

AGENDA



CITY OF HOPEWELL
Hopewell, Virginia 23860

AGENDA

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CITY COUNCIL

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

John M. Altman, Jr., City Manager
Cynthia E. Hudson, Acting City Attorney
Mollie P. Bess, City Clerk

January 25, 2022

REGULAR MEETING

Closed Meeting - 6:00 p.m
Work Session
Regular Meeting – 7:30 p.m.

OPEN MEETING

6:00 p.m. Call to order, roll call, and welcome to visitors

SUGGESTED MOTION: Move to go into closed meeting pursuant to Va. Code Section §2.2-3711 (A)(1) for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (School Board, City Attorney, City Clerk) and for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

CLOSED MEETING

RECONVENE OPEN MEETING

Roll Call

CERTIFICATION

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

WORK SESSION

WS-1 – Conditional Use Permit 214 South 16th Avenue

WS-2 – Conditional Use Permit 1404 Roanoke Avenue

WS-3 – Conditional Use Permit Maryland Avenue

WS-4 – Conditional Use Permit Sub-Parcel #024-0305

REGULAR MEETING

Call to order, roll call, and welcome to visitors

Prayer by Rev. Danny Tucker, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Denton.

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: October 12, 2022 City Council Minutes

C-2 Pending List:

C-3 Information for Council Review: HRHA Minutes-December 13, 2021; Planning Commission Work Session minutes-November 30, 2021; Keep Hopewell Beautiful minutes-December 9, 2021; Planning Commission Minutes-December 2, 2021; Downtown Design Review Committee Minutes-December 1, 2022

C-4 Personnel Change Report:

C-5 Public Hearing Announcements:

C-6 Routine Approval of Work Sessions: American Rescue Plan Act (ARPA) – 2/8/2022

C-7 Ordinances on Second & Final Reading:

C-8 Routine Grant Approval:

C-9 Resolutions, Proclamations:

SUGGESTED MOTION: To amend/adopt consent agenda

Roll Call

INFORMATION/PRESENTATIONS

2022 City Council Meeting Dates – Proposed date change on the November 8 (election day) meeting to November 15

Continuation of Government Ordinance – Modifying Public Hearing and Public Hearing Practices and Procedures

PUBLIC HEARING

UNFINISHED BUSINESS

COMMUNICATIONS FROM CITIZENS

CITY CLERK: *A Communications from Citizens period, limited in total time to 30 minutes, is part of the Order of Business at each regular Council meeting. All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to **three minutes**. No one is permitted to speak on any item scheduled for consideration on the regular agenda of the meeting. All remarks shall be addressed to the Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers, may be barred by the mayor from further audience before Council and removed, subject to appeal to a majority of Council. (See Rules 405 and 406.)*

Reports of Boards and Commissions:

REGULAR BUSINESS

Reports of City Manager:

R-1 – 2022 Legislative Agenda

R-2 – Virginia Healthy Start Initiative

R-3 – DEQ – Underground Storage Tank Financial Responsibility

R-4 – Financial Audit Services

Reports of City Attorney:

Reports of City Clerk:

Reports of City Council:

Committees

COUNCILORS REQUEST

CR-1 – Finance Policy (Gore)

MOTION:

Roll Call

CR-2 – City Energy and Conservation Program (Partin)

MOTION:

Roll Call

CR-3 – Research Establishment of Hopewell/Prince George Stormwater Comm. (Partin)

MOTION:

Roll Call

Presentations from Boards and Commissions

Other Council Communications

Adjournment

**CLOSED
MEETING**

CONSENT AGENDA

MINUTES

**October 12, 2021
Regular Meeting
DRAFT**

MINUTES OF THE CITY COUNCIL MEETING

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, October 12, 2021, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Patience Bennett, Mayor
 Johnny Partin, Vice Mayor
 Deborah Randolph, Councilor
 Arlene Holloway, Councilor
 Jasmine Gore, Councilor
 Janice B. Denton, Councilor
 Brenda S. Pelham, Councilor (arrived at 6:05 pm)

John M Altman, City Manager
Peter Eliades, Acting City Attorney
Mollie P. Bess, City Clerk

ROLL CALL

Mayor Bennett opened the meeting at 6:30 p.m. Roll call was taken as follows:

Mayor Bennett	-	present
Vice Mayor Partin	-	present
Councilor Randolph	-	present
Councilor Holloway	-	present
Councilor Gore	-	present
Councilor Denton	-	present
Councilor Pelham	-	absent (arrived at pm)

Moved to go into Closed Session by Vice Mayor Partin and seconded by Councilor Denton pursuant to Va. Code Section 2.2-3711 (A)(1) for discussion, consideration, or interviews (HRHA and School Board) of perspective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7 – Ayes
 0 – No

CLOSED SESSION

Motion to come out of closed by Vice Mayor Parton and seconded by Councilor Randolph

**October 12, 2021
Regular Meeting
DRAFT**

Roll Call:

Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Vice Mayor Partin	-	yes
Councilor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes

Motion Passes: 7– Ayes
0 – No

CERTIFICATION

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:

Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Vice Mayor Partin	-	yes
Councilor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes

Motion Passes: 7 – Ayes
0 – No

WORK SESSION

WS-1 – Residency Requirements for certain City Officials and Department Heads

Mayor Bennett turned work session over to City Manager Altman. This topic came up when Ms. Griffin requested a waiver of the provision at Council’s last regular meeting and Councilor Pelham made a motion to have a work session this evening to discuss the provision of the code. Councilor Pelham suggest that we entertain that we change the ordinance wherein anyone who lives outside the City still has to live within that 30 mile range, especially directors and above. She would like except for the Chief of Police, the assistant City Manager, Chief of Fire and Public Works, those employees should live within the City, because of emergency situations. City Manager Altman stated just following on those comments if Council were agreeable, we could bring back an amendment that deleted the second sentence in b, which is the sentence that says “if they relocate, they have to relocate within the City”, it would stop there where it says that have to live within 30 miles of the city limits during employment. So b, if we just eliminated the second sentence which requires department heads to relocate their permanent residence if they move. Reshape the first sentence to say, “The assistant city manager and department heads must reside within 30 miles of the city limits of the City of Hopewell during their employment and are exempt from the Residency Requirement. Councilor Randolph said that most of their constituents are against top

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city management at the salaries that they get paid for living anywhere but within the city. Will not be not be able to support this item. Councilor Denton stated that we are in the 21st century and years ago when this was adopted, we lived and played in Hopewell, but today we are very diversified. She is looking at the best person for the job, as a city we need to get ourselves in shape so that people want to come here and live. Personally feels like we need the best personnel we can get within a certain range, today we can get anywhere in a matter of moments, have all kinds of communications, we can stay communicated. Mayor Bennett has one question when she looks at section 2-4 c, city council may waive any provisional requirement of this ordinance, city council may grant such waiver by ordinance, resolution or motion. Is the waiver from Director Griffith in the packet tonight? City Manager stated that is not for consideration this evening, we wanted to have the work session to see where city council is on this. The intention was to have it on the next agenda depending upon what was decided this evening. Mayor Bennett will do more research on this and want to have consider that we take up at the next city council. Mayor Bennett stated that council consider that they take action and create an ordinance for a conflict of interest form. That's the Financial Disclosure form which is the form that council does have and would like council to consider and think about that. Vice Mayor Partin stated that if you are a director or leader that has meaningful influence in this community and the ability to bring about positive change, he feels that you should be resident in this city, because the decisions you make as a leader and as a department head or director, you should be bound by those same exact decisions that you end up making. He does not support. Mayor Bennett says we are limiting ourselves to competition. If we have a great candidate, but we take someone that lives in the city, we are limiting ourselves. Councilor Holloway stated that title or position does not interfere with the person doing their job. Supports person living outside of the city long as in 30 mile radius. Councilor Gore stated that we have heard three options tonight and tasked City Manager Altman with clarifying when this comes back on the agenda, give us multiple versions, because she heard three tonight, one within 30 miles, one with certain directors and one with all directors, would like to have all three. She would like to release a poll with that information. Mr. Altman stated that he heard the following: one option was to allow dept. head to live within 30 miles of the city if you move regardless, two was to add additional positions to A or somehow work it that fire chief, police chief and public works director to live within the city and three is the original version that we have now. Councilor Randolph stated that city council can waive any provision of this requirement/ordinance at any time, council can vote to change this on an individual basis if they so choose, not sure what we are here on this. Mayor Bennett stated was we were unclear on what we have in place, this provision is from December 2019 for add-on of number C. Prior the 3 councilor appointees and all dept. heads were required to live in the city. Will place as an R item for the Nov. 9, 2021 agenda. Seeking legal counsel if this needs to be a Public Hearing. We will put back on as a Public Hearing. Council Gore said it was not a requirement but that we requested due to the feedback. Will check on public hearing first and will update council with emails. If a public hearing is requested we need to figure out the language for that.

REGULAR MEETING

Mayor Bennett officially called the regular meeting to order.

Roll Call:	Mayor Bennett	-	Present
	Councilor Randolph	-	Present
	Councilor Holloway	-	Present
	Vice Mayor Partin	-	Present
	Councilor Gore	-	Present
	Councilor Denton	-	Present
	Councilor Pelham	-	Present

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Mayor Bennett welcomed everyone to the Regular Meeting. Councilor Pelham provided the prayer and the Pledge of Allegiance was led by Councilor Denton.

Motion made by Vice Mayor Partin and seconded by Councilor Denton to adopt the regular meeting agenda.

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7 Ayes
0 No

AMEND/ADOPT AGENDA

Motion made by Vice Mayor Partin and seconded by Councilor Randolph to adopt the agenda.

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7 Ayes
0 No

Motion made by Vice Mayor Partin and seconded by Councilor Randolph that we amend the consent agenda to remove applicants for the City Attorney Process from public view

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7 Ayes
0 No

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DRAFT**

POI by Councilor Gore, this is for the Mayor– wants clarity on the vote that Council took at the last meeting on Thursday. Last week council voted to put out an RFP to hire someone in the interim capacity and authorize the mayor to select someone who is neutral so that we can have someone in the seat and that motion passed. Is that under way right now? Mayor Bennett responded, Yes, halfway, Mr. Altman and the Mayor have had a discussion, will talk with Mr. Altman again tomorrow, Mr. Altman did get the RFP's and we will discuss tomorrow. As soon as the RFP draft that Mr. Altman sent to the Mayor has been reviewed, before she makes any decision it will come to council. Councilor Randolph asks do we know how long the RFP process will be? Mayor Bennett stated that she has just received the Va Code, they will go through and make sure they are utilizing the VPPA in the current manner and process and she will make sure council is kept up to speed. Councilor asked what are we doing in the interim? We need to discuss if Mr. Eliades would like to come back during the interim. Council will receive an email with any progression. Mr. Eliades stated that on the record if any member of council or the city manager has a question or needs him to look at needs him to look at the code, he will do it. He will handle whatever needs to be handled until we can get someone and he is not all that concerned about the compensation. The record reflects that per Mr. Eliades "someone stated that Mr. Eliades spoke eloquently about an issue" and for the record he stated that he a substitute judge and he cannot appear before Council and be political and that was a political speech by his brother Elliott, Council Denton corrected him and stated it was actually his Mr. Eliades dad, so let the record state that it was NOT Peter Eliades but his dad, Homer Eliades. Councilor Pelham stated that we consult with Mr. Peter Eliades on any issues within the next two weeks. Mayor Bennett asked Mr. Eliades if he would be available for the October 26 City Council Meeting and he stated that YES, he would. However, he is asking for compensation for the meeting.

A substitute motion on the floor by Councilor Pelham and seconded by Councilor Gore that we consult with Mr. Peter Eliades on any legal issues within the next two weeks and also the meeting on October 26 with the same compensation as the prior two meetings.

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7 Ayes
0 No

INFORMATION/PRESENTATIONS

Financial Report

Report given by Mr. Michael Terry, Financial Director for the City of Hopewell. Today we will cover the finance department progress report covering the period of July 1 through September 30. Topics to be covered will deal with the external reporting and other operating and support functions for the City, the development information and internal reporting. The three areas being talked about are the annual financial reporting progress, the auditor of public accounts reporting and the single audit. Now in the process of finalizing the 2018 Financial Audit Report. The single audit has been initiated with schools

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and they are working through that audit process. Under the Operational Report, he would like to focus on the state comp board, the city has done all of its submissions and are up to date from July through September, also have made progress with the Dept. of Criminal Justice. Over to budget development for FY22, as of the end of Sept. 30 the finance department has completed its review of the financial plan for FY21-22 and that document will be posted on the website at the end of the week and will also provide City Manager with hard copies for City Council. Over to internal reporting, reviewed activity for the period and as of September 30, there have been no cross fund transfers made by the City Manager. That concludes his report.

Councilor Gore asked Mr. Altman when are we going to hire an auditor to do the next year's audit. If we can get comments by council, we can get the RFP out by next week. Mayor Bennett made Council aware that the email was sent out by Mr. Altman prior, but he will resend the email and she asked that Council provide their comments for the RFP for the external auditor to Mr. Altman by Friday, October 15.

Councilor Gore asked City Manager Altman to please get with the IT Director to see if Council can get the Munis training. Does Council want to train individual or as a group? Preference is to do individual training, so each Councilor needs to reach out to IT department to schedule individual training and to copy City Manager Altman on their request to IT. Need follow-up on items that were discussed at prior meeting – those items will be discussed at the October 26 City Council meeting.

UNFINISHED BUSINESS

UB-1 – Time frame between boards and commissions

Motion made by Councilor Randolph to authorize the City Clerk to advertise any standard term expirations at least two weeks prior to the term expiration and hold all submitted TBR applications for a specific Board or Commission and for any unexpected resignations to be advertised at least three weeks to the general public and all of the submitted TBR's need to be held until that three week period is completed.

Council Gore state that we voted at a recent meeting to direct the City Clerk immediately advertise any vacancies that we have and to include the vacancies in the City Council agenda packet under the Clerk's section and for her to come back with a recommendation and give presentation at an upcoming meeting. Council Randolph stated that she was unclear why this was on the agenda again. Mayor Bennett stated that maybe we should create an Ordinance so that there is something in place for the future. Councilor Randolph is willing to remove her motion from the floor.

COMMUNICATIONS FROM CITIZENS

Tavorise K. Marks, Hopewell Business Owner – State Farm Office. Would like to focus on public safety, wants to make sure that his business is secure when he is not around in the event himself or one of his employees have to call on someone to come and assist, wants to make sure the most well prepared, fast and most competent individual arrive to assist. Wants to make sure that his voice is heard as a new business owner as to the importance of public safety in the City of Hopewell. Education and Public Safety are paramount to success in any locality.

Councilor Gore stated a motion needed to be made to waive the rules as Mr. Marks spoke on an item that pertained to the agenda.

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DRAFT**

REGULAR BUSINESS

R-1 – Yearly Pay Increase Proposal

Mayor Bennett turned the meeting over to City Manager Mr. Altman for the presentation by Chief Afzal for a review of the salaries of the Departments of Fire, Police and Public Works for a Public Safety Salary proposal.

Motion made by Councilor Gore and seconded by Vice Mayor Partin to extend the meeting to cover the R-1, public safety presentation.

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7/0

Chief Afzal stated that the problem that the police department is facing right now is retention. Not having a hiring problem, we are having a retention problem. We went from in December of this past year to having a full staff to having 10 vacancies, we hired 7 people and we still have 10 vacancies. At the speed we are continuing to lose people it is definitely becoming a critical issue. A couple of issues in our City is that people are moving to another locality where they can earn more money and they are taking the training and expertise they learned here to their new job and then we have to start from the beginning again. By the time our officers are learning the community, they are off somewhere else for more salary. Status quo is not going to be good enough at this point. We are 20 people down in a 68 people department. Of the officers we have, 48 of them have less than 5 years of service with Hopewell. Officers make critical and split second decisions, the more experience you have the quicker you can respond. Only 14 officers have more than 10 years. We are recommending a grade 26 (\$49,000) the starting salary is more competitive. Getting rid of pay bands except for 26 and 27. Virginia officers coming from other jurisdictions who are already here, giving them credit for service up to 6 years. This does not include the Chief of Deputy Chief. We are talking about a \$1500 to \$1600 increase on a yearly basis as long as they are doing their job, which will max out at about \$78,000. The cost for just police officers is \$323,000 currently, to get to full staffing will cost \$27,769 and if all positions were filled you would add another \$111,000. The \$323,000 includes bringing officers matching their step with the years of service and those that have come from other jurisdictions, giving them credit for up to 6 years of their previous credit. If you add the telecommunications/dispatchers, then you add another \$73,000, because there are 12 of them (including one part timer) and then when you include sworn with them your cost goes up to \$396,000 and the yearly cost goes up to \$526,000. If you include animal services, you would add another \$20,000 and the cost goes up to \$416,000 and the following year you are asking for an additional \$130,000. If all employees are included which is in records, support staff, crime analyst, then you are talking about adding another \$44,670 to the payroll and now the cost becomes \$461,607 and the following year it would be about \$140,000 that you are adding to it.

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DRAFT**

Podium was turned over to Ben Ruppert, Emergency Management Coordinator for his presentation for pay increases in the Fire Department. He indicated they are currently 10 members down and 7 of those are medics. In the tri-cities area we are the lowest paid fire department. We are considerably lower on our starting pay for medics (about \$8000) less. According to NFP national standards there should be a minimum number for a standard single family dwelling is supposed to be 17 firefighters to address the issue. We have a minimum of 13, which includes the Battalion Chief, also includes several medics, we are well below the national standard and that is if everyone is not out on a call, we usually have 2 to 3 ambulances out constantly. So if everyone is sitting in the station when we get a call, the max out is 13 on a regular day. Our average experience for our current firefighter is 2.2 years, 90% of staff are 5 years or less, 5% have 10 or more years of experience. We are at a deficit from the experience level. We have a tremendous call volume and a lot of inexperience. We are talking about grade 26, about 2 ½% steps for each year for each member, all members that are currently employed, moving them to the step where they would be based on their years of service and as far as our supervision it would be the same as what the police proposed. We would look at their years of service and make sure that they are at least 5% above that person below them with the same years of service. Would like the opportunity to give that additional 6 years of credit for full time employment fire fighters who come from full time employment from other jurisdictions. The fire chief or Mr. Ruppert's position were not included in these numbers. The cost of moving everybody that we have currently in the plan is \$225,308.86, that does not include the 10 vacancies, so over time as those vacancies are filled with the new starting pay that would be an additional \$43,173.68 annual increase and then when we look at the average annual cost of increase for each successive year we are talking about \$85,320.27. It is important to be able to retain the people that we hire. Mr. Altman said we would go the Unassigned Fund Balance to fund this. This is just officers and fire fighters at this point and that total is \$619,328.47 that is a total of the salaries plus the vacancies for the current year. The unassigned fund balance is \$7,203,072, it is the money that we have that are unassigned right now. Councilor Gore asked for clarity on what the rainy day fund balance is. Council Gore thinks that equity needs to be addressed.

Motion made by Vice Mayor Partin and seconded Councilor Denton that we approve the yearly step increase proposal as presented for the police, firemen and EMS, appropriate \$548,385.29 from the unassigned fund and to begin this effective November 1, 2021.

Substitute Motion made by Councilor Randolph and seconded by Councilor Gore by that we approve the yearly step increase proposal as presented for the police, firemen and EMS, appropriate \$619,328.47 from the unassigned fund and to begin this effective November 1, 2021 and to include the step increases and vacancies.

Mayor Bennett wanted it noted for the minutes we are approving the entire plan not only for this year but for the entire plan for the years that are set here.

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7/0

**October 12, 2021
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DRAFT**

Motion made by Vice Mayor Partin and seconded by Councilor Randolph to authorize the City Manager to move the dollar value of \$619,328.47 from the unassigned funds to the police department and fire department salary line item.

Roll Call:	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 7/0

City Manager Mr. Altman stated that he can prepare a budget amendment ordinance for the next meeting to make it official.

Meeting Adjourned

Patience Bennett, Mayor

Mollie Bess, City Clerk

INFORMATION
FOR
COUNCIL REVIEW

HOPEWELL REDEVELOPMENT AND HOUSING AUTHORITY
350 East Poythress Street
Hopewell, VA 23860

REGULAR MEETING OF December 13, 2021

*** MINUTES ***

Minutes of Regular Meeting of the Board of Commissioners of the Hopewell Redevelopment and Housing Authority of the City of Hopewell, Virginia, held Monday, December 13, 2021 at 6:00 p.m.

The meeting was called to order by the Chairman. Roll call, those present and absent were as follows:

Present: Sheila Flowers, Chairman
John Tunstall, Vice-Chairman
Ruth Johnson, Commissioner – arrived at 6:45 p.m.
Shanika Lewis, Commissioner
Susan Temple, Commissioner
Anthony Bennett, Jr., Commissioner

Absent: None

Also Present: Steven Benham, Chief Executive Officer
Madelyn Peay, Chief Operating Officer
Sherry Henderson, Executive Secretary
Taranis McCoy, Chief Development Officer
Kameko Coleman, Administrative Assistant
Craig Wise, Senior Property Manager

CONSENT AGENDA

C-1 Upon motion made by Commissioner Lewis and seconded by Vice-Chairman Tunstall, with all Commissioners present responding, the Consent Agenda was approved.

Upon roll call, the vote resulted:

Chairman Flowers - Yes
Vice-Chairman Tunstall - Yes
Commissioner Lewis - Yes
Commissioner Temple - Yes
Commissioner Bennett - Yes

5 Yes, Motion Passed

COMMUNICATIONS FROM CITIZENS: None

R-1 Summary Report Discussion:

Mr. Benham presented the Summary report to the Board of Commissioners.

R-2 Discussion of Pending List

Mr. Benham discussed the pending list with the Board of Commissioners. The following will be completed for the pending list:

- 1. Item number 54 will remain as a pending item.
- 2. Item number 55 will remain as a pending item.
- 3. Item number 56 will remain as a pending item.
- 4. Item number 57 will be added to the list – Board of Commissioner tour of Piper Square, LLC.

R-3 Request approval of Resolution No. 905, Contract with Crenshaw, Ware, and Martin, P.L.C. to retain as HRHA's Law Firm.

Upon motion made by Commissioner Lewis and seconded by Commissioner Bennett, with all Commissioners present responding, approved Resolution No. 905, Contract with Crenshaw, Ware, and Martin, P.L.C. to retain as HRHA's Law Firm.

Upon roll call, the vote resulted:

- Chairman Flowers - Yes
- Vice-Chairman Tunstall - Yes
- Commissioner Lewis - Yes
- Commissioner Temple - Yes
- Commissioner Bennett - Yes

5 Yes; Motion Passed

R-4 Discussion of safety issues in the developments.

Mr. Benham and the Board of Commissioners discussed safety issues in the developments.

R-5 2022 5-Year and the 2022 Annual Plan Discussion.

Mrs. Peay presented the Board of Commissioners with the 2022 5-Year and the 2022 Annual Plan for discussion.

R-6 Affordable Housing Procedures Discussion – Informal Hearing Procedures.

Mr. Wise presented the Board of Commissioners with the Informal Hearing procedures.

R-7 Other Matters

No reports were made.

R-8 Commissioner Comments (and recommendations for next meeting).

Commissioner Lewis – What happens to the funds for training that is not used during the year?
Mr. Benham – It will be rolled over to the fund balance for next year.

Commissioner Johnson – I would suggest we complete training off-site. Mr. Benham – Your suggestions are welcome for training off-site.

Chairman Flowers – Informed the Board of Commissioner about her training experience through the SERC-NAHRO fall workshop that she had attended.

ADJOURNMENT

Upon motion made Commissioner Lewis seconded by Vice-Chairman Tunstall with all Commissioners present responding affirmatively, the meeting was adjourned at 8:35 p.m.

Sheila Flowers

Sheila V. Flowers, Chairman

Steven A. Benham, Jr.

Steven A. Benham, Secretary-Treasurer

**MINUTES OF THE NOVEMBER 30, 2021 WORK SESSION MEETING
OF THE PLANNING COMMISSION
CITY OF HOPEWELL, VA**

A work session of the Planning Commission for the City of Hopewell was held on Tuesday, November 30, 2021, at 1:00 p.m. in City Council Chamber conference room located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Elliot T. Eliades, Chairman (arrived at 1:23 p.m.)
Todd M. Butterworth, Vice-Chairman (left at 3:00 p.m.)
Fara Jenkins
Paul Reynolds
Cassandra Vanderkeift

Staff Member present:

Tevya Griffin, Director

Vice-Chairman Butterworth opened the meeting at 1:09 p.m.

A prayer was rendered by Vice-Chairman Butterworth.

By roll call, a quorum was established with the above members of the Commission present.

New Business

The agenda was set to discuss four issues: 1. Current issues in the Zoning Ordinance that are contradictory to Comprehensive Plan (non-conforming uses); 2. Review Zoning Map in reference to Future Land Use Map; 3. Examine needed revisions to Zoning Ordinance within the 6 Planning Areas identified in the Comprehensive Plan, and the Waterfront Plan, adopted 2018; and 4. Consider adding Form Based Code Overlay Districts to the ordinance. Staff recommends Form Based Code for area designated as Downtown, to include B Village.

Mrs. Griffin presented Article XVII Nonconforming Uses it was suggested to amend the following areas to bring to the January 2022 Planning Commission Meeting.

Section A. CONTINUATION:

1. Remove ~~however in B-4 District, any single family detached dwelling may be enlarged provided all setbacks are observed~~.
6. Change ~~two (2) years~~ to 12 months or 1 year.

Mrs. Griffin explained this change would have implications for houses in the B Village and homes on Woodlawn and Oaklawn that are zoned B-4. If the properties are vacated instead of

waiting two years for the vacant property to confirm to the underlying zoning district regulations, the time would be reduced to one year. Staff would have to do an inventory to know where these properties are and would have to put them into the system and tag them for a 1 year period. Mrs. Griffin stated this would be beneficial when the Planning Commission is trying to really see the fruit of what they have put into the Future Land Use Map created.

Mrs. Griffin stated if the Planning Commission agrees it would be put on the January 2022 agenda. It would be advertised in the newspaper and on the department website. Mrs. Griffin stated if a citizen already had a non-conforming property, the citizen would not know if it was going to change until it occurred. Mrs. Griffin suggested that a letter be sent to those property owners ahead of time so they could voice their concerns. Vice-Chairman Butterworth asked if a letter was required. Mrs. Griffin stated no but it would be a courtesy. Chairman Eliades asked how many property owners would have to be notified. Mrs. Griffin estimated stated that it would be 50 to 100 letters. It was concluded that due to the holiday season, instead of holding a public hearing in January 2022, informational letters should be mailed to effected property owners first, and hold public hearing later.

