes.

\$ Three written quotes are required. The actual written quotes shall be retained in the department’s file for auditing purposes Physical records regarding the dates, contacts, and quotes received shall be retained in the department’s file for auditing purposes.

\$ Three written quotes are required. Hard copies shall be attached to the purchase order.

\$ Must be competitively bid in accordance with the Act. City Council approval is required for all purchases in this category, except as provided for an emergency.

Items purchased more than once during a fiscal year (e.g. office supplies) do not need quotes every time a purchase is made. However, unless such purchases are made from an approved vendor list, competitive quotes for repeated purchases shall be sought at least once each year to ensure the vendors are competitive. Inasmuch as possible or feasible, employees should obtain goods and

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services through cooperative procurement with other local governments or units or by utilizing the Commonwealth of Virginia e-Marketplace.

**SOLE SOURCE PROCUREMENT**

Contracts for parts, supplies, or equipment that are available only from a single source shall be referred to as sole source purchases. Sole source purchase shall not be used for any type of service contracts. Sole source procurement may arise from the following instances:

1. Equipment for which there is no comparable competitive product or is available only from one supplier;
2. A part for which there is not commercially available substitute, and which can be obtained only from the manufacturer;
3. An item where ‘compatibility’ is the overriding consideration, e.g., computer software or hardware.

Purchases satisfying one or more of these requirements shall not be subject to competitive bidding; however, purchases exceeding \$\_\_\_\_\_ shall still be presented to City Council for approval. For all purchases submitted to City Council as a sole source procurement shall be accompanied by a written request to waive bids which shall also set forth the reason(s) for the request.

**EMERGENCY PURCHASES**

Emergency shall be defined as set forth herein. Whenever, in the judgment of the City Manager, an emergency situation requires the make of any purchase in excess of \_\_\_\_\_ but less than \$\_\_\_\_\_ prior to the next regular meeting of the City Council, the City Manager may make such purchase without waiting for the formal approval of the specific purchase by City

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Council but shall make a report thereof to the City Council at the next regular meeting of the City Council. If the emergency purchase is over \$\_\_\_\_\_, approval of the City Council is required and request therefor shall be accompanied by a written request to approve the emergency purchase which shall also set forth the reason(s) for the request.

**CHANGE ORDERS**

Subsequent to entering into a contract, change orders may become necessary. The City Manager shall have the authority to approve all change orders up to \$\_\_\_\_\_. Any change order, singularly *or in the aggregate*, that exceeds \$\_\_\_\_\_ must be approved by the City Council.

**RECONCILIATION REQUIRED**

Each department that utilizes this small purchase policy during any given month shall be required to reconcile all purchases executed during that month. To comply with this requirement, each department must designate the person/position who will be tasked with responsibility of reconciling the transactions of the department, and be responsible for investigating, resolving, and reporting out to the Finance Department (copy to City Manager) discrepancies, should such occur. The person/position designated for reconciling the transaction shall *not* under any circumstances be the person/position who initiated or authorized the underlying purchase. This requirement shall not be waived.

For purchases over \$\_\_\_\_\_, reconciliation shall require that the expense of the purchase match up and is verified by all documentation required by this policy. Reconciliation should be completed monthly. Reconciliation reports required for any month shall be due to the Finance Department (copy to City Manager) by no later than the 15<sup>th</sup> day of the following month. Department reconciliation reports shall be retained by Finance Department in accordance with

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general accounting principles and with all applicable provisions of state and federal law. Under no circumstances shall a department reconciliation report be destroyed prior to the completion of the comprehensive annual financial audit the fiscal year that covers the month for which the reconciliation report was generated.

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