The Planning Commission and Staff had intense conversation regarding residential neighborhoods that are located in industrial zoning districts. Chairman Eliades was concerned about the inability of property owners to improve their homes and why the city would impede improvements. He understood the environmental reasons but was conflicted as property owners could live in the home for decades and never be able to improve the structure beyond a certain percentage. He questioned if this was fair and did not infringe on property rights.

Commissioner Reynolds voiced his concern of the health implications for the residents in residential areas that live adjacent to industrial areas. He felt strongly that it is the City's responsibility to protect these residents through rezoning, not allowing expansion, and encouraging relocation when quality housing is available.

Commissioner Jenkins asked the Commission to consider the overall goal of the City in regards to the future land use map and not just individual properties. The housing and land use goals of the Comprehensive Plan was read by Mrs. Griffin. She stated that this should be the focus of the Planning Commission when considering revisions to the Zoning Ordinance, non-conforming uses and structures section. Alternatively, the Commission could request an amendment of the Comprehensive Plan to change the housing goals.

After much discussion, the Commission agreed to revise Section C of the Non-Conforming article.

Section C. REPAIRS AND MAINTENANCE AND EXPANSION:

1. Remove ~~to an extent not exceeding ten (10) percent of the current replacement cost of the noneonforming structures or noneonforming portion of the structure, as the case may be, provided that the cubic content, existing when it became noneonforming, shall not be increased.~~

~~3. No change or expansion of a structure containing a non-conforming use shall be allowed with the exeception that:~~

- a. ~~The City Council may grant a Conditional Use Permit for alterations or additions to such structures provided that the alteration or expansion to the structure containing a non-conforming use does not exceed fifteen (15) percent of the gross floor area of the existing structure.~~
- b. ~~An application for a Conditional Use Permit shall be made to and upon forms furnished by the Director of Development and shall include the minimum information required by Article XVIII (G)(3) of the Zoning Ordinance for a Conditional Use Permit.~~
- c. ~~A Conditional Use Permit for the expansion of a structure containing a non-conforming use shall become null and void twelve (12) months from the date granted if no substantial work has commenced.~~
(Ord. 2002-02)

Mrs. Griffin provided each member of the Commission with a copy of the Future Land Use Map (FLUP) Zoning Map. Commissioner Reynolds stated the Commission should look at the Politico pollution maps. These maps show health implications for residents across the United States. There are several areas in Hopewell that the City should review and consider how land use decisions affect the health of the residents. He will send a link to the maps so everyone can review.


Mrs. Griffin provided an overview of the HRHA rezoning request for Mr. Reynolds, newest member of the Commission. HRHA's future plan was to move residents of the Davisville and Bland Court community into the new Rendezvous Apartments when built. The Planning Commission approved the rezoning 5-0. City Council approved the rezoning also. In January 2022 the engineering firm for the Rendezvous apartments will present the site plan to the Commission as required as a part of the rezoning approval.

Mrs. Griffin presented the map of the corner of East Poythress and East Broadway where the repair shop and parking lot are located next to Heritage Gardens from R-2 to B-2 or R-3. Mrs. Griffin is going to research the location more for what options the committee has with that area. Mrs. Griffin presented the map of 1st Avenue. It is recommended to rezone from M-2 to M-1. The Planning Commission agreed 4-0, Vice Chairman Butterworth did not offer his opinion on this matter because he left the meeting a few minutes early.

Adjourn

The work session meeting was adjourned at 3:13 p.m.

Respectfully submitted,



Tevya W. Griffin
Director



Elliot Eliades
Chairman

**MINUTES OF THE 9 DECEMBER 2020 MEETING
OF THE KEEP HOPEWELL BEAUTIFUL
CITY OF HOPEWELL, VA**

The Keep Hopewell Beautiful meeting for the City of Hopewell was held on 9 December 2020, at 7:00 p.m. via Zoom, in Hopewell, Virginia.

This regular meeting of the KEEP HOPEWELL BEAUTIFUL is being held as an electronic meeting pursuant to and in compliance with Hopewell Ordinance No. 2020-428 – Emergency Ordinance Authorizing and Providing for the Continuity of Hopewell City Government During the Covid-19 Pandemic. This electronic meeting is being held on July 8, 2020, at 7:00PM. Members of the public were instructed by the meeting announcement to contact Chris Ward, Senior Planner, and staff to this Committee, with any comments or to request the information to access the meeting.

Keep Hopewell Beautiful Members present:

Brian Silver – Chairman

Jean Lawson

Ed Pappas

(Note Mary Jones has decided not to reapply for another term on Keep Hopewell Beautiful.)

ADMINISTRATIVE MATTERS

1. Roll Call: Determination of Quorum

Call to order at 7:00 P.M. and welcome to members by Chairman Silver. A quorum was established.

2. Amendments to the Agenda

No amendment to the agenda.

3. Presentation of minutes

August 12, 2020, minutes were reviewed. Ed Pappas made a motion to accept the November 18, 2020, minutes as written and seconded by Brian Silver. It was passed by majority vote.

4. Election of Officers: It has been decided by members present (Jean Lawson came in later to the meeting) to wait until February 2021, until we know if we are able to get new members on Keep Hopewell Beautiful Committee, to elect officers. Emails have been sent to the counselors to solicit the need for more members on this committee. Since we can have two non-resident

member positions on the board that have businesses in Hopewell, it was also decided to contact Becky McDonough, CEO of the Hopewell/Prince George Chamber, to see if she can suggest people for these positions.

5. Reports of Officers and Committees

- a. Awards Program
 - i. This program will be picked up in April.
- b. Adopt-A-Neighbor
No Report
- c. Outreach
 - i. No Report
- d. Education Liaison
 - i. Brian Silver let the school board know we liked their suggestions for this year's contest and will wait to hear from them for further information.
- e. Facebook
This report covers December 2 – 9, 2020: Page Views: four, Page Likes: 3 Post Reach 101, Post Engagements 5
- f. Adopt-A-Street
 - i. Ed Pappas will drive around to confirm the signs that are currently posted around the city that are not currently participating in the Adopt a Street Program. It will be recommended that these signs be taken down.
- g. Budget
 - i. There is no change from last month as no money has been spent or received. There are \$143.90 in our account and \$84.02 in donated funds. DEQ Grand Funds \$4892.
- h. Scholarship
 - i. Tabled until next year

5. Citizen Comments

No citizen comments

UNFINISHED BUSINESS

1. Updates on Regional Anti-Litter Campaign

- a. We will hold a clean-up on Appomattox Street and clean up around the library, as suggested by Jean Lawson. We will meet at the parking lot across from the Beacon Theater, on Saturday December 12th, 2020.
- b. Mary Jones and her family will clean up on Western Street near the Moose Lodge on Sunday December 13th, 2020.
- c. Ed Pappas will drive around Hopewell and check where the Don't Trash Hopewell signs have been mounted for display.

2. Updates on The Leaf Raking Event to be held on January 9, 2021

- a. Mary Jones has confirmed with Public Works (Randy Hicks) that they will assist us with the Leaf Raking.
- b. We have the following volunteers: Jeff Butler has several volunteers, Counselors Bennett and Pelham, and Sheriff Stephen M. Kephart, Jr. has about six volunteers.
- c. We have one suggestion for a yard to be raked from Counselor Pelham, but we still need an address and phone number.
- d. We need to contact the homeowners or renters to get permission to rake the yards prior to the event on January 9, 2022.
- e. We have advertised on Facebook and let the counselors know about the event. Brian Silver will contact Jeff Butler to see if he can reach out to churches for recommended homes. Chris Ward will contact social services and the food pantry for suggested homes for raking. Mary Jones suggest that members check with their own churches for recommendations.
- f. It was recommended that we use leaf blowers for each group.
- g. We set a deadline of January 4, 2020, for homes to be nominated.
- h. Mary Jones and Brian Silver will meet after January 4th to discuss where we are at that point with the project.
- i. Mary Jones will supply a pot of soup to be served after the program.

3. Updates on Purchase of New Equipment for KHB

- a. Chris Ward has a grass rake to donate to KHB.
- b. It is suggested that we get seven more grass rakes.
- c. Purchase about two first aid kits for the trailer.

4. Yard of The Month

- a. Jean Lawson reported that Mr. & Mrs. Tommy Leech of 430 Cobblestone Drive were awarded the November Yard of The Month, which was posted on our KHB Facebook Page, an article was sent to the city, and The Progress Index for publishing.
- b. Jean Lawson will look at the Yard of the Month Program for updates for the 2021 awards. We will revisit the program in March.

5. Adopt A Neighbor Program

- a. As set up by City Counsel in the past, KHB is the group that monitors the program.
- b. If KHB wants to change that, members would have to petition City Council.
- c. At the current time KHB only has three committee members and it was decided that the program remain dormant until KHB has more members on the committee, then decide on the path it will take.

NEW BUSINESS

1. Recommendations for clean-up projects fir 2021

- a. We will hold off on new projects until we have more members.

REPORTS OF MEMBERS

Ed Pappas suggested starting the meetings again at 6:00 PM. Ed Pappas made a motion. Starting with the January 2021 that we move the meeting time to start at 6:00 PM. Jean Lawson seconded the motion. It was passed by majority vote by Brian Silver, Jean Lawson, and Ed Pappas. The meetings will remain on the second Wednesday of the month.

ADJOURNMENT

The meeting was adjourned by Chairman Silver at 8:24 PM.

Minutes approved, January 12, 2022, Submitted by

Brian Silver

Chairman: Keep Hopewell Beautiful

**MINUTES OF THE DECEMBER 2, 2021 MEETING
OF THE PLANNING COMMISSION
CITY OF HOPEWELL, VA**

A meeting of the Planning Commission for the City of Hopewell was held on Tuesday, December 2, 2021, at 6:00 p.m. in City Council Chambers located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Elliot T. Eliades, Chairman
Todd M. Butterworth, Vice Chairman
Fara Jenkins
Paul Reynolds
Cassandra Vanderkeift

Staff Member present:

Tevya Griffin, Director

Chairman Eliades opened the meeting at 6:05 p.m.

A prayer was rendered by Chairman Eliades.

By roll call, a quorum was established with the above members of the Commission present.

Public Hearing

The public hearing was opened at 6:07 p.m.

Mrs. Griffin provided an overview of the request from Arlin Griffin for a Conditional Use Permit (CUP) to construct a six (6) foot privacy fence in the front yard in accordance with Article XVIII. Development Standards, Section 7. Fencing, sub-section b1(i).

The applicant placed a six foot privacy fence into the front yard of 1404 Roanoke Avenue. The front yard is described as open space, on the same lot as a building, between the front line of the building (excluding steps) and the front lot or street line, and extending across the full width of the lot.

Staff from the City's Police and Fire department have reviewed this application and have no objection because the fence, while 6 feet, still allows for accessibility; the fence has a gate and does not block the front door.

The Staff recommends approval of the request as submitted by Arlin Griffin for the following reasons:

1. The home is located past the 25 foot setback line. The fence is technically past the 25 foot setback.
2. The City's Fire and Police Department have no conflict with the request.
3. The application meets the approval criteria as outlined in Article XXI. Amendments.

Barbara McDougle who lives at 1509 Roanoke Avenue stated it does not cover front of house and does not look bad. She stated she had no objection to the fence.

Public Hearing closed at 6:11 p.m.

Commissioner Reynolds stated the fence does stand out. He asked that conditions be placed on the request. He ask to help reduce the visual/vertical site of the fence with landscaping.

A motion was made by Commissioner Reynolds in accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance to approve the request submitted by Arlin Griffin to construct a six (6) foot privacy fence in the front yard at 1404 Roanoke Avenue, also identified as Sub-Parcel # 047-1165, with the additional condition that they plant shrubbery within 2 years to obscure the bottom 3ft of fence in its entirety. Commissioner Vanderkeift seconded the motion. The motion was approved 5-0.

The second public hearing was opened at 6:37 p.m.

Mrs. Griffin provided an overview of the request from David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot on Maryland Avenue, also identified as Sub-Parcel # 024-0305 of record in the Medium Density, R-2, Zoning District.

The applicant is proposing to construct a 1300 square foot home with 3 bedrooms and 2 baths with a brick foundation and covered front porch. The exterior material of the home will be vinyl.

The Staff recommends approval of the request as submitted by David Edwards because it meets criteria 1-5 and 7 as outlined in Article XXI, Amendments, Section D, Sub-Section d. The City received one comment from an adjoining property owner regarding this application. He had questions about the purpose of the request.

Mr. and Mrs. Edwards spoke at the meeting. They have owned the property since 2006. They would like to build a home to sell. Something nice for a starter home. They came before the Planning Director and City Council for a Conditional Use Permit in 2006 and they were asked to withdrawal and work on changing the ordinance. The ordinance never changed so Mr. Edwards put one lot in his daughter's name.

Elizabeth Abernathy with Parr & Abernathy Realty stated this house could sell for as much as \$185,000.00. She ran a report in the "B" Village neighborhood of the houses that have sold in the last 2 years.

Public Hearing closed at 6:52 p.m.

A motion was made by Vice-Chairman Butterworth in accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance to approve the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0305 in the Medium Density, R-2, Zoning District with the additional condition of brick front porch and foundation. Commissioner Vanderkeift seconded the motion. The motion was approved 5-0.

The public hearing was opened at 6:57 p.m.

Mrs. Griffin provided an overview of the request from David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and

Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot on Maryland Avenue, also identified as Sub-Parcel # 024-0310 of record in the Medium Density, R-2, Zoning District.

It appears that a fence erected at 1507 Lynchburg Street is encroaching on the subject property. This matter will be rectified between the property owners and should not impact the outcome of this request.

The applicant is proposing to construct a 1300 square foot home with 3 bedrooms and 2 baths with a brick foundation and covered front porch. The exterior material of the home will be vinyl.

The Staff recommends approval of the request as submitted by David Edwards because it meets criteria 1-5 and 7 as outlined in Article XXI, Amendments, Section D, Sub-Section d. Criteria 6 will be determined after hearing from citizens during the public comment period. The City received one comment from an adjoining property owner regarding this application. He had questions about the purpose of the request.

Commissioner Reynolds has questions about the encroaching fence. David Edwards gave an explanation. Chairman Eliades stated a condition could be placed that the issue with the encroaching fence would need to be resolved before building.

Chairman Eliades asked if there would be a sidewalk. Mr. Edwards stated he would provide a sidewalk that is pleasing to the public.

Public Hearing closed at 7:05 p.m.

A motion was made by Commissioner Reynolds in accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance to approve the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0305 in the Medium Density, R-2, Zoning District with the additional condition of brick front porch, brick foundation, distinct in front façade varying and encroachment issue be cleared in favor of owner with the fence removed. Vice-Chairman Butterworth seconded the motion. The motion was approved 5-0

Unfinished Business

Mrs. Griffin will have the Airbnb's draft ordinance at the December 7, 2021 work session.

The Zoning Ordinance Re-Write work session will be at Appomattox Regional Library in 2nd Floor Board Room located at 209 E. Cawson Street, Hopewell, Virginia. Mrs. Griffin will check on the molded carpet in the conference room. She will change rooms if this issue persists.

Mrs. Griffin reminded the Commission that the accessory apartments draft ordinance is due March 2022.

New Business of the Wetlands Board

Mrs. Griffin presented the Center for Coastal Resources Management Rivers and Coast Summer 2021, volume 16 will be coming by email and any of the members welcomed to attend any the classes listed in the newsletter.

Administrative Matters

Meeting Minutes

November 16, 2021, meeting minutes motioned to be approved as amended by Commissioner Reynolds. Motion second by Vice-Chairman Butterworth. Motion passed 5-0.

Report of Council's Boards & Commissions

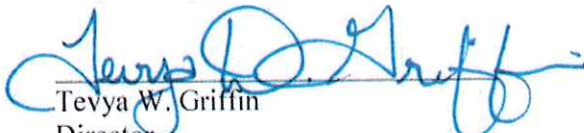
Mrs. Griffin at the December 14, 2021 City council meeting the request submitted by Joseph A. Walton to vacate a portion of undeveloped Jones Street between 1899 Liberty Avenue and Sub-Parcel 034-0110 and the Battle Ground Annex Subdivision Request from Fetko Properties, LLC will be heard.

Commission Reynolds asked about the issue of the repair shop at 812 E. Broadway Avenue because he has seen vehicles up on blocks with liquid dripping from them. Chairmain Eliades asked if the subject's business license can be revoked. Mrs. Griffin explained the department has been to court numerous times. The judge grandfathered the business and is not requiring a site plan. Staff is working with the Engineering and Police department on alternative solutions.


Adjourn

A motion was made by Commissioner Vanderkeift to adjourn the meeting. Vice-Chair Butterworth seconded the motion. The meeting was adjourned at 7:37 p.m.

Respectfully submitted,



Tevya W. Griffin
Director



Elliot Eliades
Chairman

**MINUTES OF THE DECEMBER 1, 2021 MEETING
OF THE DOWNTOWN DESIGN REVIEW COMMITTEE
City of Hopewell**

A meeting of the Downtown Design Review Committee for the City of Hopewell was held on Wednesday, December 1, 2021 in the City Council Conference Room located at 300 N. Main St. at 3:30pm.

Downtown Design Review Committee Members present:

Rita Joyner
Mary French Elder
Daniel Jones (via phone)

Absent:

Terry Ammons
Irma Gail Mahaney (excused)

Staff:

Chris Ward, Senior Planner

Guests:

Heather Lyne – Director, Hopewell Downtown Partnership, COA Applicant

Ms. Joyner called the meeting to order at 3:41PM. Mr. Ward conducted the roll call. A quorum was established. Ms. Joyner welcomed the members and guest.

ADMINISTRATIVE MATTERS / CONSENT AGENDA ITEMS

Ms. Joyner asked if there were requests for withdrawal, deferral or amendment to the agenda. There were none.

Ms. Joyner asked if there were any corrections or changes to the meeting minutes from October 6, 2021. There were none. Ms. Joyner asked if there was a motion to approve the meeting minutes. Ms. Elder stated that she had one minor correction to change “Artfest” to “Art Fest.” Mr. Jones made a motion to approve the meeting minutes from October 6, 2021 with the noted correction. Ms. Elder seconded. The motion carried 3-0.

CITIZEN COMMENTS

Ms. Joyner asked if the guest had any comments about items not on the agenda. There were none.

CERTIFICATES OF APPROPRIATENESS (COAs)

Ms. Joyner invited Ms. Lyne to introduce her COA application for window and door signage at 106 N. Main Street. Ms. Lyne stated that COA application was for one window sign and one door sign. Mr. Ward commented that the window sign constituted 6.6% coverage of all windows and the door sign constituted 4.9 coverage of the door area, thereby being well under the 20% coverage cap set forth by the zoning ordinance. Ms. Elder made a motion to approve the COA application

for window and door signage at 106 N. Main Street as presented. Mr. Jones seconded. The motion carried 3-0.

UNFINISHED BUSINESS


Ms. Lyne informed the members that she will be forming a host committee for the Small Scale Developers boot camp that HDP will be sponsoring next year. She indicated that she would like to have a representative from the DDRRC on the host committee along with other stakeholders.

NEW BUSINESS

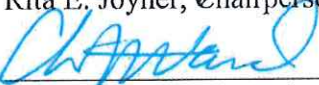
There was no new business.

Ms. Elder made a motion to adjourn. Mr. Jones seconded. The motion carried 3-0. The meeting adjourned at 4:04PM.

Submitted by,



Rita E. Joyner, Chairperson



Christopher Ward, Senior Planner

1/5/2022
Date

INFORMATION/ PRESENTATION



HOPEWELL CITY COUNCIL MEETING SCHEDULE 2022

AGENDA MEETING	DEADLINE TO ADD ITEMS/SUPPORTING DOCUMENTATION	COUNCIL MEETING
January 4, 2022	January 5, 2022	January 11, 2022
January 18, 2022	January 19, 2022	January 25, 2022
February 1, 2022	February 2, 2022	February 8, 2022
February 15, 2022	February 16, 2022	February 22, 2022
March 1, 2022	March 2, 2022	March 8, 2022
March 15, 2022	March 16, 2022	March 22, 2022
April 5, 2022	April 6, 2022	April 12, 2022
April 19, 2022	April 20, 2022	April 26, 2022
May 3, 2022	May 4, 2022	May 10, 2022
May 17, 2022	May 18, 2022	May 24, 2022
June 7, 2022	June 8, 2022	June 14, 2022
July 5, 2022	July 6, 2022	July 12, 2022
August 2, 2022	August 3, 2022	August 9, 2022
September 6, 2022	September 7, 2022	September 13, 2022
September 20, 2022	September 21, 2022	September 27, 2022
October 4, 2022	October 5, 2022	October 11, 2022
October 18, 2022	October 19, 2022	October 25, 2022
November 9, 2022	November 10, 2022	November 15, 2022
December 6, 2022	December 7, 2022	December 13, 2022

Regular City Council meetings are held at 7:30 p.m. on the 2nd and 4th Tuesdays of each month, unless otherwise posted. Meetings are held in the City Council Chambers, Municipal Building, 300 N. Main Street, Hopewell, VA 23860.

VML Conference Dates: October 1-4, 2022

ORDINANCE
TO ASSURE CONTINUITY OF GOVERNMENT DURING THE PANDEMIC
DISASTER ARISING FROM COVID-19 AND COVID 19 VARIANTS
BY MODIFYING PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND
PROCEDURES

WHEREAS, on January 11, 2022, the City Council of the City of Hopewell, Virginia confirmed the City Manager/Director of Emergency Management's declaration of a state of emergency for the City arising from the pandemic created by the novel Coronavirus (COVID-19) and its variants; and

WHEREAS, the pandemic is a public health emergency which constitutes a disaster, as defined by Virginia Code § 44-146.16, arising from the public health threat presented by a communicable disease anticipated to continue to spread, and this public health emergency continues to be recognized as an emergency and a disaster through the City's Declaration of Emergency of January 11, 2022; and

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of City Council may convene solely by electronic means to address the emergency; and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act ("FOIA") allow properly claimed exemptions provided under either that Act or any other statute; and

WHEREAS, The Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

WHEREAS, this Ordinance is enacted in response to the disaster caused by the COVID-19 pandemic; it promotes public health, safety and welfare and is consistent with the laws of the Commonwealth of Virginia, the Constitution of Virginia and the Constitution of the United States of America.

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

1. **THAT** the continuing COVID-19 pandemic makes it unsafe for public bodies to conduct their meetings in accordance with normal practices and procedures because such practices and procedures require the physical presence of members of a public body and members of the public within the same room and meeting facilities may not allow adequate measures to be taken in accordance with public health requirements and guidelines. For the

purposes of this Ordinance the term “public body” means the City Council, and every board, commission, or agency of the City of Hopewell, including any committee, subcommittee, or other entity, however designated, created by City Council to perform delegated functions of City Council or to advise the City Council (each, individually, a “Public Body”); and

2. **THAT** in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of the City government during the continuing COVID-19 emergency and disaster:

a. Any meeting or activities which normally would require the physical presence of a quorum of members of a Public Body may be held only through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location, and

b. The City Manager is hereby authorized to restrict the number of electronic meetings each Public Body may conduct each calendar month, based on the capacity and availability of the City staff who are capable and qualified to support the meeting to ensure compliance with this Ordinance, and

c. Prior to holding any such electronic meeting, the Public Body shall provide public notice of at least 3 days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment, and

d. Any such electronic meeting of a Public Body shall state on its agenda the location at which members of the public can obtain information as to the means by which the public may access and participate in such electronic meeting, and

e. Any such electronic meeting of a Public Body shall be open to electronic participation by the public and closed to in-person participation by the public, and each electronic meeting shall be conducted in a manner designed to maximize public participation, and

f. A video recording of all electronic meetings shall be made available on the City’s website within 3 business days following each electronic meeting, and

g. With respect to any matter which requires a public hearing, the public hearing may be conducted by an open public comment period called for during an electronic meeting, as well as by submission of written comments to the Clerk of City Council prior to, during and for five (5) business days after the electronic meeting. Notice of the public hearing shall be posted on the City’s website at least 5 business days prior to the date of the public hearing.

h. The minutes of all electronic meetings shall conform to the requirements of law, shall identify how the meeting was conducted, the identity of the members participating, and shall specify what actions were taken at the meeting. A Public Body may approve minutes of an electronic meeting at a subsequent electronic meeting; and

i. Any provision of Va. Code §2.2-3708.2 requiring the Public Body's approval of electronic participation due to a member's personal matter or medical condition shall not apply for the duration of the local emergency declaration.

IT IS FURTHER ORDAINED THAT, notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Body or any City officers (including Constitutional Officers) or City employees, within a period of 60 or fewer days, shall be suspended during this emergency and disaster. The Public Bodies, and the City's officers and employees, are encouraged to take all such action as is practical and appropriate to meet those deadlines; however, failure to meet any such deadlines shall not constitute or be deemed to be a default, violation, approval, official recommendation or other action.

IT IS FURTHER ORDAINED THAT any scheduled non-emergency public hearings and action items of a Public Body may be postponed to a date certain if, in the judgment of the Public Body, it would be in the best interests of the public to do so, provided that public notice is given so that the public is aware of how and when to present comment.

IT IS FURTHER ORDAINED THAT this Ordinance shall not operate to preclude any authority whose governing board is appointed by this City Council from making its own decisions and rules regarding the conduct of its meetings either electronically or by means of having a quorum physically assembled, so long as those meetings are in compliance with applicable state law and any local ordinance which may be enacted by this Council to impose restrictions necessary to prevent the spreading of the COVID-19 virus and its variants within the City of Hopewell; however, any such authority may also elect to conduct its meetings electronically as a Public Body within the purview of this Ordinance.

IT IS FURTHER ORDAINED THAT a continuing emergency exists, and the City Manager's Declaration of a local emergency, authorized by this City Council on January 11, 2022, remains in effect; the various actions referred to within this Ordinance are necessary to be taken to address the emergency.

IT IS FURTHER ORDAINED THAT pursuant to Hopewell City Charter Chapter IV, Section 7, by vote of five members of City Council, this Ordinance, as an emergency measure, is effective on the date of its introduction and adoption, and this Ordinance shall remain in full force and effect until midnight six months from this date unless City Council sooner: (i) adopts an ordinance to repeal this Ordinance and to end the locally declared emergency, or (ii) adopts an ordinance to amend and re-enact this Ordinance, as may be necessary to authorize actions necessary to address the state of emergency continuing beyond six months from this date.

COMMUNICATIONS

FROM

CITIZENS

REGULAR BUSINESS

R-1



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 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: **2022 Legislative Agenda**

ISSUE: Legislative Committee will present for approval the City's 2022 Legislative Agenda for the Virginia General Assembly Session

RECOMMENDATION: City Council approve and endorse the 2022 Legislative Agenda

TIMING: City Council action is requested on January 25, 2022

BACKGROUND: City Council annually adopts a legislative agenda outlining the City's legislative priorities and endorsements of Virginia Municipal League and Virginia First Cities legislative items.

ENCLOSED DOCUMENTS:

- 2022 Legislative Agenda

STAFF:

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			



LEGISLATIVE AGENDA

GENERAL ASSEMBLY
2022 SESSION



City of Hopewell City Council

Patience Bennett	Mayor, Ward 7
Johnny Partin	Vice Mayor, Ward 3
Deborah Randolph	Ward 1
Arlene Holloway	Ward 2
Jasmine Gore	Ward 4
Janice Denton	Ward 5
Brenda S. Pelham	Ward 6

DRAFT

TABLE OF CONTENTS

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LEGISLATIVE POLICY STATEMENTS

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Fund Aid to Localities with Police Departments according to statute (§ 9.1-169)

Background: Comparing Virginia law enforcement expenditure growth in Virginia is a frightening comparison. Our cities have experienced a (negative) 7.1 percentage of growth from FY 2007 to FY 2022. This is compared to state aid for local sheriff's and for state police appropriations. Consistently, year-after-year, the General Assembly has not funded their obligation as delineated in the annexation moratorium.

Further, our cities are experiencing a massive human resources and workforce development issue concerning our local and valued policemen and women. Our cities cannot compete with state agencies, universities, and other local governments that offer increased pay and consistently poach trained and newly trained police persons. Our police departments were facing workforce development issues before the pandemic and civil unrest. Local police department funding and workforce development issues are even more acute at this point in time.

Request:

- Request the Governor and the General Assembly fund HB 599 monies for FY23/24 in an amount of at least \$20 million.
- Request a specific appropriation to assist our cities with local police recruitment, retention and pay compression issues.



Increase Funding for Street Maintenance

Background: It is imperative that the Commonwealth ensure equitable funding for independent cities and urban areas that do not receive adequate funding for on-street parking, bike lanes, transit lanes, and turning lanes

Request:

- Support increased funding for street maintenance needs for our city to ensure equitable funding for urban areas that have not received adequate funding for on-street parking areas, bike lanes, transit lanes and turning lanes.

We need funding to invite diversity with our amenity-filled public spaces, like connecting small businesses in walkable, vibrant streets, along with transit, and cycling.



City Government/Administrative Issues

Background: The Virginia Code §15.2-1414.6 governing salary compensation for elected officials in cities has not changed since 1998. In 1997, substantive changes occurred when the second highest population bracket dropped from the maximum population of 200,000 to 175,000; the third highest population bracket changed from 95,000 – 199,999 to 75,000 – 174,999; and the next population bracket changed to a maximum of 74,999. Added in 1988, was the current highest band for salary increases providing for a population bracket of 260,000 and over and a maximum salary of \$30,000 for the Council President or Chair and \$28,000 for Council members.

Approximately 25% of Virginia cities can set their own salaries with no other limits. Approximately 15% of cities have specific salaries dictated with their charters. Two Virginia cities have their salaries determined by an independent commission or board, and approximately 40% of Virginia cities refer to the General Laws of the Commonwealth, setting maximum limits for compensation.

The Virginia statute does not confer the same obligations to Virginia counties, as they face no caps on compensation and are able to adopt salary increases for the new term of elected officials.

In the 21st century, there are no compelling reasons for Virginia City councils to be treated different than Virginia counties. Both are responsible to the electorate that can comment publicly or vote them out of office for this, or any other reason.

Request:

- Support and encourage the General Assembly to remove the caps on city council salaries.



Community Wealth Building: TANF for Employment

Background: This is the Virginia First Cities incubated innovative grant program designed to breakdown silos to connect persons to career paths and sustainable income by providing wraparound services.

Request:

- Maintain funding for the TANF for Employment Grant Programs at \$7.5 million (round 1), \$3 million (round 2), and \$1.5 million (round 3) in each FY23 and FY24.

Continue best practices and Network2Work linkage to make the program more efficacious.

DRAFT



Affordable Housing, Homestay Taxation, Gentrification, and Eviction Prevention and Recovery

Background: Many would define gentrification as a profit-driven, race, and class change of a historically disinvested neighborhood. “Disinvested” meaning that businesses and governments have abandoned—where there has been little new development or maintenance of existing buildings or institutions. Gentrification occurs where land is cheap and the chance to make a profit is high due to the influx of wealthier wage earners willing to pay higher rents.

In some cities, real estate assessments have increased dramatically over the last several years. Mortgage interest rates and housing supply are both at record lows, driving home prices and as a result, home assessments higher. While escalating assessments are important for the creation of familial wealth, the accompanying escalation of property tax bills are displacing long time property owners, jeopardizing their opportunity to pass this accumulated wealth onto their progeny, and forcing these residents from the communities they have called home.

Request:

- To prevent the displacement of long-term owner occupants due to rising property tax assessments and to encourage the creation of intergenerational, familial wealth the City Council supports legislation, including an amendment to Virginia’s Constitution, which would allow local governments that wish the authority to implement a Long-Term Owner Occupant Program (LOOP).

LOOP programs work by first, capping a property owner’s tax assessment at a specific percentage during the initial application and second, by locking in the tax assessment of the application year. The Virginia General Assembly does not currently have Constitutional authority to adopt legislation that would permit localities to provide tax relief to low-income, long-term residents experiencing dramatic increases in their real estate assessments. (Richmond)



Affordable Housing, Homestay Taxation, Gentrification, and Eviction Prevention and Recovery

Background: The issue of affordable housing is quite complicated in many Virginia First Cities (VFC) member cities. On the one hand, VFC is working hard to promote economic gardening so that there is not disinvestment, for we know that there is so much more community value/wealth in promoting existing businesses and people. On the other hand, many cities have legacy public housing communities that are in dire need of replacement.

VFC believes that they can foster positive development and redevelopment by supporting a shared neighborhood vision and working with community institutions to ensure a successful revitalization that values culture, health, and positive human development, as well as increased economic activity. Ensuring lasting housing change should, in all cases, be done through re/development without unwanted, forced displacement.

Request:

- Provide eligible working citizens better access to affordable housing and financing for public housing replacement and public housing infrastructure improvements.



Expanding Access to Legal Representation: Right to Counsel & Eviction Prevention

Background: Housing court and eviction proceedings are among the most extreme cases of imbalance in legal representation, with an estimated 81 percent of landlords having legal representation while just 3 percent of tenants do. This results in overburdened court dockets and unfair rulings — in addition to long-term impacts that fall disproportionately on communities of color, such as potentially the loss of child custody and employment, increased difficulty in securing future housing, worsening of mental and physical health, loss of possessions, and where homelessness is the result, incarceration and prosecution. As our cities continue to face an eviction crisis driven even more extreme by the COVID-19 pandemic, expanding access to legal representation is a critical component of our VFC member-city eviction prevention and eviction diversion strategies.

Request:

- Provide eligible working citizens better access to affordable housing and financing for public housing replacement and public housing infrastructure improvements.



Health and Human Services

Background:

The broad goals of STEP-VA are to increase access, quality, consistency, and accountability in the public mental health system. To date, the General Assembly has funded or partially funded six steps (same day access, primary care screening, outpatient services, crisis services, peer support and family services, and veteran support services). City Council urges the 2022 General Assembly to fund \$22,245,501 in FY 2023 and \$28,302,800 in FY 2024 through grants to localities in order to support implementation of critical STEP-VA infrastructure and the three remaining steps of STEP-VA: 1. Psychiatric rehabilitation; 2. Care coordination; and 3. Case management. These are the final steps needed to complete the implementation of STEP-VA, Systems Transformation Excellence Performance-VA, and this would ensure that STEP-VA is implemented across the state by July 1, 2023.

The Marcus-David Peters Act was passed during Special Session 2020. The Act requires the development of a comprehensive crisis system and places requirements on local law enforcement and 911 centers to ensure that behavioral health crises are diverted to the behavioral health healthcare system and that when law enforcement does respond or is present during a behavioral health crisis, the response takes behavioral health into consideration. There are significant additional costs at the local level to implement the requirements of the Marcus Alert and ensure that local and regional efforts are coordinated and provide equitable access to the crisis system. When the Marcus-David Peters Act was passed, \$600,000 in funding for each of 5 initial areas was provided for implementation. Per the Act, an additional 5 areas are expected to launch during the upcoming biennium.

Request:

- Support the continued the implementation of STEP-VA, the largest behavioral health investment the Commonwealth has ever taken.
- Continue Implementation of the Local Marcus Alert Systems. The General Assembly and the Governor should provide funding sufficient for five additional areas pursuant to The Act with \$600,000 in ongoing funding to support the Marcus Alert implementation.
- Revise **emergency custody order (ECO) and temporary detention order (TDO)** legislation.
- The General Assembly and JLARC are requested to undertake a holistic study of Virginia's Medicaid system and to fund reimbursement rates that focus on efficacy, equity, and appropriate funding levels.
- Support adequate funding for our **local departments of social services.**
- Support the home visiting program to provide **support to women to improve birth outcomes and maternal health.**



Education/Early Childhood Initiatives

Background: We believe that all children deserve the same opportunity to succeed. Virginia needs to prioritize and accelerate its focus on transforming public schools with high numbers of children coming from economically challenged backgrounds. A state priority should be to encourage and fund successful public education models such as the Achievable Dream schools that encourage respect and a love of learning, and the Hampton Academies that connect high school kids to real career opportunities.

Encouraging more schools to use year-round school models so that kids retain and build on what they learn should be prioritized. As the COVID-19 pandemic has laid bare, the state should prioritize giving every child the technology and training it takes to be successful in today's world. This crisis provides stark evidence that our K-12 system needs modernization of both infrastructure and instruction.

Now that technology and distance learning have accelerated at lightning speed, it is time for the state to assist local K-12 improvements to bring 21st century technology to all our students and schools. Every child, no matter their zip code, should have modern computer tools in their schools and homes and access to broadband and remote learning capabilities. Our technology should be able to bring the latest skills, ideas and experts to all students.

The General Assembly must recognize and fund the true costs of public education. Virginia's public schools rely more on local governments to fund their budgets than all but nine other states in the country, resulting in one of the most regressive funding structures in the nation.

Request:

- The General Assembly should have the resources and therefore City Council encourages them to prioritize Board of Education Standards of Quality (SOQ) enhancement recommendations which include: Eliminating the Recession-Era Support Position Cap (annual cost = \$374m); Creating an Equity Fund - At-Risk Add-on combined with Prevention, Intervention, Remediation Program (annual cost = \$78m); Teacher Leader/Principal Mentor Programs (annual cost = \$118m); Increase staffing ratios for ESL Teachers (annual cost = \$15m); Increase Specialized Student Support Personnel (annual cost = \$49m); Increase Reading Specialists (annual cost = \$38m); Increase School Counselors staffing standards (annual cost = \$52m); Increase Elementary Principal staffing standards (annual cost = \$8m); Increase Assistant Principals staffing standards (annual cost = \$77m)
- There exists a need for an adequate SOQ Standard for Teacher Aides. The Virginia SOQs provide less than minimal support for teacher aides beyond limited kindergarten and special education. A strong argument can be made for having two adults in all classrooms through the third grade to help provide necessary classroom management, especially in classroom environments with increasing numbers of children diagnosed with significant disability and behavioral issues.

In addition, teacher aides have become a valuable path to becoming licensed teachers. Teacher aides get valuable classroom experience which can lead to people making informed decisions about becoming teachers. Lastly, Virginia First Cities lag the state averages in employing and pay levels for teacher aides. Cost is most likely a contributing factor. VFC localities undoubtedly have many schools where teacher aides are needed and can have a positive impact on the learning environment. Unfortunately, the current state Standards of Quality do not reflect the value localities are placing on having teacher aides. Therefore, we request the SOQs be updated to pick up the delta between the actual teacher aides employed versus what the state is actually paying for.



- The General Assembly should expand the SOQs to include a sustainable state funding source to assist localities and school divisions in modernizing public school facilities. In the short-term, a pilot program of competitive grants using funds from the Virginia Public Building Authority in order to offset the costs of new construction or renovation for publicly owned and operated K-12 schools should be available to all VFC members.
- Support the extended-year and year-round school grants program with increased funding.
- Support funding for the Master Teacher Residency Program by scaling up a statewide effort to address teacher shortages in special education and elementary education. Support \$1 million in FY 23 and FY24 to: 1) create a cohort of up to 20 special education residents in hard to staff schools throughout the state; and 2) Design and pilot an undergraduate elementary residency program for up to 20 B.S.Ed. residents.
- Continue to support a more robust early childhood/Pre-K program including Virginia Early Childhood Success to provide seamless, affordable access for the most at-risk families to quality early childhood services, including home visiting, subsidized childcare, and preschool.
- Virginia First urges the General Assembly to give localities that do not already have the ability, to be a “qualifying locality” under § 58.1-602, § 58.1-605.1 and § 58.1-606.1 which would enable them to enact a one-cent sales tax to provide revenue for construction or renovation of schools. The “Christmas tree” effect should be rejected and this ability should be given to any school division/locality that wishes to avail themselves of the opportunity to raise revenues for school construction and modernization.

DRAFT



Public Safety

Background: The 2020 General Assembly, both in the regular and special sessions, followed through on virtually all of the “asks” in the areas of guns and local government controls. However, on the issue of police department funding and state support to bring public defenders’ salaries on par with Virginia Commonwealth Attorneys, state funding efforts have fallen short. For these reasons, we reiterate our commitment to:

Request:

- Greatly increase funding for Aid to Localities with Police Departments according to statute with a formula that is responsive to the needs of our urban police departments facing challenges with workforce recruitment and training.
- The Governor and the General Assembly are requested to do everything within their means to facilitate as soon as possible the transfer of state-responsible inmates from local jails to institutions operated by the Virginia Department of Corrections. Also, and most importantly, the state should increase the jail per diem payments for state responsible inmates. This is yet another example of a state burden that is sitting on the back of our cities, our regional jails, and ultimately our citizens.
- State funding to picking up the funding differential between Commonwealth Attorneys and our public defenders. It is untenable that pay parity depends on local governments to fund when Commonwealth Attorneys are state-supported positions.
- Support implementation of the new standards for behavioral and mental health care in local jails. This includes positions and funding for an additional 249 positions for behavioral health case managers to be allocated in jails, and for an additional 253 partially-funded medical/treatment positions that represent the outstanding funding need under Compensation Board staffing standards that are not currently funded or allocated.
- Increase the per diem rate for all state-responsible inmates incarcerated in local jails to a rate that recognizes the increased burden of mental health and substance abuse on the local jail population.
- Support the Virginia Department of Corrections’ reentry program request for \$4.5 M in each year to provide short-term housing and other services such as substance abuse treatment, individual/group counseling, urinalysis, basic life skills, and job placement in order to provide stability and a positive trajectory for those soon to be released from jail.
- 2020 and 2021 were years unlike any other --- a pandemic, thousands of deaths across Virginia due to the COVID-19 pandemic, the shutdown of schools and public spaces, the interruption of violence prevention and community safety programs, growing political divisions, simmering anger and trauma, and record gun sales. There was also widespread unemployment amid simultaneous public health and economic crises. While we don’t have individualized data from our VFC member cities, the number of reported homicides in Virginia increased from 428 to 528 or a 23.4% increase. Based on this data, as well as hearing from our members, VFC supports additional funding to address community violence and city-specific gun violence reduction/prevention programs.



Skill Games, Video Gaming Terminals, Gambling and Local Revenue

Background: The 2020 General Assembly passed legislation that would ban the use of the unregulated/skill “gray machines.” The Governor submitted an amendment to that legislation at the 2020 Reconvened Session that would keep and tax the skill games until July 2021 as a means for generating COVID-19 relief funds. The resultant revenues inured to a COVID-19 relief fund and to local governments hosting the machines.

The 2020 Special Session during the summer and fall again saw the skill games issue at play, this time to sweep the state revenues going into the COVID-Response Fund to replace the local school division K-12 sales tax loss revenue. That funding was subsequently not required as sales tax revenues did not decline to the extent anticipated.

The 2021 General Assembly saw new attempts to reverse the ban on skill machines but all failed, so that post-July 1, 2021 skill games remain illegal. And, there are other forms of gambling (video gaming terminals aka VGT) that are attempting to be recognized as legal in Virginia.

Virginia currently allows many forms of gambling:

- Virginia Lottery games
- Pari-mutuel betting on horseracing
- Off track betting on historical horse racing
- Online sports betting
- Casino gaming in Bristol, Danville, Norfolk, Portsmouth
- Charitable gaming

All of the above-listed forms of gambling except online sports betting have some form of a revenue stream that comes back to Virginia local governments, either directly (casino gaming, off track betting and historical horse racing), or indirectly through education funding (Virginia Lottery). When skill games were legal during the COVID-19 pandemic, there was a revenue stream that inured to host cities. And, with all of these forms of gambling, there is and was money siphoned off to support the Virginia Problem Gambling Treatment and Support Fund.

It is not the position of Virginia First Cities to pick gambling winners or losers. For example, Virginia First Cities’ non-casino host city members generated almost \$8 million in tax revenue from skill games when they were deemed legal by the General Assembly. This is money that could be dedicated to K-12 education, construction and modernization of schools, and other pressing areas.

Request:

- Should the General Assembly face the question of making skill games legal again, or sanctioning the use of video gaming terminals (VGT), we urge the General Assembly to provide a level playing field for all types of gambling and to create a dedicated revenue stream directly to cities that host these platforms.

We unfortunately have experienced the proliferation of these unregulated and untaxed skill game machines when they were illegal and we did not receive any tax revenue or tangible cost/benefits.



Taxation and Tax Policy

Background: The history of the Virginia legislature's treatment of local governments and tax revenue return is replete with politically expedient calls to eliminate funding.

The Machinery and Tools and Business and Professional Occupational License taxes comprise a major part of our city budget and are extremely important to local government revenue streams.

Request:

- While it sounds attractive to voters, we believe that if there is an elimination of the Food for Home Consumption Tax (Grocery Tax), then there should be a replacement of lost revenue to localities.
- We will vigorously oppose any attempt to eliminate or reduce the M&T and BPOL taxes unless it includes an adequate funding mechanism.
- We support increasing the standard tax deduction because it will most directly support putting additional dollars in the pocket of our low and middle-income citizens in our city.

DRAFT



Transportation/Mobility

Background: Our city is a vibrant, urban center that has been and is currently making proactive transportation improvements to aid quality of life and the environment. While there is no one size fits all for cities, there is an expectation that mobility and diversity of mobility in and around the urban core is safety first. This is vital to jobs and thriving cities.

Request:

- We support increased street maintenance funding to ensure equitable funding for independent cities and urban areas that, in the current formula, do not receive adequate funding for on-street parking areas, bike lanes, transit lanes and turning lanes.
- We encourage the assembly to ensure that transit funding is maintained in the state budget.
- We support allowing local governments the option to implement a radar speed enforcement initiative in urban centers on residential streets to help calm traffic.

Authorizing the use of radar-enabled speeding and red-light cameras (beyond the currently allowed posted school crossing zones or work zones) to include business and residential districts will be a traffic calming measure, a cycling and pedestrian friendly measure, and a way to hopefully gain compliance with speed limits on our streets without having to hire or redirect local police

R-2



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 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Virginia Healthy Start Initiative

ISSUE: The Virginia Department of Health has requested Hopewell-Prince George Healthy Families (HPGHF) serve as a Healthy Start Initiative site.

RECOMMENDATION: City Council approve Hopewell-Prince George Healthy Families serve as a Virginia Healthy Start Initiative site (VHSI) and create three (3) full-time positions and two (2) part-time positions

TIMING: City Council action is requested on January 25, 2022

BACKGROUND: The Virginia Department of Health (VDH) has sent a letter of intent to HPGHF for HPGHF to serve as a VHSI site to provide services to up to 100 of the most vulnerable families that reside in the Cities of Hopewell and Petersburg through home visiting services. The initial contract is for \$60,000 for the remainder of the grant period (February 1, 2022 – March 21, 2022). The contract will be renewed for approximately \$301,000 for the new grant period that goes from April 1, 2022 to March 21, 2023. The grant was under the Crater Health District but was removed by the VDH, which then approached HPGHF. VDH picked HPGHF due to the strength of the program and the ability to get the program started quickly. The City is not required to provide a match and the grant will cover all expenses of the program.

The VHSI is very similar to the Healthy Family Program as both are evidence-based programs. Mothers and babies that are prenatal or 2 months old are eligible for the program. Once enrolled, the family receives services until the child is 18 months old. The Outreach Worker focuses on developmental milestones, education, housing, employment and many more topics similar to

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			

Healthy Families. Visits take place in the home (porch visits and some Zoom due to COVID). and are held weekly. When the child graduates, they will be ready for a successful career.

The full-time positions created would a program supervisor, a case manager, and a fatherhood initiative manager. The part-time positions include a case manager and a nurse.

ENCLOSED DOCUMENTS:

- Letter of Intent from the Virginia Department of Health dated January 5, 2022
- Hopewell – Prince George Healthy Families Annual Report

STAFF:

John M. Altman, Jr., City Manager

Diane Varner, Executive Director, Hopewell-Prince George Healthy Families

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



COMMONWEALTH of VIRGINIA
Department of Health

M. Norman Oliver, MD, MA
State Health Commissioner

PO BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

January 5, 2022

City of Hopewell
Hopewell Prince George Healthy Families
200 W Randolph Road
Hopewell, VA 23860

Diane Varner

We wish to provide your agency with this letter of intent to fund your program as a Virginia Healthy Start Initiative (VHSI) site. The VDH-VHSI is in the process of contracting with Hopewell Prince George Healthy Families to provide Healthy Start services to families who reside in the City of Hopewell and Petersburg. The initial contract will be for \$60,000.00 which will cover the remainder of this grant period effective 2/1/22-3/31/22. The contract will then be up for renewal, pending successful completion of contract deliverables, for approximately \$301,000.00 which will run the new grant period of 4/1/22-3/31/23.

We look forward to supporting and partnering with your agency to serve Virginia's most vulnerable families through home visiting services.

Thank you,

Andelicia Neville
Early Childhood Health Unit Supervisor
Virginia Department of Health
Office of Family Services
Division of Child and Family Health
9th Floor, 914K
804-864-7773

CC: Pamela Hanks; VHSI Project Director

	2017	2018	2019	2020	2021
Healthy Families: # Of Families Served over the course of a year. Capacity is 44 Families	Max at one time -19 Total over a year- 27	Max at one time - 34 Total over a year- 49	Max at one time -42 Total over a year-61	Max at one time-53 Total over a year- 71	Max at one time- 54 Total over a year- 92
Total # Home Visits	124	233	421	486*	495*
Total # of Depression Screens	None reported	51	68	70	71
Total # of Families That Received Thanksgiving Dinner	None reported	31	51	76-families that were not in the program also received dinner	72- families that were not in the program received dinner
Total # of Families That Received Christmas	19 Number of children served unknown	29 42 children served	48 66 children served	84 301 children served	82 298 children were served
Total # of Families That Received Diapers and Formula	None	21- Cans of Formula 489- Packages of Diapers *	15- Cans of Formula 599- Packages of Diapers*	117 – Cans of Formula 2541- Packages of Diapers	98- Cans of Formula 1,788- Packages of Diapers
Mandated Parent Education Classes	None	None	None	None	38- Individuals Completed the Course

Certified Car Seat Technicians		1- Employee trained		1-Employee Trained	
Support Programming			Mothers of Babies	Darkness to Light Circle of Parents	RISE

- 486-staff continued to provide home visits. While they cannot go in the family's home-, they meet outside on the porch.
- 495- Staff continued to provide visits at the family's home- continued them outside.
- We held a diaper drive- those diapers were given out in 2018/19.

R-3



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 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: DEQ – Underground Storage Tank Financial Responsibility

ISSUE: The City received from the Virginia Department of Environment Quality (DEQ) an Underground Storage Tank (UST) Financial Responsibility Deficiency Notice, for the petroleum UST currently located at the Department of Public Works

RECOMMENDATION: Staff requests City Council to authorize the City Manager to take all necessary actions to establish a dedicated fund account in the amount of \$20,000 per Section 280.107 to comply with the provisions of 9VAC25-590 of the Virginia Administrative Code.

TIMING: Action is request at the January 25, 2022 City Council meeting

BACKGROUND: 9VAC25-590, Virginia Petroleum Underground Storage Tank Financial Responsibility Requirements (the “Regulation”), of the Administrative Code of Virginia, requires the City to annually maintain and submit a current mechanism to demonstrate financial assurance for the UST in question. 9VAC25-590-40 (A) requires owners or operators of petroleum USTs to “demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks...that handle an average of more than 10,000 gallons of petroleum per month based on annual throughput for the previous calendar year” of \$1 million. 9VAC25-590-60 through 9VAC25-590-110 provide allowable mechanisms and combinations of mechanisms for the owner or operator to demonstrate financial responsibility for a UST. Continued non-compliance could subject the City to penalties and fines from DEQ.

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"/> | Vice-Mayor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor 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"/> | Mayor Patience Bennett, Ward #7 |

ENCLOSED DOCUMENTS:

- REVISED Memo to City Council dated January 5, 2022
- 9VACS25-590-260 – Appendix 13 – Assignment of Certificate of Deposit Account

STAFF:

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

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

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

Y N

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



MEMORANDUM

To: The Honorable City Council
cc: Michael Terry, Director of Finance
From: John M. Altman, Jr., City Manager *JMA*
Date: January 19, 2022
Re: **Petroleum Underground Storage Tank (UST) - REVISED**

John M. Altman, Jr.
City Manager

maltman@hopewellva.gov
p: (804) 541-2243
f: (804) 541-2248

300 North Main Street
Suite 216
Hopewell, VA 23860

www.hopewellva.gov

The City received from the Virginia Department of Environment Quality (DEQ) an Underground Storage Tank (UST) Financial Responsibility Deficiency Notice, for the petroleum UST (ID# 40007517) currently located at the Department of Public Works, 103 S. Hopewell Street. Per 9VAC25-590, Virginia Petroleum Underground Storage Tank Financial Responsibility Requirements (the "Regulation"), of the Virginia Administrative Code, the City is required to annually maintain and submit a current mechanism to demonstrate financial assurance for the UST in question on February 17, 2021.

9VAC25-590-40 (A) requires owners or operators of petroleum USTs to "demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks...that handle an average of more than 10,000 gallons of petroleum per month based on annual throughput for the previous calendar year" of \$1 million.

9VAC25-590-210, Virginia Petroleum Storage Tank Fund (the "Fund"), was established, in part, to offset the costs of demonstrating financial responsibility for regulated petroleum USTs as required by 9VAC25-590-40. The Fund can be used to demonstrate a significant portion of the City's overall financial responsibility obligation, but cannot be used to demonstrate the entire financial responsibility amount of \$1 million.

Total Fund Coverage Amount	\$1,000,000
Coverage Under the Fund	\$980,000
Required City Portion*	\$20,000

* - Portion or obligation required based on 600,000 gallons or less pumped on an annual basis in the UST.

The City's obligation is to demonstrate the ability to satisfy a \$20,000 obligation. 9VAC25-590-60 through 9VAC25-590-110 provide allowable mechanisms and combinations of mechanisms for the owner or operator to demonstrate financial responsibility for a UST. Those mechanisms include the following:

VAC Section	Mechanism	Viability
9VAC25-590-60	Financial Test of Self-Insurance	Unavailable due to status of audited financial statements.

9VAC25-590-70	Guarantee	Not viable as the City does not have a guarantor that has a controlling interest in the City or a substantial business relationship with the City regarding the UST
9VAC25-590-80	Insurance and Group Self-Insurance Pool Coverage	Would have an annual cost to the City to obtain and maintain
9VAC25-590-90	Surety Bond	Would have a cost to the City and potential collateral requirements
9VAC25-590-100	Letter of Credit	An annual cost to the City and the process would be cost prohibitive
9VAC25-590-105	Certificate of Deposit	No fees associated with this option, only requires the purchase of a CD and the assignment of that CD by the issuing bank to DEQ
9VAC25-590-110	Trust Fund	Would require annual maintenance fees to the City

After the December 14, 2021 City Council meeting, Davenport & Company, on the City's behalf, re-engaged Mr. Bennett at DEQ regarding this issue, and he relayed that although the Virginia Administrative Code (VAC) and DEQ's FAQ only lists the seven alternatives above, there is a federal provision, CFR Title 40, Chapter 1, Subchapter 1, Part 280, Subpart H Section 280.107, that is not listed in either the VAC or DEQ's FAQ that would allow the City to establish a local government fund to satisfy the requirement.

Section 280.107 specifically would require the City to establish a dedicated fund account, not commingled with other funds or otherwise used in normal operations that is dedicated by state constitutional provision, or local government statute, charter, ordinance, or order to pay for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks and is funded in the amount of \$20,000 for part of the required amount of coverage and used in combination with other mechanism(s) that provide the remaining coverage. In addition, the City's Chief Financial Officer would be required annually to provide evidence that the dedicated fund is established in the required amount to DEQ until such time as the City could utilize the Financial Test of Self-Insurance alternative via audited financial statements.

It has also confirmed with Mr. Bennett at DEQ that the amount required of the City is \$20,000, its portion of the total coverage amount of \$1,000,000. Utilizing either the establishment of a dedicated local fund or the assignment of a Certificate of Deposit would require the City to set aside \$20,000 to satisfy the requirement with no additional annual fees to be paid by the City. Using a dedicated local fund would allow the City to move forward without the participation of a third party bank.

Staff requests at the January 25, 2022 Council meeting that City Council authorize the City Manager to take all necessary actions to establish a dedicated fund account in the amount of \$20,000 per Section 280.107 to comply with the provisions of 9VAC25-590 of the Virginia Administrative Code.

Please do not hesitate to contact me if you have question or wish to discuss this issue.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 1111 East Main Street, Suite 1400, Richmond, VA 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

February 17, 2021

Mr. Michael Terry
Director of Finance
City of Hopewell
300 North Main Street
Hopewell, Virginia 23860

RE: UST Financial Responsibility Deficiency Notice
Facility ID#: 4007517 (City of Hopewell Public Works)

Dear Mr. Terry:

The Virginia Department of Environmental Quality (DEQ) staff conducted a review of the petroleum underground storage tank financial assurance information on file for the above referenced petroleum underground storage tank facility in the Commonwealth of Virginia. Per the Virginia Petroleum Underground Storage Tank Financial Responsibility Requirements, 9 VAC 25-590 (the Regulation), you must annually maintain and submit a current mechanism to demonstrate financial assurance for the underground storage tanks in question.

Please examine the enclosed guidance information regarding the various alternatives for demonstrating financial assurance and then contact me directly for further assistance. I can be reached directly by telephone at (804) 698-4205 or by e-mail at josiah.bennett@deq.virginia.gov.

Please note that failure to comply with the Regulation may result in enforcement action. Please contact me on or before **March 18, 2021**. Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Josiah Q. Bennett', written over a horizontal line.

Josiah Q. Bennett
Office of Financial Responsibility & Waste Programs

Frequently **A**sksed **Q**uestions

Underground **S**torage **T**anks

Financial **R**esponsibility



This document comprises a set of questions and answers pertaining to the **Virginia Petroleum Underground Storage Tank Program**. The questions and answers contained in this document represent general guidance to assist owners/operators in preparing the required financial assurance documentation; it is not a regulatory document and does not represent a final interpretation of individual situations. If you have any questions regarding the requirements, please contact the Virginia Department of Environmental Quality's Office of Financial Responsibility Programs & Data Management at (804) 698-4205. A toll-free number is available for Virginia residents during normal business hours at (800) 592-5482. If you dial the toll free number, please request extension 4205. Business hours are 8:15 A.M. to 5:00 P.M.

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Applicability/Virginia Petroleum Underground Storage Tank Fund

I own and operate a number of petroleum underground storage tanks at multiple locations throughout the Commonwealth of Virginia. Am I required to demonstrate financial responsibility for each site individually or can I demonstrate for all sites at once?

The amount of financial responsibility an owner/operator must demonstrate is based upon the aggregate annual petroleum throughput of *all* regulated petroleum underground storage tanks it owns/operates in the Commonwealth of Virginia. Accordingly, an owner/operator's financial responsibility documentation must cover all underground storage tanks it owns/operates in Virginia. Generally, an owner/operator uses one financial assurance mechanism to demonstrate for all sites. Evidence of financial assurance must be maintained either at the site where the underground storage tanks are located, or at the owner/operator's place of work if located in the Commonwealth. In all cases, records maintained off site must be made available upon request of the Virginia Department of Environmental Quality (DEQ).

What is the Virginia Petroleum Storage Tank Fund?

The Virginia Petroleum Storage Tank Fund (the Fund) was established, in part, to offset the costs of demonstrating financial responsibility for regulated petroleum underground storage tanks. The Fund is a non-lapsing, revolving fund, which is administered by the DEQ. The Fund is established according to §62.1-44.34:11 of the Virginia Code. The primary source of revenue for the Fund is a state fee applied to regulated petroleum products (e.g., gasoline, aviation motor fuel, diesel fuel, dyed diesel fuel, kerosene, and heating oil) sold in the Commonwealth of Virginia. The fee is one-fifth of one cent per gallon of petroleum product sold in the Commonwealth, and may be increased to three-fifths of one cent if the Fund level dips below three million dollars. More information on how revenue is generated to support the Fund can be found in §62.1-44.34:13 of the Virginia Code. In addition, regulatory guidance regarding use of the Fund can be found in Section 210 of the Virginia Petroleum Storage Tank Financial Responsibility Requirements Regulation, 9 VAC 25-590 (the Regulation).

In Virginia, owners/operators are able to use the Fund in combination with one of the other allowable mechanisms, thus reducing significantly the actual amount they must demonstrate. Financial responsibility amounts vary between \$20,000 and \$200,000 depending upon an owner/operator's annual petroleum throughput.

Can I use the Fund to cover all of my underground storage tank financial responsibility requirements?

No. The Fund can be used to demonstrate a significant portion of an owner/operator's overall financial responsibility obligation, but cannot be used to demonstrate the entire financial responsibility amount.

The Regulation allows owners/operators to use the Fund in combination with another mechanism to demonstrate financial responsibility. Without the use of the Fund, most owners/operators would be required to demonstrate as much as \$1,000,000.

By using the Fund in combination with another mechanism, owners/operators must demonstrate only a portion of the total financial responsibility amount. Specific amounts are based on the owner/operator's annual throughput of petroleum. In some state programs, this demonstration amount is known as the

owner/operator's "deductible." An owner/operator's demonstration amount can range from \$20,000 to \$200,000, depending on annual throughput.

How much of my financial responsibility requirement will the fund demonstrate?

In most cases, the amount of coverage provided by the Fund will be \$1,000,000 minus the owner/operator's financial responsibility amount. For example, an owner/operator with a financial responsibility amount of \$20,000 will have \$980,000 of coverage under the Fund. This \$980,000 of Fund coverage is the same for both per occurrence and annual aggregate amounts.

The Fund is used, in part, to offset the cost of compliance with financial responsibility amounts established in the Regulation. In most cases, an owner/operator's regulatory obligation is \$1,000,000 dollars. However, by using the Fund in combination with another mechanism, only a portion of this amount must be demonstrated by the owner/operator. A sliding scale, illustrated in the table below, is used to determine the specific amount an owner/operator must demonstrate.

Annual Throughput (gallons)	Portion Demonstrated by Owner/Operator (Annual Aggregate Amount)	Coverage Under the Fund	Total Coverage Amount
600,000 or less	\$20,000 (\$5,000 corrective action + \$15,000 third party liability)	\$980,000	1,000,000
600,001-1.2 Million	\$40,000 (\$10,000 corrective action + \$30,000 third party liability)	\$960,000	1,000,000
1,200,001-1.8 Million	\$80,000 (\$20,000 corrective action + \$60,000 third party liability)	\$920,000	1,000,000
1,800,001-2.4 Million	\$150,000 (\$30,000 corrective action + \$120,000 third party liability)	\$850,000	1,000,000
Over 2.4 Million	\$200,000 (\$50,000 corrective action + \$150,000 third party liability)	\$800,000	1,000,000

When using an insurance policy to demonstrate financial responsibility, coverage under the Fund varies. Please contact the Office of Financial Responsibility Programs & Data Management for further information regarding the Fund demonstration in combination with insurance policies.

Financial Test

What is Dun & Bradstreet and how do I obtain a sufficient rating from them?

Dun & Bradstreet is a financial strength rating service. Businesses that submit certain financial information to Dun & Bradstreet receive a rating based on a number of indicators, including total assets and liabilities. For example, a Dun & Bradstreet rating of EE indicates an organization has a net worth of \$20,000-\$34,999. By verifying an owner/operator's financial strength rating through Dun & Bradstreet, the DEQ can assess whether an owner/operator's net worth satisfies the financial responsibility requirements.

Owners/operators who have received an acceptable rating from Dun & Bradstreet (i.e., a rating that meets or exceeds its financial responsibility requirement) also meet the requirement for submission of financial data and are not required to obtain certification from a Certified Public Accountant.

To receive a Dun & Bradstreet rating, owners/operators must contact a Dun & Bradstreet representative and request a rating based upon "*worth from interim or fiscal balance sheet.*" Dun & Bradstreet does issue other types of ratings, such as ratings that indicate the number of employees within an organization, so it is important that owners/operators accurately specify which type of rating they need during the application process. The only type of Dun & Bradstreet rating that is acceptable for purposes of the financial responsibility requirements is the rating based upon "*worth from interim or fiscal balance sheet.*"

In some cases, an owner/operator may already have such a rating. If not, Dun & Bradstreet will most likely charge a fee for obtaining the information necessary to issue a rating. For more information on Dun & Bradstreet's full range of financial rating services or for information on receiving a financial strength rating, access the Dun & Bradstreet website at www.dnb.com or call toll-free at (800) 234-3867.

I employ a bookkeeper who is responsible for handling the financial affairs of my company, ACME Petroleum Company. Can my bookkeeper provide the verification that is required to support the financial data contained in the Letter from the Chief Financial Officer? I also have an employee who happens to be a Certified Public Accountant. Can she provide the required service?

Only an independent Certified Public Accountant is qualified to provide the services required to support the financial data contained in the Letter from the Chief Financial Officer. An employee of the company who also is a Certified Public Accountant is *not* considered independent and, therefore, cannot provide the required service. Financial statements certified by bookkeepers, licensing agents, enrolled agents or accountants that are not otherwise Certified Public Accountants are also not acceptable.

My Certified Public Accountant prepares a Compiled/Reviewed Year End Financial Statement for my business. Is this service sufficient to provide financial data verification for my financial test?

No. A Compilation/Review is not sufficient. The CPA must provide an independently audited year-end financial statement.

I am the sole proprietor of three gas stations located within the Commonwealth of Virginia. In preparing my year-end financial information as required by the Letter from the Chief Financial Officer, can I apply the equity in my home and other personal assets for the purposes of calculating my net worth?

Owners/operators who are sole proprietors may use both personal and business related financial information when determining assets and liabilities for purposes of complying with the Regulation.

Who can qualify as a Chief Financial Officer for purposes of completing the financial test of self-insurance? I am the owner of a relatively small gas company and don't have an official "Chief Financial Officer." In this case, who should sign my letter?

The Chief Financial Officer is the corporate officer officially designated as "Chief Financial Officer" or the functional equivalent of a senior financial officer. In the case of a corporation, the Chief Financial Officer is usually designated through the incorporation process, and thus will already be identified as part of the corporate structure. In the absence of such a designation, the most senior person with the authority and responsibility for the collection, disbursement, and use of funds can be considered the Chief Financial Officer for purposes of completing the Letter from the Chief Financial Officer. In the case of many small businesses, this will most likely be the owner/operator. Bookkeepers, accountants and attorneys are not eligible to serve as a Chief Financial Officer unless employed by the organization and specifically designated to the appropriate position.

I am in the process of filling out the Letter from the Chief Financial Officer, which asks me if I file reports with the Securities Exchange Commission, the Energy Information Administration, or the Rural Electrification Administration. I have never heard of these things. What are they and how do I determine if I am filed with them?

Owners/operators and guarantors completing Appendix I or Appendix XI must verify financial data provided as part of the Letter from the Chief Financial Officer (e.g., total tangible assets, total liabilities, and tangible net worth). One of the ways owners/operators can do this is by filing financial statements with the Securities & Exchange Commission (SEC), the Energy Information Administration (EIA), or the Rural Electrification Administration. These agencies are entities of the federal government and have financial data verification requirements similar to those of the UST financial responsibility requirements. Most likely, owners/operators who file with one of these entities will already be aware that they conduct such filings. A brief description of each organization is provided below.

The SEC requires all public companies in the United States with over \$10 million in assets and more than 500 shareholders to file periodic reports demonstrating financial health. Owners/operators of organizations who submit such reports to the SEC fulfill the requirement for financial data. For more information, visit the SEC website at www.sec.gov.

The EIA, created by Congress in 1977, is a statistical agency of the U.S. Department of Energy. Major energy-producing companies based in the United States report financial and operating data annually as part of EIA's global financial reporting system. Only the largest petroleum facilities (i.e., those that account for more than 1% of the total petroleum production) report via this system. In addition, all organizations reporting to the EIA also submit to the SEC. For more information, access the EIA website at www.eia.doe.gov.

The Rural Electrification Administration renamed the Rural Utilities Service (RUS) in 1993, is an agency of the U.S. Department of Agriculture. The RUS supports the development of power and other utilities in rural communities by financing electric, telecommunications, and water/wastewater projects through low-interest loans and grants to communities of fewer than 10,000 residents. Organizations that receive financing through RUS are required to provide detailed financial information to the administration. For more information, access the RUS website at www.usda.gov/rus.

Insurance Policies

I maintain a commercial general liability insurance policy for my business. Can I just use this policy to satisfy the Virginia Underground Storage Tank Financial Responsibility Requirements Regulation?

A commercial general liability policy usually will *not* contain sufficient provisions specific to the underground storage tank financial responsibility requirements. In fact, many commercial general liability policies specifically exclude pollution incidents such as releases from underground storage tanks. Consequently, the Regulation requires owners/operators to obtain specific documentation that demonstrates the coverage provided by their policy conforms to the financial responsibility requirements. This documentation can be either an endorsement to an existing policy or a separate certificate of insurance. Specific wording is provided in the regulations for each alternative. Please note that insurance companies *must* use this language when developing the appropriate documents. In all cases, owners/operators should contact a licensed insurance agent to review the scope of coverage provided by any existing insurance policies to evaluate whether a particular policy can be used to satisfy the regulatory requirements.

I am exploring the option of getting a pollution liability insurance policy to comply with the Virginia Underground Storage Tank Financial Responsibility Requirements Regulation. What kind of coverage do I need to get?

Owners/operators demonstrating financial responsibility by using an insurance policy must obtain pollution liability insurance from a qualified insurer that is licensed to practice insurance in the Commonwealth of Virginia. The provisions of the policy must apply to any corrective action or cleanup activities resulting from a tank release as well as any claims filed by third parties.

The value of the insurance policy must be in an amount that is *at least equal* to the owner/operator's required level of financial responsibility. An exception to this is in situations where an owner/operator is using a combination of mechanisms to demonstrate financial responsibility. When using a combination of mechanisms, the sum of coverage provided by the mechanisms must be at least equal to the owner/operator's required level of financial responsibility.

What kinds of premiums and deductibles can I expect if I choose to obtain a pollution liability insurance policy to satisfy the underground storage tank financial responsibility requirements?

The costs of any premiums or deductibles associated with an underground storage tank insurance policy will vary. In general, insurance companies assess these costs based on a series of risk factors associated with operating an underground storage tank. The primary factors an insurance company considers are the construction materials of the tanks and associated piping, the age of the tanks, the type and quality of the

leak detection equipment in place, and the number of tanks to be insured. Past or present contamination of the site in question can also be a factor.

In all cases, owners/operators considering a pollution liability insurance policy to satisfy the financial responsibility requirements should contact a qualified insurance agent to gain a more accurate perspective of the costs and procedures associated with their particular situation.

Is a list available of insurance companies that provide the type of coverage required under Virginia's Petroleum Underground Storage Tank Financial Responsibility Regulations?

The DEQ does not provide a list of pollution liability insurance providers; however, the United States Environmental Protection Agency (EPA) publishes a document, entitled *List of Known Insurance Providers for Underground Storage Tanks* (EPA510-B-00-004; January 2000). This publication can be ordered through EPA's RCRA/Superfund/EPCRA Hotline by calling (800) 424-9346. In addition, the most current edition of the document is available on the Internet at <http://www.epa.gov/swerust1/pubs/inslist5.pdf>.

In every case, an insurance company chosen to provide coverage as required by the Regulation must be licensed to transact the business of insurance in the Commonwealth of Virginia or eligible to provide insurance as an excess or approved surplus lines insurer in Virginia. The EPA insurance provider publication discussed above does not specify the states in which a particular insurance company has been licensed; rather, it lists insurance companies that provide this type of pollution liability coverage.

How do I know whether an insurance company is licensed to practice insurance in the Commonwealth of Virginia?

Owners/operators can verify the eligibility of an insurance company to provide insurance in the Commonwealth of Virginia by contacting the State Corporation Commission's Bureau of Insurance toll-free at (800) 552-7945 or in Richmond at (804) 371-9741. The Bureau of Insurance also has a list of licensed insurance companies available on the Internet at www.state.va.us/scc/division/boi/webpages/coinfoaccess/pc.htm. A list of surplus lines carriers is available at <http://www.state.va.us/scc/division/boi/webpages/coinfoaccess/sl.htm>.

Someone told me that if I use a pollution liability insurance policy to comply with the Virginia Underground Storage Tank Financial Responsibility Requirements Regulation I will lose my access to the Virginia Petroleum Storage Tank Fund. Is this true?

Special provisions apply to owners/operators demonstrating financial assurance using a pollution liability insurance policy in combination with the Fund. State law requires owners/operators to exhaust the value of an insurance policy fully *before* accessing the Fund for costs associated with corrective action or third party liability claims. For more information on Fund coverage in combination with insurance policies, please contact Josiah Bennett at the Office of Financial Responsibility Programs & Data Management at (804) 698-4205, toll-free at (800) 592-5482 (ext. 4205).

Fully Funded Trust Fund

What is a fully funded trust fund?

A fully funded trust fund is a fund that contains an owner/operator's entire financial responsibility demonstration amount upon creation and is actively managed by a trustee. If a release occurs from a regulated petroleum underground storage tank, DEQ can access the money contained in a trust fund directly in order to pay for necessary corrective action measures and/or third party liability claims. Appendix VII contains the specific language that must be used to constitute the fully-funded trust fund.

My bank has informed me that it is unable to set up a fully funded trust fund because it does not have a regulated trust department. What should I do?

Any institution, or trustee, establishing a fully funded trust fund to satisfy the financial responsibility requirements must be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal agency or the State Corporation Commission. While most national-level banks have departments established for this purpose specifically, many of the smaller community banks may not. If a bank is unable to establish a fully funded trust fund, owners/operators may want to consider inquiring with the bank as to any arrangements the bank may have with one of the larger institutions in the area. It is possible an owner/operator could access the services provided by a larger bank through their community bank. If this is not the case, owners/operators should contact one of the larger national-level banks directly to establish a fully funded trust fund.

Can I comply with the Virginia Petroleum Underground Storage Tank Financial Responsibility Regulations by hiring an attorney to establish and manage the fully funded trust fund?

No. Attorneys cannot establish trust funds to demonstrate compliance with the Regulation. According to the Regulation, trustees must have the authority to act as a trustee and their trust operations must be regulated and examined by a federal agency or the State Corporation Commission. Attorneys do not satisfy either of these requirements, and thus are unable to serve as trustee for either a fully funded trust fund. Owners/operators considering establishing a fully funded trust fund should contact their bank to determine whether it has the appropriate authorization.

Irrevocable Standby Letter of Credit

Can I have my bank provide a letter of credit on my behalf for the amount of financial responsibility that I'm required to demonstrate?

Yes. Banks do issue irrevocable standby letters of credit to demonstrate financial responsibility for underground storage tanks using wording required by the Regulation. A bank typically charges anywhere from 2-4% of the face value of the letter of the letter of credit as an annual fee and may also require collateral in the form of either equity in property (i.e. a deed of trust) or an equivalently funded certificate of deposit on hold with the bank.

Certificate of Deposit Assignment

If I am able to fund a certificate of deposit for the required amount of financial responsibility, why do I have to obtain a letter of credit from a bank and pay an additional annual fee for that service?

You don't have to obtain a letter of credit in addition to a certificate of deposit. If you are able to fund a certificate of deposit for the required amount of financial responsibility and your bank is willing to cosign (with you) an agreement to assign all rights to that certificate of deposit to the Department for the duration of your obligation to demonstrate financial responsibility for the underground storage tanks in question or until you provide an acceptable alternate mechanism, you may do so.

General

Can I submit my bank statement to the DEQ to prove that I have enough money in my bank accounts to cover my underground storage tank financial responsibility amounts?

No. Submission of bank statements is not an acceptable method of demonstrating financial assurance for the underground storage tank financial responsibility regulations. The regulation provides six allowable mechanisms from which owners/operators may choose to demonstrate financial responsibility. These mechanisms include the following: financial test of self-insurance, letter of credit, surety bond, insurance policy, trust agreement, and corporate guarantee. Owners/operators should examine the requirements for each of these mechanisms when determining which mechanism best suits their situation.

Do I have to submit all of the mechanisms listed in the Virginia Petroleum Underground Storage Tank Financial Responsibility Regulations?

No. Owners/operators are required to select one of seven allowable financial assurance mechanisms provided in the regulation in order to demonstrate compliance with the financial responsibility requirements. Owners/operators also have the option of using a combination of mechanisms to comply with the financial responsibility requirements.

Which financial assurance mechanism is the least expensive?

The costs of complying with the allowable financial assurance mechanisms will be different for every owner/operator and will depend upon several factors. Below is a *general* idea of the various types of costs associated with each mechanism. Actual costs will vary according to geographic region and the owner/operator's specific situation (e.g., financial responsibility amount, financial strength, number of tanks, and condition of tanks). In all cases, owners/operators must consult the appropriate industry representative to gain a more complete understanding of actual costs.

Mechanism	Types of Costs Associated with Compliance*
Financial Test of Self-Insurance	<ul style="list-style-type: none"> • Financial data verification costs (e.g., Certified Public Accountant certification or Dun & Bradstreet financial strength rating)
Insurance	<ul style="list-style-type: none"> • Policy premium costs (1-3% of face value) • High deductibles
Surety Bond	<ul style="list-style-type: none"> • 1-3% of face value • Possible collateral requirements
Letter of Credit	<ul style="list-style-type: none"> • 1-2% of face value • Possible collateral requirements
Guarantee	<ul style="list-style-type: none"> • Financial test of self-insurance costs
Trust Fund	<ul style="list-style-type: none"> • Maintenance Fees (up to \$5,000) • Taxes (varies)
Certificate of Deposit Assignment	<ul style="list-style-type: none"> • Dollar amount of certificate of deposit, no annual fees
*These costs do not include accounting fees, banking fees, taxes, etc.	

R-4



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 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Financial Audit Services

ISSUE: The City received from Robinson Farmer Cox to provide financial audit services for FY19, FY20, FY21 and FY22

RECOMMENDATION: Staff requests City Council to approve the selection of Robinson Farmer Cox and authorize the City Manager to move forward with creating a contract for Council review and approval.

TIMING: Action is request at the January 25, 2022 City Council meeting

BACKGROUND: The Code of Virginia requires the City to have its accounts and records audited annually by an independent CPA (auditor or firm) in accordance with the specifications furnished by the Auditor of Public Accounts (APA) of the Commonwealth of Virginia, *Specifications for Audits of Counties, Cities and Towns*, as of June 30, of each year. The audits should also be in accordance with the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single audit Act Amendments of 1996; and the provisions of OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*.

June 30, 2015 fiscal year ended for the City; however, the annual audit (regular annual audit) was not completed until August 31, 2017 and respectfully the single audit was completed July 31, 2019; combine total of approximately 49 months or 4 years for audit completion of Fiscal Year 2015. Since the completion of the Fiscal Year 2015 audit, the City has endeavored to fulfill its responsibility and obligation to comply with the aforementioned Code of Virginia regarding

SUMMARY:

Y N

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

Y N

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

annual audits. For the period of January 2018 to October 2021 (approximately 46 months or 3.8 years) the City has had its accounts and records audited for Fiscal Years 2016, 2017 and 2018.

PBMares performed the audits (regular annual audit) for Fiscal Years 2016 and 2017. Robinson Farmer Cox, performed the regular annual audit for Fiscal 2018 and the single audits for Fiscal Years 2016, 2017 and 2018.

City staff originally requested City Council to allow Robinson Farmer Cox to provide audit services for both the regular annual audit and single audit for Fiscal Years 2018, 2019 and with the option to extend audit services for Fiscal Years 2020 and 2021. Council approved Robinson Farmer Cox audit services (regular annual audit and single audit) for Fiscal Year 2018 only. Staff was advised to solicit a request for proposal from a qualified CPA firm to perform financial and compliance audit services for the City for Fiscal Years 2019, 2020, 2021 and 2022. The previous Fiscal Years 2019, 2020 and 2021 to be completed within eighteen (18) months from date of contract.

City Staff issued a request for proposal for Financial Audit Services dated November 04, 2021; with a response due date of December 02, 2021. Staff determined the Robinson Farmer Cox audit proposal met the City's request for Financial Audit Services.

ENCLOSED DOCUMENTS:

- Robinson Farmer Cox submission to RFP 10-22

STAFF:

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

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"/>	Vice-Mayor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

AUDIT PROPOSAL

FOR THE
CITY OF HOPEWELL, VIRGINIA



FOR FISCAL YEARS
JUNE 30, 2019, 2020, 2021 AND 2022

Please Respond To:

David E. Foley, CPA
Robinson, Farmer, Cox Associates
530 Westfield Road
Charlottesville, VA 22901

E: dfoley@rfca.com
P: (434) 973-8314
F: (434) 974-7363

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ROBINSON, FARMER, COX ASSOCIATES, PLLC
Certified Public Accountants

December 2, 2021

Purchasing Office
City of Hopewell
300 N. Main Street
Hopewell, VA 23860

Ladies and Gentlemen:

We are pleased to submit our proposal to provide professional audit services for City of Hopewell ("City") for Fiscal Years June 30, 2019, 2020, 2021, and 2022. This introductory letter will provide you with an overview of our firm as well as a summary of our expertise and abilities.

EXPERIENCED LEADERS

For more than **sixty-five** years, Robinson, Farmer, Cox Associates (RFC) has been the leading governmental auditing and consulting firm in the Commonwealth of Virginia. In continuous operation since 1953, we provide audit services for over 25% of Virginia's cities, nearly 75% of its counties, and dozens of its towns. We also serve numerous authorities, boards, commissions, and similar entities. Staff members of RFC spend **approximately 100,000 hours annually** in the service of Virginia's local governments and related organizations. RFC operates six strategically located offices, all of which are located in the Commonwealth of Virginia. The Charlottesville office of RFC is the headquarters of the Firm. RFC is a certified small business within the qualifications of the SWaM certification program.

RFC's approach is simple: to provide quality services performed by experienced staff with extensive knowledge in the areas of public entity accounting, auditing, and financial consulting. This straightforward approach to conducting business ensures that our clients receive the efficient, professional, and effective services they have come to expect.

SERVICES

In addition to performing the City's audit, we offer an array of value-added benefits:

Fiscal Review

Along with the audit, RFC performs a detailed review of the City's financial condition against historical data and industry benchmarks. This review is designed to identify key financial trends that may require action by the governing body.

**CHARLOTTESVILLE OFFICE:
STREET ADDRESS**

530 Westfield Road
Charlottesville, Virginia 22901
Phone: (434) 973-8314
Fax: (434) 974-7363

E-mail: dfoley@rfca.com
Website: www.rfca.com

SERVICES: (CONTINUED)

Management Recommendations

As part of our audit process, we evaluate the City's internal controls and review significant accounting policies. This review allows us to provide insightful recommendations aimed at improving internal controls and operating efficiencies. In addition, we provide technical advice aimed at improving financial statement presentation and related note disclosures.

Audit Support

RFC developed software and audit manuals provide our clients with cost effective ways of complying with ever-changing reporting requirements. Recent support products include:

- › The RFC Governmental Fixed Asset Depreciation System ©;
- › The RFC Integrated GASB 34 Financial Reporting Model ©;
- › RFC's Actuarial Valuation Model for GASB 43/45;
- › The RFC Local Government Accounting Manual©; and the
- › RFC Linear Programming Cost Allocation Software.

Changes in Accounting Standards and State Legislation

Since RFC's primary focus is public entity accounting, auditing, and consulting, we keep abreast of proposed changes in related accounting standards and state legislation. RFC takes a proactive approach in advising our clients of future legislative and regulatory changes, internal requirements necessary to meet these changes, and the related impact on operations. We publish client newsletters periodically to address these concerns. In addition, RFC provides seminars to clients detailing items that impact local governments in Virginia. Recent topics covered by our newsletters and seminars have included: implementation of GASB 54, a guide to GASB 63, 67, and 68, understanding and implementing SAS 115, basics of bond issuance in Virginia, developing and implementing financial forecasts, proffer calculations, understanding impact fees, and assessing and improving internal controls.

Consulting

RFC provides a variety of financial, technological, and management consulting services which are discussed later in this proposal.

QUALITY

Quality is synonymous with our reputation and is the cornerstone of our business. While all accounting firms are subject to the same standards regarding quality control and educational requirements, RFC distinguishes itself through its commitment to excellence. RFC's Quality Control Department epitomizes this commitment.

The Firm's Quality Control Department has a team of five full-time reviewers whose focus is to review individual engagements to ensure that RFC standards are maintained year-round.

A number of RFC clients have participated in the GFOA¹ Certificate of Excellence in Financial Reporting Program for over thirty years. **All clients that have applied for the certificate have been successful in receiving same.** The Firm's Director of Quality Control, has served as a Special Review Committee member for the GFOA, and continues to review a selection of governmental audit reports from around the country each year. This process enhances our ability to ensure that your financial reports meet all reporting guidelines.

ACCESSIBILITY

Partners of the Firm are actively involved in the audit process **RFC maintains a partner to staff ratio of one to five.** This translates into a high level of partner involvement in your audit. **At RFC, we believe that you can't see the details from a distance.** As such, our partners will have a detailed understanding of your financial systems and controls.

We pride ourselves on remaining accessible to our clients during audit season and beyond. We encourage our clients to call us anytime with audit-related questions or concerns at **no extra charge.** We also maintain year-round contact through client newsletters, RFC sponsored events, and website postings.

STAFFING AND TIMELINE

David E. Foley will serve as Partner-in-Charge for this engagement, which will be staffed by personnel from our offices in Charlottesville and Richmond, Virginia. Paul H. Lee will serve as Concurring Partner and Kristen L. Choate, will be the Reviewing Member and will be available as needed for the engagement. Staff assignments and additional details are included later in this proposal. We will review and/or prepare reports in accordance with the timeline agreed to by the City and RFC.

¹ GFOA – Government Finance Officers Association

CONCLUSION

Robinson, Farmer, Cox Associates is committed to providing the best audit and consulting services available by capitalizing on our highly trained and experienced engagement staff using proven techniques to satisfy your audit and consulting needs. We look forward to discussing our qualifications with you in further detail at your convenience.

Should any questions arise concerning this proposal, please contact:

NAME / ADDRESS

David E. Foley, Member
530 Westfield Road
Charlottesville, VA 22901
(434) 973-8314

Thanking you for your consideration, we remain

Very truly yours,

ROBINSON, FARMER, COX ASSOCIATES



David E. Foley
Certified Public Accountant
Member

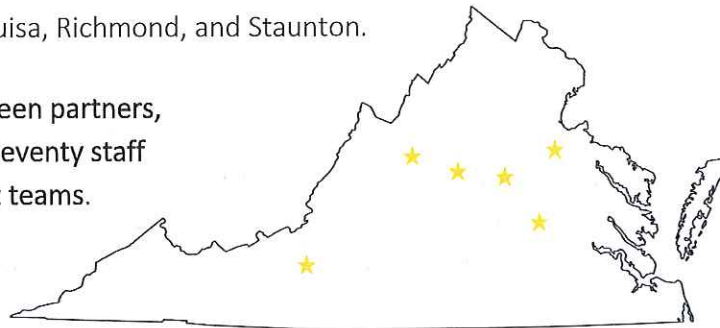
OVERVIEW OF FIRM

General Overview

Robinson, Farmer, Cox Associates (RFC) is a specialized Certified Public Accounting firm providing audit, assurance, and financial consulting services to local governments and related organizations in the Commonwealth of Virginia. Since the firm's founding in 1953, RFC has been the leading governmental accounting firm in the Commonwealth.

Robinson, Farmer, Cox Associates maintains six offices in the Commonwealth located in Blacksburg, Charlottesville, Fredericksburg, Louisa, Richmond, and Staunton.

Among the six offices, we have fifteen partners, five directors, and approximately seventy staff serving on our governmental audit teams.



Professional Affiliations



Robinson, Farmer, Cox Associates is a long-standing member of the American Institute of Certified Public Accountants' Governmental Audit Quality Center. The Center provides useful tools and educational seminars aimed at improving the quality of governmental audits. Robinson, Farmer, Cox Associates' staff are updated continuously on audit items of concern. In addition, we are able to translate knowledge gained from the Center into useful audit tools for our staff and governmental clients.

Members and staff of the firm are actively involved in other professional organizations that serve to enhance our abilities as auditors and advisors to local governments. Various members and staff of the firm are enrolled in the following professional organizations:

- ▶ Virginia Government Finance Officers' Association
- ▶ Association of Government Accountants
- ▶ Virginia Society of Certified Public Accountants
- ▶ American Institute of Certified Public Accountants
- ▶ Association of Certified Fraud Examiners

Virginia's Premier Source of Financial Expertise
For Over 50 Years.

OVERVIEW OF FIRM (CONTINUED)

Consulting Services and GFOA Reporting Services

Through the years, by serving as the auditor and advisor in financial planning for various Virginia counties, the Firm has assisted Virginia counties in receiving equitable settlements and awards in the final settlement of annexation suits and inter-governmental reimbursement agreements. The Firm took the initiative to review revenue sharing entitlements received by Virginia localities which subsequently resulted in approximately 70% of the Virginia localities receiving more equitable revenue sharing entitlements.



The Firm has assisted the County of Accomack, County of Albemarle, County of Augusta, County of Culpeper, County of Frederick, County of Gloucester, County of King George, County of Louisa, County of Prince George, City of Fairfax, City of Fredericksburg, City of Martinsville, Rapidan Service Authority, Rivanna Water and Sewer Authority, Fauquier County Water and Sanitation Authority, Albemarle County Service Authority, King George County Service Authority, Charlottesville-Albemarle Airport Authority, and Meherrin River Regional Jail Authority in obtaining the GFOA Certificate of Achievement. Most recently, the Firm has assisted Western Tidewater Regional Jail Authority in obtaining the certificate. Further, the Firm is actively involved in assisting other localities and authorities who will be applying for the Certificate in future years.

Staffing

Robinson, Farmer, Cox Associates strongly promotes a process of continual staff improvement through training programs and mentoring from our Members. In addition, RFC promotes a positive work environment and a balanced workload. As a result, our employee retention rates are nearly twice as strong as the average for national accounting firms. Our strong employee retention rates allow us to put more experienced auditors on your engagement.

OVERVIEW OF FIRM (CONTINUED)

Client Support

Members of the firm routinely provide support for Virginia municipalities through the active participation in professional organization committee assignments aimed at developing and implementing financial reporting standards for all local governments in the Commonwealth. Examples of our service include:

- ▶ The Virginia Society of Certified Public Accountants' Committee on Governmental Accounting and Auditing,
- ▶ The Virginia Chapter of the Governmental Financial Officers Association Committee on Local Governmental Reporting,
- ▶ The Auditor of Public Accounts of the Commonwealth of Virginia Committee on Local Government and Financial Reporting, and
- ▶ Officer assignments with the Association of Government Accountants.

Members of the firm are routinely requested to speak at professional conferences. In recent years, members of the firm have given seminars on a variety of topics to the following audiences:

- ▶ Association of Government Accountants
- ▶ Virginia Association of Counties
- ▶ Virginia Municipal League
- ▶ Virginia Government Finance Officers Association
- ▶ Virginia Treasurer's Association
- ▶ Virginia Association of School Boards

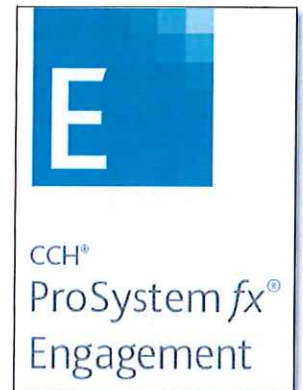
Recent topics presented at these conferences have included:

- ▶ Developing a Governmental Forecast
- ▶ The Methodology of Proffer Calculations
- ▶ The Basics of Bond Issuances in Virginia
- ▶ How to Assess Your Internal Controls
- ▶ Fraud and Internal Controls in Local Governments

OVERVIEW OF FIRM (CONTINUED)

Technology

Robinson, Farmer, Cox Associates' audit teams are deployed in the field with state-of-the-art audit software. Our audit teams use *ProSystem fx Engagement Software* coupled with *PPC's² practice aids™*, *PPC's Workpapers™* and *PPC's Interactive Disclosure Libraries™*. Our audit and assurance work papers and programs are maintained in a **paperless environment** and are shared through **secured wireless networks** established during audit fieldwork. High speed scanners are used to replicate documents in a digital format, as necessary, for inclusion in our files. **Daily offsite back-ups** are used to ensure audit work is **safe, secure, and maintained in accordance with professional standards**.



Robinson, Farmer, Cox Associates' staff annually updates our custom audit programs to meet current auditing and accounting standards. These updates take approximately 2000 hours each year and result in timely audit template updates.

Robinson, Farmer Cox Associates' Director of Technology, Billy Gardner, is a registered Certified Information Systems Auditor (CISA) and provides IT system reviews of governmental agencies. These reviews go beyond the typical financial statement review and are aimed at identifying weaknesses in governmental IT systems and related controls. At RFC, we feel that these reviews are critical when new applications are in the development and implementation stages. Furthermore, we routinely request these in-depth expanded audits to document critical IT faults and available remedies. Typically IT system reviews are performed at no additional charge to our clients when performed as part of the audit process.



Robinson, Farmer, Cox Associates has recently employed the use of data analytics and artificial intelligence (AI) as part of the audit process. Data analytics and AI provides for a highly efficient technique to audit volumes of historic data with a high probability of accuracy. Our Director of Data Analytics uses TeamMate Analytics which is an Excel-based audit data analytics solution that enables auditors to perform powerful advance data analysis and reduce risk.

It also helps highlight any potential issue that otherwise might be hidden in data.

² PPC is an acronym for Practitioners Publishing Company

OVERVIEW OF FIRM (CONTINUED)

RFC Specialized Software and Manuals

Robinson, Farmer, Cox Associates further provides support to Virginia's local governments through the development of specialized software, reporting manuals, and financial templates aimed at increasing the efficiency and effectiveness of Virginia's local governments. Some examples of our products in use include:

RFC Financial Forecasting Model

This forecasting model uses multiple forecasting methods to predict future revenue and expenditure trends based on historical data as well as currently known facts. The model uses a "best fit test" to select forecasting methods for individual drivers based on historical accuracy. The model has been used primarily to develop medium-term financial plans (operating and capital) for Virginia localities and the establishment of tax rates to fund such plans; however, the model has served to predict the financial impact of annexations, boundary adjustments, and changes in governmental status.

RFC Fixed Asset Software

Our fixed asset software was deployed to assist local governments in implementing changes required by Governmental Accounting Standards Board Statement 34 (GASB 34). The software calculates depreciation by asset type, department, function, and fund as specified by reporting standards. This software produces depreciation reports in a format that allows for easy input into the financial statements.

RFC GASB 68 Pension Model

This model was developed to assist governments with the implementation of Governmental Accounting Standards Board Statement 68 (GASB 68). This model allows entities to properly allocate the net pension liability and associated deferred inflows and outflows of resources related to the VRS net pension liability.

RFC GASB 75 OPEB Model

This model was developed to assist governments with the implementation of Governmental Accounting Standards Board Statement 75 (GASB 75). This model allows entities to properly allocate the net OPEB liability and associated deferred inflows and outflows of resources related to the OPEB liability.

RFC Cost Allocation Plan Software

Our cost allocation plan software is currently used by more than sixty local governments in Virginia for the preparation of their annual cost allocation plans.

OVERVIEW OF FIRM (CONTINUED)

Consulting Services³

For over sixty years, Robinson, Farmer, Cox Associates has provided consulting services to governments in the Commonwealth of Virginia. Many of our studies and analyses have been used in litigation support, and our consultants have served repeatedly as expert witnesses. Some examples of our consulting services follow:

- › Consultation in preparing official statements and other data necessary for issuing both revenue and general obligation bonds.
- › Administrative and financial management issues such as:
 - Financial feasibility and rate studies for utility enterprises,
 - Fiscal analysis and establishment of Special Districts,
 - IT systems evaluation, design and development for both financial and general governmental functions,
 - Financial forecasting and budgeting,
 - Proffer calculation systems and impact fees,
 - Fiscal impact analysis of residential and commercial development,
 - Capital improvement programs,
 - Indirect cost allocation plans,
 - Governmental cost containment studies,
 - Organizational studies,
 - Cash management planning, and
 - Personnel classification and pay plans.
- › Intergovernmental matters such as:
 - Forms of government studies: incorporation, consolidation, and change of status,
 - Annexation impact analysis,
 - Utility rate requirements, and
 - Financial reporting and formulae analysis of inter-governmental agreements.

³ Consulting services of the Firm are provided by the Firm's wholly owned subsidiary RFC Associates, LLC.

OVERVIEW OF FIRM (CONTINUED)

Clients Served

Robinson, Farmer, Cox Associates serves more than sixty-five counties, fifty towns and cities, and more than one-hundred authorities, boards, and commissions within our State's boundaries. We have listed below a select listing of similar engagements we recently or are currently engaged to perform audit services:

COUNTIES [©]	
Albemarle County, Virginia* Amelia County, Virginia* Appomattox County, Virginia Brunswick County, Virginia Buckingham County, Virginia* Campbell County, Virginia Charlotte County, Virginia Charles City County, Virginia Clarke County, Virginia* Culpeper County, Virginia Cumberland County, Virginia* Fauquier County, Virginia* Frederick County, Virginia* Gloucester County, Virginia*	Greene County, Virginia Greensville County, Virginia Halifax County, Virginia King George County, Virginia* Louisa County, Virginia* Madison County, Virginia Nelson County, Virginia Prince Edward County, Virginia Prince George County, Virginia* Richmond County, Virginia Shenandoah County, Virginia* Richmond County, Virginia Sussex County, Virginia Warren County, Virginia*

TOWNS	
Town of Berryville, Virginia Town of Chincoteague, Virginia Town of Clifton Forge, Virginia Town of Gordonsville, Virginia	Town of Haymarket, Virginia Town of Smithfield, Virginia Town of Vienna, Virginia* Town of West Point, Virginia

CITIES	
City of Fairfax, Virginia* City of Fredericksburg, Virginia* City of Manassas, Virginia*	City of Martinsville, Virginia City of Petersburg, Virginia City of Williamsburg, Virginia

AUTHORITIES, BOARDS, AND COMMISSIONS	
Campbell Utilities & Service Authority* Capital Region Airport Commission* Charlottesville-Albemarle Airport Authority* Fauquier Water & Sanitation Authority* Hampton Roads Regional Jail Authority* Meherrin River Regional Jail Authority* Northern Virginia Regional Commission	Northern Virginia Regional Park Authority* Northwestern Community Services Board Rapidan Service Authority* Rappahannock Area Community Services Rappahannock Regional Jail Authority* Rivanna Water & Sewer Authority* Western Tidewater Regional Jail Authority*

* Denotes Localities Awarded the GFOA Certificate of Excellence in Governmental Reporting.
 © Blue shading in map above represents counties audited by Robinson, Farmer, Cox Associates

OVERVIEW OF FIRM (CONTINUED)

STATEMENT OF PROFESSIONAL STATUS

Robinson, Farmer, Cox Associates hereby affirms that it is licensed and chartered as a professional limited liability company under the *Code of Virginia (1950)*, as amended and that its staff of licensed certified public accountants and other professional personnel conduct business in accordance with statutory requirements and the Code of Ethics of the Virginia Society of Certified Public Accountants. Robinson, Farmer, Cox Associates further represents that it is independent with respect to the City of Hopewell, Virginia, and its respective component units as defined in the Ethical Rules of the American Institute of Certified Public Accountants.

The Firm is managed by its Board of Directors elected by the members. An Executive Committee aids the Directors in their administration of company affairs.

OTHER REPRESENTATIONS

The Firm will supervise all staff and Firm personnel on each phase of the audit. All audit working papers and reports will be retained by Robinson, Farmer, Cox Associates at the expense of the Firm in accordance with professional standards.

QUALITY CONTROL SYSTEM

Robinson, Farmer Cox Associates is devoted to the quality of the audit working papers, reports and all other documents produced by the Firm. The Firm has a fully functioning quality control department. The department is responsible for ensuring that all quality control policies and procedures are properly performed on every engagement. All reports, working papers and other related documents are reviewed by the independent quality control department prior to the release of the final documents to the client, state and federal agencies. Moreover, the Firm utilizes a practice management software to accurately track the status of all engagements throughout the quality control system to ensure reports and documents are released in a timely manner.

FIRM PARTICIPATION IN PEER REVIEW PROGRAM

Robinson, Farmer, Cox Associates is enrolled in the AICPA Peer Review Program. The Firm's most recent quality control review of its accounting and auditing practice was conducted in January 2020. An unmodified opinion, dated January 16, 2020, was issued on the Firm's accounting and auditing practice. This particular review consisted of 37 engagements and included 8 state and local governmental audits performed by the Firm. Further, the Firm annually conducts an Internal Review of its Accounting and Auditing Practice in accordance with the AICPA Peer Review Program.

A selection of Robinson, Farmer, Cox Associates' local government audit reports and workpapers are reviewed annually by the Auditor of Public Accounts (APA). The most recent review took place in September 2020 and resulted in a rating of pass.

RFC is Licensed and Chartered in Virginia.

Our Accounting and Auditing Services Undergo Regular Peer Reviews and Quality Control Evaluations.

OVERVIEW OF FIRM (CONTINUED)



REPORT ON THE FIRM'S SYSTEM OF QUALITY CONTROL

To the Members of
Robinson, Farmer, Cox Associates
and the Peer Review Committee
of the Virginia Society of CPA's

We have reviewed the system of quality control for the accounting and auditing practice of Robinson, Farmer, Cox Associates (the firm) in effect for the year ended June 30, 2019. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act and audits of employee benefit plans.

122 N. Oak St. • P.O. Box 1916 • Clarksburg, WV 26302-1916 • (304) 624-5564 • Fax: (304) 624-5582 • www.tetrickbartlett.com
1517 Mary Lou Retton • Fairmont, WV 26554 • (304) 366-2992 • Fax: (304) 366-2370

OVERVIEW OF FIRM (CONTINUED)

Robinson, Farmer, Cox Associates

Page 2

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Robinson, Farmer, Cox Associates in effect for the year ended June 30, 2019, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. Robinson, Farmer, Cox Associates has received a peer review rating of *pass*.

Tetvik & Boutlett, PLLC

Clarksburg, West Virginia
January 16, 2020

PROJECT APPROACH—UNDERSTANDING OF WORK

Summary

The audit will be performed in **three distinct phases** – Phase 1: Planning, Phase 2: Fieldwork, and Phase 3: Reporting. Key tasks and objectives for each of the phases are summarized in the table below.

		Key Tasks Performed (as applicable)
P H A S E 1	Planning	<ul style="list-style-type: none"> <i>Engagement team planning meeting</i> <i>Review prior audit & interim reports</i> <i>Review minutes of Council Meetings</i> <i>Establish schedule for fieldwork</i> <i>Prepare & provide preliminary fieldwork request list to client</i>
	Fieldwork	<ul style="list-style-type: none"> <i>Intro meeting with Management</i> <i>Perform walkthroughs of client processes</i> <i>Assess client risk based on preliminary evaluation</i> <i>Determine procedures for a risk-based audit</i> <i>IT Review and Assessment</i> <i>Test key internal controls</i> <i>Test compliance with Federal and State regulations</i> <i>Perform substantive tests</i> <i>Perform balance verifications/reconciliations</i> <i>Perform analytical procedures</i> <i>Hold exit conference with Management upon completion of fieldwork</i> <i>Provide draft Management Comments & Recommendations</i> <i>Member review of audit workpapers & procedures</i>
P H A S E 2	Reporting	<ul style="list-style-type: none"> <i>Audit report preparation & Member review</i> <i>Quality control review of workpapers & audit report</i> <i>Audit report delivered</i> <i>Final Management Comments delivered</i> <i>APA transmittal reports are reviewed</i> <i>Preparation of SF-SAC forms</i> <i>Presentation of the audit</i>

PROJECT APPROACH—UNDERSTANDING OF WORK (CONTINUED)

During our audit, compliance tests will be conducted in connection with our review of the City's system of internal controls for the purpose of submitting our written reports on material weaknesses and significant deficiencies in internal control included in the Independent Auditors' Report on Internal Control over Financial Reporting and Compliance. The federal programs compliance audits will be conducted in accordance with the *Uniform Guidance*.

PHASE 1: Planning

During the planning stage, Robinson, Farmer, Cox Associates will review prior audit work papers, publicly available information, and interim financial data, as well as state and local reports. The purpose of the planning stage is to:

- › Gain knowledge of the government's internal control over financial reporting;
- › Identify matters affecting the government, such as changes in financial reporting practices, economic conditions, laws and regulations, and technological changes;
- › Identify matters relating to the government's operations, including its organization, operating characteristics, and capital structure;
- › Document our preliminary judgments about materiality, risk, and other factors relating to the determination of material weaknesses;
- › Familiarize ourselves with control deficiencies previously communicated to the City Council or management;
- › Identify legal or regulatory matters of which the government is aware;
- › Review public information about the government relevant to the evaluation of the likelihood of material financial statement misstatements and the effectiveness of the government's internal control over financial reporting;
- › Document knowledge about risks related to the government evaluated as part of the auditor's client acceptance and retention evaluation; and
- › Identify key policy changes and financial actions taken during the current fiscal year.

Upon completion of our initial assessment, we will provide the City with a detailed list of items we would like to review upon commencement of audit fieldwork. This list is delivered several weeks prior to the date of audit commencement and is intended to provide a starting point for the audit and affords the City time to gather necessary documents.

PROJECT APPROACH—UNDERSTANDING OF WORK (CONTINUED)

PHASE 2: Fieldwork

Review of Policies and Procedures

RFC will review current accounting, purchasing and personnel policies to gain an understanding of the controls and requirements set forth in such policies. In addition, we will review minutes of the City Council to identify key actions and directives of the City.

Walkthroughs

In performing a walkthrough, our auditors follow a transaction from origination through the government's processes, including information systems, until it is reflected in the City's financial records, using the same documents and information technology that City personnel use. The primary purpose of a walkthrough is to identify key internal controls, control systems, and responsible parties.

Identification of Fraud Risk

We will conduct inquiries of management and of other employees regarding their knowledge or any actual fraud or suspicions of fraud, as well as any allegations of fraud affecting the City. We will inquire about the City's understanding of the risk of fraud within the organization including any specific fraud risks the City has identified, as well as account balances or transaction classes that may be susceptible to fraud. We will inquire about the controls the City has implemented to identify fraud risks and to detect fraud and how those programs and controls are monitored.

IT Review and Assessment

The Technology Consultant will conduct a comprehensive assessment of all IT controls. The assessment will be used to assess the overall risks over financial reporting. Additionally, we will provide a summary of practical recommendations and best practices.

Control Testing

Upon completion of the procedures above, we will identify key controls and control systems that are necessary to provide accurate financial data and deter or prevent material fraud within the government.

PROJECT APPROACH—UNDERSTANDING OF WORK (CONTINUED)

PHASE 2: Fieldwork: (Continued)

Control Testing (Continued)

Sampling will be used while performing control testing during fieldwork. RFC utilizes statistical sampling methods based on factors such as the population size and the auditors' assessment of risk related to the control. Sample sizes will vary based on these factors along with any deviations encountered during testing and can range from as few as two to as many as ninety items; however, the most common samples range from twenty-five to forty items. Samples may be selected from the population using systematic, haphazard, or random selection, as deemed appropriate for each instance.

Compliance Testing

Local governments are subject to local, state, and federal compliance testing. Local compliance testing centers around compliance with purchasing policies, personnel policies, City Council orders as well as administrative policies. State compliance testing is determined by the State Auditor of Public Accounts in the *Specifications for Audits of Counties, Cities, and Towns*. Federal compliance testing is required by the Office of Management and Budget's *Uniform Guidance*. Annually, our workpapers are updated to identify compliance testing required by the State Auditor of Public Accounts and the Uniform Guidance. Compliance testing with local policies and procedures is specific to each government according to key local policies established by the Council and/or administration.

The audit team will use sampling while performing compliance testing during fieldwork. Statistical sampling methods are used and are based on factors such as the population size and the auditors' determination of the tolerable exception rate for the test. Sample sizes will vary based on these factors along with any deviations encountered during testing. Sample sizes can range from as few as two to as many as one-hundred-twenty items; however, the most common samples are approximately forty to sixty items. Samples may be selected from the population using systematic, haphazard, or random selection, as deemed appropriate for each instance.

PROJECT APPROACH—UNDERSTANDING OF WORK (CONTINUED)

PHASE 2: Fieldwork: (Continued)

Compliance Testing (Continued)

Upon the completion of preliminary fieldwork, we will have documented the following in our work papers and programs:

- ▶ Key policies and procedures and the extent to which they are being followed;
- ▶ Fraud risk within the government;
- ▶ The government's compliance with local, state, and federal requirements;
- ▶ Key accounting processes and the effectiveness of control systems and controls in place to prevent material financial and fraud risk;
- ▶ Key information technology controls and how they may be circumvented or overridden;
- ▶ Weaknesses in control systems or controls that represent material weaknesses or significant deficiencies as defined by Statement on Auditing Standards 115 (SAS 115);
- ▶ The extent to which controls may be relied upon in relation to key financial statement assertions; and
- ▶ Documentation of key areas of concern under which audit procedures should be expanded.

In addition, upon completion of preliminary fieldwork, we will advise the City of any areas or items of concern and our recommendations for dealing with same.

Robinson, Farmer, Cox Associates will work with Management to schedule final fieldwork. Final fieldwork is generally after all closing and year end accrual entries are posted to the books. Final fieldwork programs and work plans are designed to substantiate account balances and key financial statement assertions including related note disclosures. In addition, final fieldwork is used to complete control testing and perform audits of federal programs (Single Audits). Key activities performed during final fieldwork include:

Evaluation of Controls

The audit team will perform a review of prior control testing activities and determine if controls have changed since preliminary fieldwork. Additional control testing will be performed, if necessary, at this time. A final determination of controls, including IT controls, that will be relied upon as part of the audit will be established at this time.

Review of Risk Assessment

A review of material fraud risk will be performed. Based on this review, the team will implement audit procedures aimed at identifying misappropriations within the organization. The team will also review the risk of material misstatements within the financial statements and implement audit procedures to mitigate such risk.

PROJECT APPROACH—UNDERSTANDING OF WORK (CONTINUED)

PHASE 2: Fieldwork: (Continued)

Substantive Procedures

Substantive procedures will be used during final fieldwork to provide the audit team with information regarding the five audit assertions (completeness, existence, disclosure, rights, and valuation). A determination of areas for which controls are insufficient will be made and auditors will identify substantive audit procedures for those areas. The team will also implement substantive audit procedures and testing to validate material balances in the financial statements and related note disclosures not evaluated through control testing.

Sample sizes for substantive testing can vary considerably based on a number of factors. These factors include the auditors' calculation of materiality/tolerable misstatement for the fund/account balance being tested and the auditors' assessment of the risk of material misstatement and other procedures risk ("risk factors"). Once these factors are determined, the sample size is calculated using algorithms created to provide a statistically acceptable (i.e. 95%-99%) level of assurance. Similar to other samples, these samples are selected from the population using systematic, haphazard or random selection as deemed appropriate in each instance.

Analytical Procedures

Analytical reviews of key account balances will be performed to determine any variances in balances from prior periods and budgeted amounts. These reviews allow the audit team to evaluate actual changes compared to expectations and investigate the reasons for any unexpected changes.

Upon the completion of final fieldwork, the City can expect the following deliverables:

- ▶ An exit conference with key officials concerning the auditors' preliminary conclusions;
- ▶ An overview of findings identified in the audit and a recommended course of action to deal with such findings; and
- ▶ A list of additional items needed from the City for completion of the audit (if necessary).

PROJECT APPROACH—UNDERSTANDING OF WORK (CONTINUED)

PHASE 3: Reporting

Upon completion of final fieldwork, Robinson, Farmer, Cox Associates will assist the City with preparation and production of the ACFR to ensure that all reporting elements are incorporated as required by the Government Auditing Standards. In conjunction with report review, Robinson, Farmer, Cox Associates will prepare all necessary state and federal filings. Upon completion of the audit report, you can expect the following submittals:

- › A report on the fair presentation of the financial statements and required supplementary information in conformity with accounting principles generally accepted in the United States.
- › A report on the internal control structure, inclusive of that used to administer the specific and general requirements for both major and non-major federal financial assistance programs, based on the auditors' understanding of the control structure and assessment of control risk.
- › A report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with *Government Auditing Standards*.
- › A report on compliance with requirements applicable to each major program and on internal control over compliance in accordance with *Uniform Guidance*.
- › Any other report that may be required over the period of this contract, in accordance with *Government Auditing Standards*, *Uniform Guidance*, *Audits of State and Local Governments*, the *Specifications for Audits of Counties, Cities, and Towns*, and the *Uniform Financial Reporting Manual*.
- › Review of the Transmittal form and preparation of Agreed Upon Procedures Report on the City's Comparative Cost Report Transmittal Forms in electronic format.
- › Preparation and Certification of the SF-SAC Data Collection Form for Reporting on Audits of States, Local Governments, and Non-Profit Organizations.
- › A letter to management on other matters, not considered significant deficiencies or material weaknesses.
- › Written report of irregularities and illegal acts, if required.
- › Report on VRS Census Data.

PROJECT APPROACH—UNDERSTANDING OF WORK (CONTINUED)

Continuing Service

Robinson, Farmer, Cox Associates will remain on-call during the year for audit related issues. It is our policy to provide support through telephone calls, emails, staff meetings, and client bulletins at no additional charge. Robinson, Farmer, Cox Associates is also available to provide other services, as requested. These services will be separately identified as consulting services. Such services include:

- Agreed-Upon Procedures
- Financial forecasting
- Budget consultation
- Privatization studies
- Continuing professional education (CPE) seminars
- Assistance in the preparation of bond issuance documents
- Assistance with the placement of bank qualified debt obligations
- Cost Allocation Plans

Client Expectations

It is anticipated that the City will provide the items listed below to assist us in completing the audit in an efficient and timely manner.

1. A final trial balance of each fund;
2. A final trial balance of each subsidiary ledger;
3. A copy of the final budget approved by the City Council for the audit period, the original budget resolution for the audit period, and all subsequent amendments to the budget resolution;
4. A copy of project contracts and amendments thereto for all projects beginning during the period or not fully completed prior to the period;
5. A schedule of insurance in force during the year and of insurance expenses for the year;
6. A schedule of capital outlays during the period;
7. A schedule of capital asset dispositions during the period;
8. A schedule of accounts payable and receivables at the statement date;
9. Copies of grant agreements with governmental grantor or grantee agencies;
10. Copies of other significant contracts in force at statement date;
11. Such reasonable additional schedules as may be requested.

The above list is not exhaustive of all the items we will need to complete your audit; however, we will provide detailed preliminary and final fieldwork requests prior to our arrival. These lists are tailored to each client's specific audit needs and are delivered approximately three weeks prior to fieldwork.

CREDENTIALS, QUALIFICATIONS AND EXPERIENCE

Staff assignments will occur at the discretion of the Partner-in-Charge as they relate to the technical areas of the audit engagement. Services will be performed primarily from our offices in Richmond and Charlottesville, Virginia, which employs eight members, forty-five professional accountants and consultants, and five administrative support personnel. Robinson, Farmer, Cox Associates' administration carefully monitors professional staffing resources to assure a balanced staffing complement.

All staff assigned to this engagement have experience in governmental auditing as well presenting audit information to elected officials and public bodies. In addition, all staff assigned have continuing education as required by *Government Auditing Standards* and will have adequate supervision on a day-to-day basis.

Key personnel resumes can be found on the following pages and key personnel assignments for this audit engagement are presented below.

Management Staff

Partner-in-Charge – David E. Foley, C.P.A. will be audit manager of the City audit portion of this engagement and will have the overall responsibility for the coordination and technical review of the audits. Will be on-site for fieldwork and responsible for day-to-day fieldwork and supervision of staff accountants working on the audit. Also responsible for the day-to-day field work to be performed during the audit and will supervise staff accountants assigned to the audit.

Concurring Partner Paul H. Lee, C.P.A. – will be onsite for both preliminary and final fieldwork and responsible for day-to-day fieldwork and supervision of staff accountants during the audit.

Quality Control Partner – Kristen L. Choate, C.P.A. will be responsible for reviewing the working papers and resulting financial reports to assure compliance with firm quality control standards.

Senior Audit Director Michael E. Lupton, C.P.A. will be audit manager of the School Board portion of this engagement and responsible for day-to-day fieldwork and supervision of staff accountants during the audit.

Cost Allocation Plan Director - Taylor Stover, C.P.A. will be responsible for the planning, preparation and presentation of the County's cost allocation plan.

Senior Staff

will perform audit tasks as instructed by the partner-in-charge and audit managers.

Technology Consultant

Billy Gardner, C.I.S.A., C.E.H.
will review information systems operations and controls.

Support Staff

will perform tasks as instructed by the partner-in-charge and managers to complete and deliver final reports.

Experienced Team of Auditors Ready to
Serve and Meet the needs of the City.

ENGAGEMENT TEAM PROFILES

DAVID E. FOLEY, *Certified Public Accountant*



David is a Member of Robinson, Farmer Cox Associates, P.L.L.C. in the firm's Charlottesville office. Participated in and managed audits of counties, towns, cities and public authorities in the Commonwealth of Virginia. Managed and participated in numerous audits of voluntary health and welfare organizations and other not-for-profit organizations. Mr. Foley has considerable experience in governmental audits, having managed the audits of over 25 governmental entities.

PROFESSIONAL REGISTRATION

- › State of Virginia, *Certified Public Accountant*

EDUCATION

- › Virginia Tech, Bachelor of Accounting

PROFESSIONAL AFFILIATIONS

- › American Institute of Certified Public Accountants, *Member*
- › Virginia Society of Certified Public Accountants, *Member*

PROFESSIONAL POSITIONS

2010 to Present	Member – Charlottesville Office <i>Robinson, Farmer, Cox Associates</i>
2008 to 2010	Director <i>Robinson, Farmer, Cox Associates</i>
2001 to 2008	Associate <i>Robinson, Farmer, Cox Associates</i>

ENGAGEMENT TEAM PROFILES

Paul H. Lee, *Certified Public Accountant*



Paul is a member of Robinson, Farmer, Cox Associates, PLLC in the firm's Richmond office. He participated in and managed audits of counties, towns, cities and public authorities in the Commonwealth of Virginia. Paul managed and participated in numerous audits of voluntary health and welfare organizations and other not-for-profit organizations. Paul has considerable experience in governmental audits, having managed the audits of over 75 governmental entities.

PROFESSIONAL REGISTRATION

- › State of Virginia, *Certified Public Accountant, License #9322*

EDUCATION

- › University of Virginia, *Bachelor of Science*
- › Virginia Community College System, *Post Baccalaureate Accounting Studies*

PROFESSIONAL AFFILIATIONS

- › American Institute of Certified Public Accountants, *Member*
- › Virginia Society of Certified Public Accountants, *Member*

PROFESSIONAL POSITIONS

1988 to Present	Member – Richmond Office <i>Robinson, Farmer, Cox Associates</i>
1983 to 1988	Audit Manager – Richmond Office <i>Robinson, Farmer, Cox Associates</i>
1980 to 1982	Associate – Richmond Office <i>Robinson, Farmer, Cox Associates</i>

ENGAGEMENT TEAM PROFILES

KRISTEN L. CHOATE, *Certified Public Accountant*



Kristen is a Member of Robinson, Farmer, Cox Associates in the Firm's Charlottesville office. She has participated in and managed audits of counties, towns, cities, and public authorities in the Commonwealth of Virginia. In addition, she has participated in and managed numerous audits of voluntary health and welfare organizations and other not-for-profit organizations. Kristen is currently the Director of Quality Control for the Firm's six offices. In this position, she oversees audit report and work paper reviews as well as the development of audit programs and work paper templates for the Firm. **Kristen was named a Super CPA by Virginia Business Magazine.**



Kristen is also a Certified Single Auditor who evaluates and applies audit steps such as client acceptance, engagement planning and analysis, and concluding on a single audit engagement. CPAs' who earn this Badge demonstrate an advanced competency level as outlined in the AICPA Competency Framework: Governmental Auditing. They evaluate and perform single audit-specific requirements such as major program determination, audit sampling, and reporting on the compliance of internal controls.

PROFESSIONAL REGISTRATION

- › State of Virginia, *Certified Public Accountant*

EDUCATION

- › Radford University, Bachelor of Business Administration— *Accounting*

PROFESSIONAL AFFILIATIONS

- › American Institute of Certified Public Accountants, *Member*
- › Virginia Society of Certified Public Accountants, *Member*
- › National Government Finance Officers Association, *Member*
- › Virginia Government Finance Officers Association, *Associate Member*
- › GFOA⁴ Excellence in Financial Reporting Program, *Reviewer*

PROFESSIONAL POSITIONS

2015 to Present	Member & Director of Quality Control—Charlottesville Office <i>Robinson, Farmer, Cox Associates</i>
2007 to 2015	Quality Control <i>Director</i> – <i>Robinson, Farmer, Cox Associates</i>
2000 to 2007	Staff/Manager— <i>Robinson, Farmer, Cox Associates</i>

⁴ GFOA denotes the Government Finance Officers Association

ENGAGEMENT TEAM PROFILES

MICHAEL E. LUPTON, *Certified Public Accountant*



Michael is a Member of Robinson, Farmer, Cox Associates, Charlottesville Office. He has participated in and managed numerous audits of counties, cities, towns, school divisions, and various public authorities in the Commonwealth of Virginia. His experience with local governments also includes performing federal program audits in accordance with the Uniform Guidance and assisting with the preparation of and providing consultation relevant to Comprehensive Annual Financial Reports. In addition, Michael has prepared state and federal government filings, including: SF-SAC Forms, Commonwealth of Virginia transmittal forms and DEQ landfill financial assurance forms.

PROFESSIONAL REGISTRATION

- › State of Virginia, *Certified Public Accountant, License #45076*

EDUCATION

- › Bridgewater College, *Bachelor of Science in Business Administration*
- › James Madison University, *Master of Business Administration*

PROFESSIONAL AFFILIATIONS

- › American Institute of Certified Public Accountants, *Member*
- › Virginia Society of Certified Public Accountants, *Member*

PROFESSIONAL POSITIONS

2021 to Present	Member – Charlottesville Office <i>Robinson, Farmer, Cox Associates</i>
2018 to 2021	Director – Charlottesville Office <i>Robinson, Farmer, Cox Associates</i>
2016 to 2018	Audit Manager – Charlottesville Office <i>Robinson, Farmer, Cox Associates</i>
2011 to 2016	Associate – Staunton Office <i>Robinson, Farmer, Cox Associates</i>

ENGAGEMENT TEAM PROFILES

TAYLOR STOVER, *Certified Public Accountant*



Taylor began his career at Robinson, Farmer, Cox Associates in 2008. Taylor has participated in over two hundred governmental and non-profit audits, including audits of counties, cities, towns, school divisions, water and sewer authorities, industrial development authorities, regional libraries, volunteer fire and rescue squads, school activity funds, as well as special audits of various federal grant projects. Taylor has also prepared numerous financial reports for governmental and non-profit clients. In addition, Taylor has also provided clients with consulting services including financial forecasting and budgeting, cost allocation plans, and indirect rate plans.

PROFESSIONAL REGISTRATION

- › State of Virginia, *Certified Public Accountant*

EDUCATION

- › Virginia Commonwealth University, Bachelor of Science in Accounting

PROFESSIONAL AFFILIATIONS

- › American Institute of Certified Public Accountants, *Member*
- › Virginia Society of Certified Public Accountants, *Member*

PROFESSIONAL POSITIONS

2019 to Present	Director – <i>Richmond</i> <i>Robinson, Farmer, Cox Associates</i>
2014 to 2019	Audit Manager – <i>Richmond</i> <i>Robinson, Farmer, Cox Associates</i>
2008 to 2014	Associate – <i>Richmond</i> <i>Robinson, Farmer, Cox Associates</i>

ENGAGEMENT TEAM PROFILES

WILLIAM T. GARDNER, CISA, CEH



Billy began his career at Robinson, Farmer, Cox Associates in 2014. Participated in numerous local government consulting and auditing engagements. Provided complete IT reviews for various localities and other entities in the Commonwealth of Virginia. Provided management and technological consulting services for both governmental and non-governmental clients. Provides Information Technology support for multiple clients throughout the Commonwealth of Virginia.

PROFESSIONAL CERTIFICATION

- › *Certified Information Systems Auditor (CISA)*
- › *Certified Ethical Hacker (CEHv7)*
- › *Security+ce*
- › *Network+ce*

EDUCATION

- › Averett University, Bachelor of Science Computer Information Systems

PROFESSIONAL AFFILIATIONS

- › Information Systems Audit and Control Association (ISACA), Member

PROFESSIONAL POSITIONS

2015 to Present	Director of Information Technology, Robinson, Farmer, Cox Associates
2007 to 2015	IT Audit Consultant & Systems Admin, Robinson, Farmer, Cox Associates
2001 to 2007	IT Help Desk Specialist I, University of Virginia Parking & Transportation Department, Charlottesville, Virginia

CONTINUING PROFESSIONAL EDUCATION

Robinson, Farmer, Cox Associates requires a minimum of one-hundred and twenty (120) hours every three years of continuing professional education for all certified public accountants. Further, RFC provides semi-annual in-house staff seminars which review current accounting, auditing, and reporting topics inclusive of current legislative matters. RFC's policy meets and exceeds the continuing professional education requirements established by the Virginia Society of Certified Public Accountants.

2020

David E. Foley

Sponsor	Course Title	Industry Type	Hours
RFC	Communication, Reporting, and Workpaper Documentation	<i>Governmental</i>	2.00
RFC	PFX Engagement TBs and Reporting Writing	<i>Governmental</i>	3.00
RFC	Analytical Procedures, Data Analytics, & Remote Auditing Procedures	<i>Governmental</i>	1.50
AICPA	2020 GAQC Annual Update Webcast	<i>Governmental</i>	2.00
RFC	Audit Hacks - Workpaper Tips and Tricks	<i>Governmental</i>	5.00
VSCPA	Virginia CPA Ethics: 2020 Required Course	<i>Governmental</i>	2.00
RFC	Social Services and CSA	<i>Governmental</i>	2.50
AICPA	2020 EBPAQC Designated Audit Qual. Partner Audit Planning	<i>Taxation</i>	2.00
AICPA	2020 OMB Compliance Supplement and Single Audit Update	<i>Governmental</i>	2.50
RFC	A&A Risk Management	<i>Governmental</i>	3.50
CheckPoint	Network Nonprofit Acct Reports-Spring, Summer, Winter 2020	<i>A&A</i>	9.00
CheckPoint	Network Governmental Acct Reports-Spring, Summer, Winter 2020	<i>Governmental</i>	9.00
Total Hours			44.00

Paul H. Lee

Sponsor	Course Title	Industry Type	Hours
RFCA	VRS Training Session - Compliance Testing and Reporting	<i>Governmental</i>	3.00
RFCA	Communication, Reporting, and Workpaper Documentation	<i>Governmental</i>	2.00
RFCA	PFX Engagement TBs and Reporting Writing	<i>Governmental</i>	3.00
RFCA	Analytical Procedures, Data Analytics, & Remote Auditing Procedures	<i>Governmental</i>	1.50
RFCA	2020 GAQC Updates	<i>Governmental</i>	2.00
RFCA	2020 Virginia CPA Ethics	<i>Governmental</i>	2.00
RFCA	Audit Hacks - Workpaper Tips and Tricks	<i>Governmental</i>	5.00
RFCA	Social Services and CSA	<i>Governmental</i>	2.50
CheckPoint	Network Nonprofit Acct Reports-Spring, Summer, Fall, Winter 2020	<i>A&A</i>	12.00
CheckPoint	Network Governmental Acct Reports-Spring, Summer, Winter 2020	<i>Governmental</i>	9.00
Total Hours			42.00

CONTINUING PROFESSIONAL EDUCATION: (CONTINUED)

2020

Kristen L. Choate

Sponsor	Course Title	Industry Type	Hours
AICPA	2020 EBPAQC Designated Audit Qual. Partner Audit Planning	Taxation	2.00
AICPA	Risky Business - Conducting Remote Audits in Uncertain Times	Governmental	1.00
AICPA	Advanced Topics in a Single Audit	Governmental	9.50
RFC	VRS Training Session - Compliance Testing and Reporting	Governmental	3.00
RFC	Communication, Reporting, and Workpaper Documentation	Governmental	2.00
RFC	PFX Engagement TBs and Reporting Writing	Governmental	6.00
GFOA	An Update on GFOA's New Best Practices	Governmental	2.00
RFC	Analytical Procedures, Data Analytics, & Remote Auditing Procedures	Governmental	1.50
AICPA	2020 GAQC Annual Update Webcast	Governmental	2.00
RFC	Audit Hacks - Workpaper Tips and Tricks	Governmental	5.00
RFC	Social Services and CSA	Governmental	2.50
AICPA	2020 State & Local Government Audit Planning Considerations	Governmental	2.00
VSCPA	Virginia CPA Ethics: 2020 Required Course	Governmental	2.00
AICPA	2020 OMB Compliance Supplement and Single Audit Update	Governmental	2.00
GFOA	Implementing the CARES Act Coronavirus Relief Fund for Local Govts	A&A	2.00
RFC	A&A Risk Management	Governmental	3.50
Total Hours			48.00

Michael E. Lupton

Sponsor	Course Title	Industry Type	Hours
RFC	RFC Individual and Corporate Tax Update	Taxation	8.0
RFC	VRS Training Session - Compliance Testing and Reporting	Governmental	3.0
RFC	Communication, Reporting, and Workpaper Documentation	Governmental	2.0
RFC	PFX Engagement TBs and Reporting Writing	Governmental	3.0
RFC	Analytical Procedures, Data Analytics, & Remote Auditing Proc	Governmental	1.5
AICPA	2020 GAQC Annual Update Webcast	Governmental	2.0
RFC	Audit Hacks - Workpaper Tips and Tricks	Governmental	5.0
RFC	Social Services and CSA	Governmental	2.5
AICPA	2020 OMB Compliance Supplement and Single Audit Update	Governmental	2.5
VSCPA	Virginia CPA Ethics: 2020 Required Course	Nonspecific	2.0
Checkpoint	Network Governmental Acct Reports-Summer, Fall, Winter 2020	Governmental	12.0
Checkpoint	Network Nonprofits Acct Reports-Winter, Spring 2020	A&A	6.0
Checkpoint	Employee Benefit Plans II - Auditing Considerations	EBP A&A	6.0
RFC	A&A Risk Management	A&A	3.5
Total Hours			59.00

Taylor Stover

Sponsor	Course Title	Industry Type	Hours
RFC	VRS Training Session - Compliance Testing and Reporting	Governmental	3.00
RFC	Communication, Reporting, and Workpaper Documentation	Governmental	2.00
RFC	PFX Engagement TBs and Reporting Writing	Governmental	3.00
RFC	Analytical Procedures, Data Analytics, & Remote Auditing Procedures	Governmental	1.50
VSCPA	Virginia CPA Ethics: 2020 Required Course	Governmental	2.00
RFC	Social Services and CSA	Governmental	2.50
RFC	Audit Hacks - Workpaper Tips and Tricks	Governmental	5.00
RFC	A&A Risk Management	Governmental	3.50
CheckPoint	Network Nonprofit Acct Reports-Spring, Summer, Fall, Winter 2020	A&A	12.00
CheckPoint	Network Governmental Acct Reports-Spring, Summer, Fall, Winter 2020	Governmental	12.00
Total Hours			46.50

REFERENCES

City officials are encouraged to contact the administrative and financial officers of any of our clients in regard to the caliber of services provided by our Firm. Representative audit clients serviced by our Firm are listed below:

City of Williamsburg, Virginia

<u>Primary Contact</u>	<u>Contact Information</u>	<u>Scope of Work</u>
Barbara Dameron, CPA Director of Finance	401 Lafayette Street Williamsburg, VA 23185 (757) 220-6187	Audit Services GFOA Certificate

County of Culpeper, Virginia

<u>Primary Contact</u>	<u>Contact Information</u>	<u>Scope of Work</u>
Valerie Lamb, CPA Director of Finance	302 North Main Street Culpeper, VA 22701 (540) 727-3427	Audit Services GFOA Certificate

City of Martinsville, Virginia

<u>Primary Contact</u>	<u>Contact Information</u>	<u>Scope of Work</u>
Linda Conover Director of Finance	55 West Church Street Martinsville, VA 24114 (276) 403-5142	Audit Services

County of Frederick, Virginia

<u>Primary Contact</u>	<u>Contact Information</u>	<u>Scope of Work</u>
Cheryl Shiffler Director of Finance	107 North Kent Street Winchester, VA 22601 (540) 665-5610	Audit Services GFOA Certificate

County of Fluvanna, Virginia

<u>Primary Contact</u>	<u>Contact Information</u>	<u>Scope of Work</u>
Eric Dahl, County Administrator	132 Main Street Palmyra, Virginia 22963 (434) 591-1910	Audit Services GFOA Certificate

APPENDIX



REQUEST FOR PROPOSALS
FINANCIAL AUDIT SERVICES
CITY OF HOPEWELL

INVITATION: # 10-22

DATE: November 04, 2021

Sealed Proposals, subject to the general conditions and specifications hereby attached, will be received at the Office of the City Clerk, Second Floor, Municipal Building 300 North Main Street, Hopewell, Virginia 23860 until, but not **later than 11:00 a.m. Thursday, December 2, 2021.**

1. In order to be considered for selection, Offerors must submit a complete response to this RFP. One (1) original, three (3) copies, and a portable document format (pdf) version of the proposal shall be submitted to the City of Hopewell, Virginia.
2. Regardless of delivery method of proposal, the **outside** of each envelope must clearly indicate the following: *(If Proposal is delivered by Federal Express, UPS, USPS Priority, etc. or any other means, the outside of **each** envelope **must also** clearly indicate):*

**Office of the City Clerk
Second Floor
Municipal Building
300 North Main Street
Hopewell, Virginia 23860
Closing Date of Proposal: December 2, 2021
Financial Audit Services
RFP # 10-22**

3. Proposals by telephone, telegraph, or facsimile **will not** be accepted.
4. **ANY PROPOSAL RECEIVED AFTER 11:00 A.M. ON THE AFOREMENTIONED DATE OF OPENING, WHETHER BY MAIL OR OTHERWISE, WILL NOT BE CONSIDERED AND WILL BE RETURNED UNOPENED.**

CITY OF HOPEWELL
RFP #10-22 – Financial Audit Services

Nothing herein is intended to exclude any responsible firm or in any way restrict competition. The selection process will be competitive negotiation as outlined in Chapter 2A of the Code of the City of Hopewell, Virginia, and Section 2.2-4302.2 (Virginia Public Procurement Act) of the Code of Virginia.

All Proposals submitted must be signed by an individual authorized to bind the Offeror. Proposals submitted without such signature will be deemed non-responsive, and will not be considered. The City of Hopewell reserves the right to cancel the RFQ/RFP, to award in part or in whole, to waive all informalities, to reject any or all items of any proposal, or reject any and all proposals deemed to be in the City's best interest. The City may modify any requirements in the RFQ/RFP prior to the deadline by written notice to any Offeror requesting a copy of the RFQ/RFP. The City may modify the project's scope of services and required tasks during negotiation process with the successful Offeror. The City shall neither be obligated nor prohibited from awarding or amending any contract with the successful Offeror for services less than or greater than the scope of services contemplated in this proposal.

The right is reserved to extend any resulting contract, for terms to be mutually negotiated and agreed upon.

If you desire not to quote on this invitation, please forward your acknowledgement of NO PROPOSAL. FAILURE TO COMPLY WITH THIS REQUIREMENT WILL BE CAUSE FOR REMOVAL OF YOUR COMPANY'S NAME FROM THE QUALIFIED OFFEROR LIST.

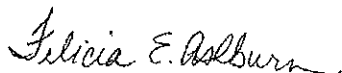
All proposals are subject to general terms and conditions hereby attached and will be rejected if not properly executed.

Individual contractors must provide their social security numbers and other types of firms must provide their federal employer identification numbers in the payment clauses to be included in contracts.

The City reserves the right to be sole judge and to make the award in accordance with its own judgment as to what will best meet its requirements and be in the best interest of the City.

AVAILABILITY OF FUNDS: It is understood and agreed between the Offeror and the City that the City shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this quotation or agreement.

Proposal and contracting procedures shall conform to all applicable regulations and provisions of the *City of Hopewell Procurement Ordinance* effective July 17, 2017, as amended; a copy of which is available on the City's website (www.hopewellva.gov) under the tab GOVERNMENT, section LAWS/ORDINANCES. Click the link at the bottom of the page and click Chapter 2A-Procurement to view the Procurement Ordinance.



Felicia Ashburn
Acting Procurement Officer

CITY OF HOPEWELL
RFP #10-22 – Financial Audit Services

Please return the Proposals to the Office of the City Clerk, Second Floor, Municipal Building, 300 N. Main Street, Hopewell, Virginia 23860. Regardless of delivery method of Proposal, the outside of each envelope must clearly indicate the following: (if Proposal is delivered by Federal Express, UPS, USPS Priority, etc. or any other means, the outside of each envelope must also clearly indicate):

**Office of the City Clerk
Second Floor
Municipal Building
300 North Main Street
Hopewell, Virginia 23860
Closing Date of Proposal: December 2, 2021
Financial Audit Services
RFP # 10-22**

Note of Clarification:

All References to **BID** contained within this Invitation should be referred to as **PROPOSAL**.

Robinson, Farmer, Cox Associates	434-973-8314
NAME OF ORGANIZATION	TELEPHONE NUMBER
530 Westfield Road	434-974-7363
STREET ADDRESS	FAX NUMBER
Charlottesville, VA 22901	dfoley@rfca.com
CITY, STATE, ZIP CODE	EMAIL ADDRESS
David E. Foley	Member
NAME (TYPE OR PRINT)	OFFICIAL TITLE
	December 2, 2021
SIGNATURE	DATE
S028346-7	54-1896113
STATE CORPORATION COMMISSION ID#	IRS I.D. #

INCLUDE THIS PAGE WITH YOUR PROPOSAL-IF THIS FORM IS NOT INCLUDED IN THE PROPOSAL, THE PROPOSAL WILL BE REJECTED.

CITY OF HOPEWELL
RFP #10-22 – Financial Audit Services

State Corporation Commission Form

Virginia State Corporation Commission (“SCC”) registration information:

The undersigned Offeror:

is a corporation or other business entity with the following SCC identification number:

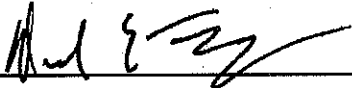
S028346-7 -OR-

is not a corporation, limited liability company, limited partnership, registered limited liability partnership, or business trust -OR-

is an out-of-state business entity that does not regularly and continuously maintain as part of its ordinary and customary business any employees, agents, offices, facilities, or inventories in Virginia (not counting any employees or agents in Virginia who merely solicit orders that require acceptance outside Virginia before they become contracts, and not counting any incidental presence of the Offeror in Virginia that is needed in order to assemble, maintain, and repair goods in accordance with the contracts by which such goods were sold and shipped into Virginia from bidder’s out- of-state location) -OR-

is an out-of-state business entity that is including with this bid an opinion of legal counsel which accurately and completely discloses the undersigned Offeror’s current contacts with Virginia and describes why those contacts do not constitute the transaction of business in Virginia within the meaning of § 13.1-757 or other similar provisions in Titles 13.1 or 50 of the Code of Virginia.

****NOTE**** >> Check the following box if you have not completed any of the foregoing options but currently have pending before the SCC an application for authority to transact business in the Commonwealth of Virginia and wish to be considered for a waiver to allow you to submit the SCC identification number after the due date for proposals (the City reserves the right to determine in its sole discretion whether to allow such waiver):

Signature: 

Date: December 2, 2021

Name: David E. Foley
Print

Title: Member

Name of Firm: Robinson, Farmer, Cox Associates

CITY OF HOPEWELL
RFP #10-22 – Financial Audit Services

I. PURPOSE:

The City of Hopewell is soliciting proposals from qualified firms to obtain the services of qualified certified public accountants/auditors to perform a financial and compliance audit for the City of Hopewell, for Fiscal Years 2019, 2020, 2021, and 2022. The previous Fiscal Years 2019, 2020, and 2021 to be completed within eighteen (18) months from date of contract. This includes the governmental activities, business type activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information.

This solicitation is issued by the Hopewell City Finance Department on behalf of the City of Hopewell, Hopewell City School Board and the Hopewell Department of Social Services, political subdivisions of the Commonwealth of Virginia, herein after referred to for convenience as “Owner”.

For ease of reference, each organization submitting a response to the Request for Proposal will hereinafter be referred to as an “Offeror”. An Offeror whose proposal would result in a formal agreement will hereinafter be referred to as “auditor” or “firm”. “CPA” shall mean Auditor’s CPA.

The City of Hopewell reserves the right to award to more than one Offeror.

The City of Hopewell will select the firm(s) who they determine most closely satisfies the needs of the City. There is no requirement for acceptance of the lowest cost of service offered, and specific requirements may be waived or amended at the discretion of the City.

II. STATEMENT OF NEEDS/ SCOPE OF SERVICES:

A. Contractor’s Qualifications

1. During the term of this contract the Auditor shall be licensed to perform the audit as provided in the applicable laws of the Commonwealth of Virginia. The Auditor shall also be independent as that term is defined in the Ethical Rules of the AICPA.
2. The Auditor shall comply with the requirements of qualifications as contained in the Government Auditing Standards issued by the Comptroller General of the United States.
3. The Auditor will be required to have significant experience with Local City Governments.

B. Specific Requirements: The awarded firm shall:

1. Audit the Financial Statements

Audit the financial statements of the City of Hopewell as a whole and it’s discretely presented component unit, Hopewell City Public Schools, in accordance with generally accepted auditing standards. The audit shall result in the preparation of financial statements from the audited records of the Owner by the Auditors with the Auditors’ opinion and notes thereon. The Auditors’ opinion shall be unmodified unless the Auditor furnishes to the Owner on a timely

CITY OF HOPEWELL
RFP #10-22 – Financial Audit Services

basis, reasons for qualifying the opinion, disclaiming an opinion or rendering an adverse opinion.

The Code of Virginia requires the Owner to have all of its accounts and records audited annually by an independent CPA in accordance with the specifications furnished by the Auditor of Public Accounts (APA) of the Commonwealth of Virginia, *Specifications for Audits of Counties, Cities and Towns*, as of June 30 of each year. It should also be in accordance with the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A- 133, *Audits of States, Local Governments and Non Profit Organizations*. It will include tests of accounting records, a determination of major programs in accordance with Circular A-133 and other procedures necessary in order to express an opinion and render the required reports. The Owner is required to submit its Annual Comprehensive Financial Report (ACFR) to the APA by the following December 15. The CPA shall present a detailed written report to the local governing body at public session by the following January 31.

2. Prepare the APA Comparative Report Transmittal Forms and provide Agreed-upon Procedures.

Prepare the City’s Comparative Report Transmittal Forms on behalf of the Owner in compliance with the requirements of the *Uniform Financial Reporting Manual (UFRM)* and provide certain “agreed upon procedures” as set forth in the APA’s *Specifications for Audits of Counties, Cities and Towns*. The Owner is required to submit its Comparative Report Transmittal Forms to the APA by December 15.

3. Prepare the Schedule of Expenditures of Federal Awards and Data Collection Form (Federal Grants Audit)

In connection with the audit of the financial statements, the Auditor shall perform tests and report on compliance in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States, and the *Specifications for Audits of Counties, Cities and Towns* issued by the Auditor of Public Accounts of the Commonwealth of Virginia. The CPA shall prepare the Schedule of Expenditures of Federal Awards for the primary government and discretely presented component units and the Data Collection Form required by OMB Circular A-133 by December 15 for submission by the Owner to the Federal Audit Clearinghouse as part of its Reporting Package.

4. Internal Controls

In connection with the audit of the financial statements, the Auditor shall consider, test, and report on internal controls in accordance with *Generally Accepted Auditing Standards (GASS)*, *Government Auditing Standards*, OMB Circular A-133, *Audits of State Local Governments*, and the *Specifications or Audits of Counties, Cities and Towns*. It is understood that in performing these tests of controls, the Auditor shall visit the following areas during the course

CITY OF HOPEWELL
RFP #10-22 – Financial Audit Services

of the audit: Information Technology, Finance, Treasurer, School Board, Social Services, and other areas as required. Non-reportable conditions discovered by the Auditors shall be reported in a separate letter to management, which shall be referred to in the report on internal controls.

5. Compliance Auditing

In connection with the audit of the financial statements, the Auditor shall perform test and report on compliance in accordance with *Government Auditing Standards*, OMB Circular A-133, *Audits of State and Local Governments*, and the *Specifications for Audits of Counties, Cities and Towns*.

6. Compliance Letters (as required)

Provide services as necessary to issue compliance letters to various outside agencies as required.

7. GFOA Certificate of Achievement for Excellence in Financial Reporting – Checklist

Provide special assistance to the Owner in order for it to continue to meet the requirements of the Government Finance Officers' Association of the United States and Canada (GFOA) "Certificate of Achievement for Excellence in Financial Reporting" Process. Provide the Owner a formal review of the Owner's ACFR against the GFOA certificate program checklist prior to finalizing the ACFR.

8. Supplemental Schedules and Statistical Schedules

The Auditor is to also provide "an in-relation-to" opinion on the supporting schedules based on the audit procedures applied during the audit of the general purpose financial statements and the combined and individual fund financial statements and schedules. This includes the statements of the Treasurer's accountability, the analysis of funding progress for pension plans, the schedule of federal assistance, Budgetary Comparison Schedules and the Management's Discussion and Analysis Statement.

9. Cost Allocation Plan

The Auditor shall be responsible for calculating indirect costs and submitting appropriate reports to the state as part of the cost allocation plan involving reimbursable cost from the Department of Social Services.

10. School Funds

The audit of the School Cafeteria Funds shall be included in the audit of the Owner's financial statements.

11. Internal Controls and Management Recommendation Letters

CITY OF HOPEWELL
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The Auditor shall issue a report on internal controls to the Owner containing recommendations to strengthen internal controls should such be necessary. The Auditor shall issue a report to the Finance Director for any minor internal control issues or recommendations to improve procedures.

12. Annual Meeting – New Financial Reporting Standards and Audit Findings

Meet annually in the late winter or early spring to plan for the upcoming year-end and ACFR preparation. Provide the Owner with a formal presentation of the financial reporting standards and the specific impact on the City and any component units. Specifically address any new Governmental Accounting Standards Board (GASB) Statements and any applicable Financial Accounting Standards Board (FASB) statements. The Auditor shall inform the City of any difficulties encountered in performing the audit and significant audit adjustments.

13. Attend City Council Meeting

Before December 31 of each year, attend the City Council meeting to present the results of the audit.

14. Additional Meetings

In addition to the annual meeting and the City Council meeting, the selected Auditor shall meet with the Finance Director and members of his accounting staff before the preliminary work and at the end of the fieldwork. The purpose of these meetings is to keep the Owner fully informed on the scope and progress of the audit.

15. Technical Assistance

From time to time during the contract period, the Auditor will provide assistance, advice, or recommendations regarding new or unusual accounting procedures. This assistance will be provided in a timely manner and will generally be requested on an informal basis as the need arises.

16. Required Reports

Following the completion of the audits of each fiscal year's financial statements, the Auditor shall:

- a. Issue a report on the fair presentation of the Basic Financial Statements as presented in the Owner's ACFR in conformity with Generally Accepted Accounting Principles.
- b. The Auditor shall also be responsible for performing certain limited procedures involving the Management's Discussion and Analysis (MD&A) and Required Supplementary Information (RSI) required by GASB as mandated by Generally Accepted Accounting Audit Standards (GAAS).
- c. Issue a report on the fair presentation of the Basic Financial Statements in conformity with GAAP and an "in-relation-to" opinion on the Schedule of Expenditure of Federal

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Awards.

- d. Issue a report on the Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards. This report shall describe the scope of testing of internal controls and the results of the tests, and, where applicable, refer to the separate Schedule of Findings and Questioned Costs.
- e. Issue a report on compliance with requirements applicable to each major program and on internal control over compliance in accordance with OMB Circular A-133. This report shall include compliance with laws, regulations and the provisions of contracts or grant agreements, noncompliance with which could have a material adverse effect on the financial statements. This report shall also include an opinion as to whether the Owner complied with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major grant program and where applicable, refer to the separate Schedule of Findings and Questioned Costs.
- f. Issue a report on compliance with the general requirements applicable to federal assistance programs. The Auditor shall communicate all instance of noncompliance with the general requirements in the report on compliance or in the schedule of Findings and Questioned Costs. If matters of noncompliance are disclosed in the Schedule of Findings and Questioned Costs, the Auditor shall reference the Schedule in the report on compliance.
- g. Issue a report on compliance with the requirements applicable to non-major federal assistance programs if the Auditor selected non-major program transactions during the audit. The Auditor shall communicate all instances of noncompliance with the requirements governing non-major programs in the report on compliance or in the Schedule of Findings and Questioned Costs. If matters of noncompliance are disclosed in the Schedule of Findings and Questioned Costs, the auditor shall reference the Schedule in his report on compliance.
- h. Issue a Schedule of Findings and Questioned Costs prepared in accordance with the requirements of OMB Circular A-133.
- i. Issue a report on compliance and internal controls which shall include all material instances of noncompliance. All nonmaterial instances of noncompliance shall be reported in a separate management letter.
- j. Issue a report summarizing compliance matters tested in accordance with the Uniform Financial Reporting Manual.
- k. Issue a report on the application of agreed-upon procedures relative to the Comparative Report Transmittal Forms. This report shall be forwarded to the Finance Director for submission with the forms to the Auditor of Public Accounts.
- l. Issue a separate opinion on the Basic Financial Statements to be used by the Owner as part of its Official Statements in debt offerings. (as required)
- m. Issue two letters regarding internal control and operations, one addressed to the City

CITY OF HOPEWELL
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Council and one addressed to the Finance Director.

- 1) The “Management Letter”, addressed to the Finance Director, shall state the existence or non-existence of situations that lack the significance to be designated as reportable conditions as well as opportunities to improve revenues, decrease costs, improve efficiency, improve management information etc.
 - 2) These letters shall encompass the primary government as well as its Component Units. All findings that are candidates for inclusion in either of these letters must be discussed with the responsible Department Head or his/her designee and the appropriate contact person.
 - 3) Initial drafts of all findings shall be provided to the Finance Director at the conclusion of the interim fieldwork phase of the audit, but not later than June 30. Final drafts of the finding shall be provided to the City Manager at the conclusion of the audit fieldwork, but not later than November 1. The letters shall be issued in final form no later than December 1.
- n. The Auditor shall make an immediate, written report of all irregularities and illegal acts, or indications of illegal acts of which they become aware to the:
- City Council
 - Hopewell City School Board
 - City Manager
 - Superintendent of Schools
 - Director of Finance
 - City Treasurer
 - Director of Social Services

17. Report Preparation and Presentation

The Auditor will be responsible for ACFR preparation, editing and printing. The Auditor shall furnish the audit opinion and required compliance reports necessary for the production of the ACFR.

The Auditor shall provide to the Hopewell City Public Schools’ Director of Finance ten (10) copies of the complete financial statement and report for all schools Student Activity Funds and an extract report for each school Student Activity Fund not later than September 1 of each year.

The Auditor shall present the Annual Comprehensive Financial Report to the Owner at a public session as required by Section 15.1-167 of the Code of Virginia.

18. Submission of Report to the APA

CITY OF HOPEWELL
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The Auditor will submit three (3) copies of the ACFR to the Auditor of Public Accounts by December 15 of each year in accordance with Section 15.1-166 of the Code of Virginia.

19. Submission of Reports to Federal and State Agencies

The Owner will be responsible for submitting copies of the ACFR to appropriate state and federal agencies.

20. Submission of Transmittal Forms to the APA

The Auditor shall submit one copy of the Comparative Report Transmittal Forms, including his report thereon, to the Auditor of Public Accounts by December 15 following the end of the fiscal year. The Auditor shall prepare the Comparative Report Transmittal Forms for accuracy and compliance with APA's UFRM by December 15 for Finance Department Review. The Auditor shall issue the related "agreed upon procedures" transmittal letter as required by the APA not later than December 15. The Auditor shall file the reports electronically with the APA by the December 15 deadline.

21. Submission of Reports to GFOA

The Owner will submit the ACFR to the Government Finance Officers' Association for review for the Certificate of Excellence in Financial Reporting. The auditor shall review the ACFR using the GFOA checklist prior to the Owner's submission and provide the City's Finance Department with comments for correction prior to December 1.

22. GASB/FASB Pronouncements

The Auditor will undertake to keep the Owner fully informed as to new GASB and FASB pronouncements. The Auditor shall formally report to the Finance Department staff any new financial reporting requirements and the specific impact on the Owner's financial statements. If the Owner encounters any difficulties in implementing and complying with the specific reporting requirements mandated by the GASB or FASB, the Owner may request the Auditor's assistance to enable it to comply with these reporting requirements.

23. Working Paper Retention and Access to Working Papers

All working papers and reports must be retained, at the Auditor's expense, for a minimum of three (3) years, unless the firm is notified in writing by the Owner of the need to extend the retention period. The Auditor will be required to make working papers available, upon request, to the Owner.

In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting

CITY OF HOPEWELL
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significance.

24. Field Audit Schedule Deadlines

The Auditor shall have completed the preliminary field audit no later than June 10 and the final field audit no earlier than September 15 and no later than October 10. The Auditor shall provide a detailed audit plan and a list of all schedules to be prepared by the City by July 1.

25. Additional Services

The Auditor shall provide additional auditing and/or consulting services as may be required in accordance with the agreed fee schedule. Such services shall be provided on an as-needed basis and may include but not be limited to spot audits on Owner departments or divisions, audits on vendors or agencies affiliated with the Owner or any other related services.

C. Owner Responsibilities

The Finance Department has the responsibility for maintaining the general accounts of the Owner. The Finance Department is the central oversight and coordinating agency for the City-wide audit of the financial statements. The Finance Director is the Audit Coordinator for the City. The Finance Department will provide all information required for the Auditor to perform their duties. The Owner will also provide space in Owner facilities for Auditors to perform on-site work.

D. Term of Engagement

A four (4) year contract, with the option to renew for one (1) additional year, is contemplated, subject to the annual review and recommendation of the City of Hopewell, the satisfactory negotiation of terms (including a price acceptable to both the City of Hopewell and the selected firm) and the annual availability of an appropriation.

III. OFFEROR'S INSTRUCTION:

A. PROPOSAL PREPARATION AND SUBMISSION REQUIREMENTS:

1. Offerers may submit any questions or requests for additional information regarding the project in written format by Tuesday 11/16/2021 at 5:00PM. All questions shall be directed to Felicia Ashburn fashburn@hopewellva.gov. A formal clarification will be sent out in writing on 11/22/2021, to all known potential Offerors.
2. Proposals must be signed by an authorized representative of the Offeror. All information requested must be submitted. Failure to submit all information requested may result in the Procurement Officer requiring prompt submission of missing

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information and/or receiving a lowered evaluation of the proposal. Proposals which are substantially incomplete or lack key information may be rejected by the City at its discretion. Proposals should be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of context. To facilitate an effective evaluation process, offerors are instructed to utilize the following format in preparing the proposal:

- a. Proposals must include the following completed forms:
 - i. Signature Sheet
 - ii. State Corporation Commission Form
 - b. Proposal should be prepared on 8 ½ x 11 inch paper
 - c. Page margins must be at least one inch on all sides
 - d. Any type smaller than a 12-point font will not be accepted in proposal narratives
 - e. All acronyms must be defined
 - f. Submission of (1) original, and three (3) copies of the full proposal, plus one (1) electronic copy on a USB drive.
3. The Offeror must submit a proposal, which demonstrates and provides evidence that the Offeror has the capabilities, professional expertise, and experience to provide the necessary services as described in this RFP. The Offeror shall ensure that all information required herein is submitted with the proposal. All information provided should be verifiable by documentation requested by the City of Hopewell. Failure to provide all information, inaccuracy or misstatement may be sufficient cause for rejection of the proposal or rescission of an award. **Each copy of the proposal should be bound with all documentation in a single volume where practical.**

Responses must, in any event, contain the following information and be organized into separate chapters and sections using the format described below in order to provide each firm an equal opportunity for consideration.

- a. Statement of Qualifications
 1. Signature sheet and the return of this completed RFP and any addenda, acknowledgments, signed and filled out as required.
 2. History of the firm, including number of years in business and size of firm.
 3. The approximate date the audit will begin (including preliminary fieldwork) and end including the approximate dates for delivery of the auditors' reports.
 4. Resumes, including experience, of the individuals who will be assigned, relevant experience of each in auditing municipalities, and recent continuing professional education of each stating that they have met the requirements required by Government Auditing Standards, issued by the Comptroller General of the United States.
 5. Reference letters from a minimum of five organizations, **preferably**

CITY OF HOPEWELL
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local government, for which proposed staff has completed audits. Include names, addresses and telephone number of persons who may be contacted.

6. A copy of the report on the firm's most recent peer review and certification that Firm has met the peer review standards of the AICPA and Government Auditing Standards.
7. A statement by the Offeror that:
 - i. The firm is independent of the Owner, as that term is defined in the Ethical Rules of the AICPA.
 - ii. The firm and the partner assigned of the engagement are licensed to perform the audit as provided by the applicable laws of the Commonwealth of Virginia.
 - iii. The firm will provide adequate supervision of their field staff on a day-to-day basis.

b. Proposal:

The proposal should set forth a work plan, including an explanation of the audit methodology to be followed.

4. Proposals shall be signed by the authorized representative of the Offeror.
5. Proposals should be prepared simply and economically, providing a straightforward, concise, detailed description of capabilities to satisfy the requirements of the RFP.
6. All expenses for making proposals to the City shall be incurred by the Offeror.
7. Offeror must be authorized to transact business in Virginia as a domestic or foreign business entity as required by the State Corporation Commission, if such is required by law. Such status shall be maintained during the term of a contract. A contract entered into by a business in violation of the requirements is voidable at the option of the public body.
8. Offerors are reminded that changes to the RFP, in the form of addenda, are often issued between the issue date and within 3 days of the due date of the solicitation. All addenda must be signed and submitted with proposal. Notice of addenda will be posted on eVA. It is the offeror's responsibility to monitor the webpage for the most current addenda.

IV. PROPOSAL EVALUATION PROCESS:

The City of Hopewell shall appoint a Selection Committee to review and evaluate all

CITY OF HOPEWELL
RFP #10-22 – Financial Audit Services

proposals submitted by Offerors responding to this RFP. The proposals will be evaluated and ranked based on the Evaluation Criteria listed in Section V. The City of Hopewell may ask top ranked Offerors to attend a presentation discussion as part of the evaluation process. Firms invited to the discussion should be prepared to have general discussions on non-binding estimates of cost to provide requested services. At the conclusion of the evaluation process, the City will select one or more firms with whom final negotiations will be conducted in an effort to obtain a contract.

V. PROPOSAL EVALUATION CRITERIA

The respondents will be evaluated on the following criteria:

1. 30 Points - Proven record of expertise and independence in the auditing of local governments.
2. 20 Points - The audit plan indicating an understanding of the work, how the audit work is to be performed, the timing of the audit work, and the assistance needed from the City.
3. 20 Points - Experience and professional qualifications of the audit team, including applicable Virginia licensing requirements.
4. 20 Points - References from other governmental entities.
5. 10 Points - Overall completeness, clarity and quality of proposal.

The selection process shall be governed by and completed in accordance with the Hopewell City Procurement Ordinance. If any provision of this Request for Proposal shall be found to be inconsistent or in conflict with such policy, the terms of the ordinance shall govern.

The City of Hopewell reserves the right to reject any or all proposals.

The City of Hopewell reserves the right to evaluate any sources of information available on a potential vendor.

CITY OF HOPEWELL
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VI. GENERAL TERMS AND CONDITIONS

- A. **APPLICABLE LAWS AND COURTS:** This solicitation and any resulting contract shall be governed in all respects by the laws of the Commonwealth of Virginia and the City of Hopewell, Virginia; any litigation with respect thereto shall be brought in the courts of the City. The contractor shall comply with all applicable federal, state and local laws, rules and regulations. **This compliance includes obtaining a Hopewell business license, if required, before work is performed.**
- B. **EMPLOYMENT DISCRIMINATION/DRUG-FREE WORKPLACE BY CONTRACTOR:** By submitting the bids/proposals, the bidders/offers certify to the City that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and §2.2-4311 of the *Virginia Public Procurement Act*. If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender or national origin and shall be subject to the same rules as other organizations that contract with the City to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the City. (Code of Virginia, § 2.2-4343.1E).

Every contract over Ten Thousand Dollars (\$10,000) shall include the provisions below. During the performance of this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability or other basis prohibited by state law relating to discrimination employment, except where there 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 non-discrimination clause.
2. 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.
3. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting these requirements of this section.
4. To provide a drug-free workplace for the contractor's employees.
5. To post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition.
6. To state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace.

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For the purposes of this section, “drug-free workplace” means a site for the performance of work done in connection with a specific contract awarded to a contractor, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

The contractor will include the provisions of the foregoing paragraphs 1, 2, 3, 4, 5 and 6 in every subcontract or purchase order over Ten Thousand Dollars (\$10,000) so that the provisions will be binding upon each subcontractor or vendor.

- C. **DIRECT TAXES:** All bids/proposals shall be submitted exclusive of direct Federal, State, and local taxes. However, if the bidder/offeror believes that certain taxes are properly payable by the City, he may list such taxes separately in each case directly below the respective item bid/proposal price. Tax exemption certification will be furnished on request.

- D. **INDEMNITY:** The contractor agrees to defend, indemnify and hold harmless, the City of Hopewell and its members, officers, directors, employees, agents, and representatives from and against any and all claims, damages, demands, losses, costs and expenses, including attorney’s fees, and any other losses of any kind or nature whatsoever including claims for bodily injuries, illness, disease, or death and physical property loss or damage in favor of contractor, its sub-contractors, their employees, agents, and third parties arising during the performance of services and resulting from tort, strict liability, or negligent acts or omissions of contractor, its sub-contractors and their employees or agents under the agreement, or resulting from breaches of contract, whatever by statute or otherwise.
Each contractor shall assume the responsibility for damage to or loss of its material, equipment or facilities located at the site and, in order to effect this limitation of liability, the contractor agrees to insure or self-insure such property against any such risk.

- E. **SALES TAXES:** The City is exempt from payment of State sales and use tax on all tangible personal property purchased or leased for its use or consumption. Certificate of Exemption will be furnished upon request.

- F. **QUOTATION FORM:** The bidder/offeror must sign and properly fill out all forms in this Bid/Proposal or be subject to being declared unresponsive. If unable to submit a Bid/Proposal, please sign and return this solicitation form, advising reason for no Bid/Proposal.

- G. **CONTRACTOR’S DEFAULT:** In case of default of the contractor, the City may procure the articles of service from other sources and hold the contractor responsible for any excess cost incurred thereafter.

- H. **COMPUTATION OF TIME FOR DISCOUNTS:** Time in connection with discount offered, will be computed from date of delivery of the supplies or materials to carrier when final inspection and acceptance are at those points or from date correct invoice is received if latter is later than the date of delivery.

- I. **ETHICS IN PUBLIC CONTRACTING:** By submitting the bids/proposals, the bidders/offerors certify that the bids/proposals are made without collusion or fraud and that they have not offered or received any

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kickbacks or inducements from any other bidder/offeror, supplier, manufacturer or subcontractor in connection with the bid/proposal, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

- J. **GOVERNMENTAL RESTRICTIONS:** In the event any governmental restrictions may be imposed which would necessitate alteration of the materials, quality, workmanship, or performance of the items offered in this Bid/Proposal prior to their delivery, it shall be the responsibility of the successful bidder/offeror to notify this office at once, indicating in his letter the specific regulation which requires such alterations. The City reserves the right to accept any such alterations, including any price adjustments occasioned thereby, or to cancel the contract.
- K. **IMMIGRATION REFORM AND CONTROL ACT OF 1986:** By entering into a written contract with the City of Hopewell, the Contractor certifies that the Contractor does not, and shall not during the performance of the contract for goods and services in the City, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.
- L. **DEBARMENT STATUS:** By submitting the bids/proposals, the bidders/offerors certify that they are not currently debarred by the Commonwealth of Virginia from submitting bids or proposals on contracts for the type of goods and/or services covered by this solicitation, nor are they an agent of any person or entity that is currently so debarred.
- M. **ANTITRUST:** By entering into a contract, the contractor conveys, sells, assigns, and transfers to the City of Hopewell, Virginia all rights, title and interest in and to all causes of action it may now have or hereafter acquire under the antitrust laws of the United States and the Commonwealth of Virginia, relating to the particular goods or services purchased or acquired by the City of Hopewell, Virginia under said contract.
- N. **PAYMENT:** Payment by the City is due thirty (30) days after receipt of approved invoice unless otherwise specifically provided: subject to any discounts allowed. If an invoice requires modifications by the City, the thirty (30) day period begins after receipt of acceptable invoice.

To Prime Contractor:

Invoices for items ordered, delivered and accepted shall be submitted by the contractor directly to the payment address shown on the purchase order/contract. All invoices shall show the contract number and/or purchase order number, social security number (for individual contractors) or the federal employer identification number (for proprietorships, partnerships, and corporations).

All goods or services provided under this contract or purchase order, that are to be paid for with public funds, shall be billed by the contractor at the contract price, regardless of which public agency is being billed.

The following shall be deemed to be the date of payment: the date of postmark in all cases where payment is made by mail, or the date of offset when offset proceedings have been instituted as authorized.

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Unreasonable Charges: Under certain emergency procurements and for most time and material purchases, final job costs cannot be accurately determined at the time orders are placed. In such cases, contractors should be put on notice that final payment in full is contingent on a determination of reasonableness with respect to all invoiced charges. Charges, which appear to be unreasonable, will be researched and challenged, and that portion of the invoice held in abeyance until a settlement can be reached. Upon determining that invoiced charges are not reasonable, the City shall promptly notify the contractor, in writing, as to those charges, which it considers unreasonable, and the basis for the determination. A contractor may not institute legal action unless a settlement cannot be reached within thirty (30) days of notification.

To Subcontractors:

A contractor awarded a contract under this solicitation is hereby obligated:

1. To pay the subcontractor(s) within seven (7) days of the contractor's receipt of payment from the City for the proportionate share of the payment received for work performed by the subcontractor(s) under the contract; or
 2. To notify the City and the subcontractor(s), in writing, of the contractor's intention to withhold payment and the reason.
 3. The contractor is obligated to pay the subcontractor(s) interest at the rate of one percent per month (unless otherwise provided under the terms of the contract) on all amounts owed by the contractor that remain unpaid seven (7) days following receipt of payment from the City, except for amounts withheld as stated in (2) above. The date of mailing of any payment by U. S. Mail is deemed to be payment to the addressee. These provisions apply to each sub-tier contractor performing under the primary contract. A contractor's obligation to pay an interest charge to a subcontractor may not be construed to be an obligation of the City.
- O. **PRECEDENCE OF TERMS:** Paragraphs A-N of these General Terms and Conditions shall apply in all instances. In the event there is a conflict between any of the other General Terms and Conditions and any Special Terms and Conditions in this solicitation, the Special Terms and Conditions shall apply.
- P. **TESTING AND INSPECTION:** The City reserves the right to conduct any test/inspection it may deem advisable to assure goods and services conform to the specifications.
- Q. **ASSIGNMENT OF CONTRACT:** A contract shall not be assignable by the contractor in whole or in part without the written consent of the City.
- R. **CHANGES TO THE CONTRACT:** Changes can be made to the contract in any of the following ways:
1. The parties may agree in writing to modify the scope of the contract. An increase or decrease in the price of the contract resulting from such modification shall be agreed to by the parties as a part of their written agreement to modify the scope of the contract.

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2. The Purchasing Department and/or Contract Administrator may order changes within the general scope of the contract at any time by written notice to the contractor. Changes within the scope of the contract include, but are not limited to, things such as services to be performed, the method of packing or shipment, and the place of delivery or installation. The contractor shall comply with the notice upon receipt. The contractor shall be compensated for any additional costs incurred as the result of such order and shall give the Purchasing Department/Contract Administrator a credit for any savings. Said compensation shall be determined by one of the following methods:
 - a. By mutual agreement between the parties in writing; or
 - b. By agreeing upon a unit price or using a unit price set forth in the contract, if the work to be done can be expressed in units, and the contractor accounts for the number of units of work performed, subject to the Purchasing Department's and/or Contract Administrator's right to audit the contractor's records and/or to determine the correct number of units independently; or
 - c. By ordering the contractor to proceed with the work and keep a record of all costs incurred and savings realized. A markup for overhead and profit may be allowed if provided by the contract. The same markup shall be used for determining a decrease in price as the result of savings realized. The contractor shall present the Purchasing Department with all vouchers and records of expenses incurred and savings realized. The Purchasing Department shall have the right to audit the records of the contractor, as it deems necessary to determine costs or savings. Any claim for an adjustment in price under this provision must be asserted by written notice to the Purchasing Department within thirty (30) days from the date of receipt of the written order from the Purchasing Department. If the parties fail to agree on an amount of adjustment, the question of an increase or decrease in the contract price or time for performance shall be resolved in accordance with the procedures for resolving disputes provided by the Disputes Clause of this contract or, if there is none, in accordance with the disputes provisions of the Virginia Public Procurement Act. Neither the existence of a claim nor a dispute resolution process, litigation or any other provision of this contract shall excuse the contractor from promptly complying with the changes ordered by the Purchasing Department or with the performance of the contract generally.
- S. **DEFAULT:** In case of failure to deliver goods or services in accordance with the contract terms and conditions, the City, after due oral or written notice, may procure them from other sources and hold the contractor responsible for any resulting additional purchase and administrative costs. This remedy shall be in addition to any other remedies, which the City may have.
- T. **AUTHORIZATION TO CONDUCT BUSINESS IN THE COMMONWEALTH:** A contractor organized as a stock or non-stock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law. Any business entity described above that enters into a contract with the City pursuant to the Virginia Public Procurement Act shall not allow its existence to lapse or its certificate of authority or registration to transact business in the Commonwealth, if so required under Title 13.1 or Title 50, to be revoked or cancelled at any time during the term of the contract. The City may void any contract with a business entity if the business entity fails to remain in compliance with the provisions of this section.

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- U. **INSURANCE:** The contractor shall secure and maintain in force, at his/her own expense all required forms of insurance and payment bonds to insure the completion for the work under contract to the satisfaction of the City and without damage to, or claims against the City. The contractor shall provide satisfactory evidence of bonds and insurance on behalf of the sub-contractors, before entering into an agreement to sublet any part of the work to be done under this contract.

The following performance and payment bonds and forms of insurance shall be secured by the contractor to cover all work under contract and to protect the contractor, the City, and general public against any damage of claims in connections with the performance of the contract. The bonds and insurance shall be by companies duly authorized to do business in the State of Virginia. Certificates of Insurance, naming the City as an additional insured for each type of coverage shall be required.

At the discretion of the purchasing agent, bidders/offerors may be required to submit with their bid/proposal a bid/proposal bond, or a certified check, in an amount to be determined by the purchasing agent, which shall be forfeited to the City as liquidated damage upon the bidder's/offeror's failure to execute a contract awarded to him/her or upon the bidder's/offeror's failure to furnish any required performance or payment bonds in connection with a contract awarded to him/her.

At the discretion of the purchasing agent, the winning contractor(s) may be required to submit a performance and payment bond to the City which shall be evoked upon contractor's failure to execute a contract awarded or the failure to satisfactorily complete work for which a contract or purchase order was awarded. Performance bond and payment bond in the amount of one hundred (100) percent of contract price is required as security of contract, or security for payment of all persons performing labor and furnishing materials in connection with the contract, and protecting the City from all damages or claims resulting from, or in connection with the performance of the contract or purchase order.

The performance bond and payment bond shall and does bind the surety company to protect the City from damages, claims or costs by failure of the contractor to make corrective action due to his financial solvency or for any other cause whatever.

INSURANCE COVERAGES AND LIMITS REQUIRED:

1. Worker's Compensation - Statutory requirements and benefits; require that the City of Hopewell, Virginia be added as an additional named insured on contractor's policy.
2. Employers Liability - \$1,000,000.
3. Comprehensive general liability for bodily injury liability and property damage liability shall be provided as to limits specified.
4. Contractor's protective liability shall be provided for bodily injury liability and property damage liability.
5. Fire and extended coverage shall be provided on the completed builder risk form if specified in bid specifications.

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6. The contractor shall require each of his subcontractors to carry Workmen's Compensation Insurance and public liability and property damages liability.
7. Commercial General Liability - \$1,000,000 combined single limit. The City of Hopewell, Virginia is to be named as an additional named insured with respect to the services being procured. This coverage is to include Products and Completed Operations Coverage.
8. Automobile Liability – bodily injury and property damage shall be provided as to limits set forth in the specifications.

The contractor shall have executed and delivered to the City copies of all insurance certificates.

Executed copies of the performance bond shall become a part of all copies of the contract.

VII. SPECIAL TERMS AND CONDITIONS

- A. **ADVERTISING:** In the event a contract is awarded for supplies, equipment, or services resulting from this bid/proposal, no indication of such sales or services to the City of Hopewell, Virginia will be used in product literature or advertising. The contractor shall not state in any of its advertising or product literature that the City of Hopewell, Virginia or any department or institution of the City has purchased or uses its products or services.
- B. **AUDIT:** The contractor shall retain all books, records, and other documents relative to this contract for five (5) years after final payment, or until audited by the City of Hopewell, whichever is sooner. The agency, its authorized agents, and/or state auditors shall have full access to and the right to examine any of said materials during said period.
- C. **AWARD OF CONTRACT:** Selection shall be made of two or more offerors deemed to be fully qualified and best suited among those submitting proposals, on the basis of the factors involved in the Request for Proposal, including price if so stated in the RFP. Negotiations shall then be conducted with each of the offerors so selected. The offeror shall state any exception to any liability provisions contained in the RFP in writing at the beginning of negotiations, and such exceptions shall be considered during negotiation. Price shall be considered, but need not be the sole or primary determining factor. After negotiations have been conducted with each offeror so selected, the City shall select the offeror which, in its opinion, has made the best proposal and provides the best value, and shall award the contract to that offeror. The City may cancel this RFP or reject proposals at any time prior to an award, and is not required to furnish a statement of the reasons why a particular proposal was not deemed to be the most advantageous (Code of Virginia, § 2.2-4359D). Should the City determine in writing and in its sole discretion that only one offeror is fully qualified, or that one offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that offeror. The award document will be a contract incorporating by reference all the requirements, terms and conditions of the solicitation and the contractor's proposal as negotiated.
- D. **BID/PROPOSAL ACCEPTANCE PERIOD:** Any bid/proposal in response to this solicitation shall

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be valid for 90 days. At the end of the 90 days the bid/proposal may be withdrawn at the written request of the bidder/offeror. If the bid/proposal is not withdrawn at that time it remains in effect until an award is made or the solicitation is canceled.

- E. **CANCELLATION OF CONTRACT:** The Purchasing Department reserves the right to cancel and terminate any resulting contract, in part or in whole, without penalty, upon 30 days written notice to the contractor. In the event the initial contract period is for more than 12 months, the resulting contract may be terminated by either party, without penalty, after the initial 12 months of the contract period upon 30 days written notice to the other party. Any contract cancellation notice shall not relieve the contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.
- F. **EXTRA CHARGES NOT ALLOWED:** The bid/proposal price shall be for complete installation ready for the City's use, and shall include all applicable freight and installation charges; extra charges will not be allowed.
- G. **MINORITY/WOMEN-OWNED BUSINESSES SUBCONTRACTING AND REPORTING:** Where it is practicable for any portion of the awarded contract to be subcontracted to other suppliers, the contractor is encouraged to offer such business to minority and/or women-owned businesses. Names of firms may be available from the buyer and/or from the Division of Purchases and Supply. When such business has been subcontracted to these firms and upon completion of the contract, the contractor agrees to furnish the purchasing office the following information: name of firm, phone number, total dollar amount subcontracted and type of product/service provided.
- H. **PREPARATION AND SUBMISSION OF BIDS/PROPOSALS:** Bids/proposals must give the full business address of the bidder/offeror and be signed by him/her with his/her usual signature. Bids/proposals by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership or any authorized representative, followed by the designation of the person signing. Bids/proposals by corporations must be signed with the legal name of the corporation followed by the name of the State in which it is incorporated and by the signature and designation of the president, secretary, or other person authorized to bind it in the matter. The name of each person signing shall also be typed or printed below the signature. A bid/proposal by a person, who affixes to the signature the word "President," "Secretary," "Agent" or other designation without disclosing the principal, may be held to be the bid/proposal of the individual signing. When requested by the City, satisfactory evidence of the authority of the officer signing in behalf of the corporation shall be furnished.
- I. **WITHDRAWAL OR MODIFICATION OF BIDS/PROPOSALS:** Bids/proposals may be withdrawn or modified by written notice received from bidders/offerors prior to the deadline fixed for bid/proposal receipt. The withdrawal or modification may be made by the person signing the bid/proposal or by an individual(s) who is authorized by him on the face of the bid/proposal. Written modifications may be made on the bid/proposal form itself, on the envelope in which the bid/proposal is enclosed, or on a separate document. Written modifications, whether the original is delivered, or transmitted by facsimile, must be signed by the person making the modification or withdrawal.
- J. **RECEIPT AND OPENING OF BIDS/PROPOSALS:** It is the responsibility of the bidder/offeror to

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assure that his bid/proposal is delivered to the place designated for receipt of bids/proposals and prior to the time set for receipt of bids/proposals. Bids/proposals received after the time designated for receipt of bids/proposals will not be considered. Bids/proposals will be opened at the time and place stated in the advertisement, and their contents made public for the information of bidders/offerors and others interested who may be present either in person or by representative. The officer or agent of the City, whose duty it is to open them, will decide when the specified time has arrived. No responsibility will be attached to any officer or agent for the premature opening of a bid/proposal not properly addressed and identified.

- K. **NEGOTIATION WITH THE LOWEST BIDDER (IF APPLICABLE):** Unless all bids are cancelled or rejected, the City of Hopewell reserves the right granted by §2.2-4318 of the *Code of Virginia* to negotiate with the lowest responsive, responsible bidder to obtain a contract price within the funds available to the agency whenever such low bid exceeds the city's available funds. For the purpose of determining when such negotiations may take place, the term "available funds" shall mean those funds which were budgeted by the agency for this contract prior to the issuance of the written Invitation for Bids. Negotiations with the low bidder may include both modifications of the bid price and the Scope of Work/Specifications to be performed. The city shall initiate such negotiations by written notice to the lowest responsive, responsible bidder that its bid exceeds the available funds and that the agency wishes to negotiate a lower contract price. The times, places, and manner of negotiating shall be agreed to by the city and the lowest responsive, responsible bidder.
- L. **TRADE SECRETS OR PROPRIETARY INFORMATION:** Trade secrets or proprietary information submitted by a bidder, offeror or contractor in connection with a procurement transaction or prequalification application submitted pursuant to subsection B of §2.2-4317 shall not be subject to the Virginia Freedom of Information Act (§2.2-3700 et seq.); however, the bidder, offeror or contractor shall (i) invoke the protections of this section prior to or upon submission of the data or other materials, (ii) identify the data or other materials to be protected, and (iii) state the reasons why protection is necessary.



ADDENDUM # 1
RFP #10-22 – FINANCIAL AUDIT SERVICES

NOVEMBER 22, 2021

The City of Hopewell has received and reviewed the below question/request related to RFP #10-22 – Financial Audit Services, and offers the following response as Addendum #1. Please acknowledge receipt of this addendum by signing and including **page 2** as part of your proposal response.

1. Will the City consider allowing cost allocation firms to bid solely on task # 9 Cost Allocation Plan?

9. Cost Allocation Plan

The Auditor shall be responsible for calculating indirect costs and submitting appropriate reports to the state as part of the cost allocation plan involving reimbursable cost from the Department of Social Services.

The Government Finance Officers Association (GFOA) advises governments that, when selecting an organization to perform their cost allocation, “The need for independence may prevent the financial statement auditor from serving in this role.” This is due to a conflict of interest present when an auditor is tasked when auditing their own performance.

The Offeror must submit a proposal, which demonstrates and provides evidence that the Offeror has the capabilities, professional expertise, and experience to provide the necessary services as described in this RFP.

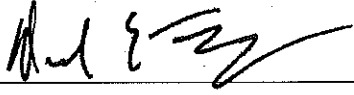
The City may modify the project’s scope of services and required tasks during negotiation process with the successful Offeror.

Please sign and include this form as part of your proposal response to verify receipt of Addendum # 1.

Felicia Ashburn

Felicia Ashburn, Acting Procurement Officer

*RFP #10-22 –Financial Audit Services – Addendum #1
City of Hopewell, Virginia
November, 22 2021*



Signature of Receipt of Addendum # 1

December 2, 2021

Date

Robinson, Farmer, Cox Associates

Company Name

COUNCILOR REQUESTS

CR-1

**RESOLUTION ESTABLISHING
GUIDELINES FOR BUDGET DOCUMENTS**

WHEREAS, pursuant Art. IV, § 2 of the Hopewell City Charter all of the powers of the City of Hopewell ("City") are vested in and to be exercised by the Hopewell City Council unless expressly conferred on another position of government; and

WHEREAS, in accordance with state law, the City of Hopewell must adopt a budget each year by no later than July 1; and

WHEREAS, notwithstanding the fact that pursuant to Art. V, §4 of the Hopewell City Charter, the City Manager has the responsibility of preparing and submitting the budget to the City Council for adoption, and administering it thereafter, the information contained in the budget is as determined by the City Council, except as otherwise required by general law. (Art XVII, §2); and

~~WHEREAS, one of the most recent audit performed and completed on the City's financial records found that, among other deficiencies, year-end expenditures exceeded the final appropriated budget for one City fund; and~~

~~WHEREAS, coupled with all of the other noted material weaknesses, the City's outside auditors recommended that the City more closely monitors expenditures to ensure that no money is paid out until the governing body has made an appropriation for it, in compliance with Va. Code §15.2-2506; and~~

WHEREAS, the City does not have comprehensive stand-alone policies and procedures relative to the preparation and administration of the budgets submitted to and approved by the City Council; and the City Council has determined that the existence of such policies and procedures would aid the City in prudently managing and expending the citizens' resources, and maintaining

~~avoiding the errors and omissions that led or contributed to the negative findings reported as part and parcel of recent audit reports relative to the City's sound financial processes to improve the City's financial condition and bond rating.~~

~~Now therefore Pursuant to its authority under Art. VII, §7 Virginia Constitution, Art. XVII, § 2 of the Hopewell City Charter, and Va. Code Ann. §§15.2-1106 and 15.2-2500 et seq. the City Council acts and therefore~~

BE IT RESOLVED on this _____ day of _____, 2019, _____ the Hopewell City Council hereby establishes the following policies and procedures for the budget(s) submitted to the City Council by the City Manager, and which shall take effect immediately upon approval by the City Council:

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1. ~~With due regard to Va. Code §22.1-93 requiring City Council's approval of Hopewell Public Schools budget by May 15.~~ The City Manager shall submit the annual budget to the City Council no less than 90 days prior to the end of the fiscal year.

2. To ensure the timely submission of the annual budget to the City Council, City departments shall be required to submit their annual budget estimates to the City Manager by no later than ~~December 1~~. ~~Any non-City department or agency seeking an appropriation of funds in any budget year shall present information, in whatsoever form deemed advisable by the City Council, in justification and support of its request. Said requirement shall not be waived due to prior appropriation(s) received from the City by said non-City department or agency.~~

3. After a public hearing on the budget, prior to adoption thereof, the City Council may insert new items of expenditure or may increase, decrease, or strike out an item of expenditure recommended by the City Manager's budget, except that no item or expenditure related to debt

service or required by general law or the instructions/restrictions related to a grant award shall be reduced or stricken.

3.4. In no event shall City Council adopt a budget in which the total amount of expenditures exceeds the estimated receipts of the City, unless at the same time the City Council adopts measures for providing additional revenue in the ensuing fiscal year sufficient to make up this difference. Notwithstanding the foregoing, City Council shall not alter the estimates of receipts contained in budget except to correct omissions or mathematical errors unless such alteration has been made after a public hearing on such alteration, which shall be held not less than ___ days after notice of the hearing has been published in a newspaper having general circulation in the City of Hopewell.

~~4.5. As the power to appropriate funds has been vested in the local governing body,~~
The City Council hereby reserves to itself all power to appropriate funds received by the City of Hopewell, regardless of its source. No budget submitted to the City Council shall contain any statement or reference that authorizes the City Manager or Finance Director or any other City Staff to appropriate funds (whatever the source). Any appropriation made contrary to and in violation of this provision shall be deemed void as a matter of law. Any appropriation knowingly made in violation of this provision may result in disciplinary action, up to and including termination from City employment.

5.6. No payment shall be made and nor any expense incurred except in accordance with an appropriation duly made by the City Council unless the City Manager shall first certify that there is sufficient unexpended and unencumbered balance in an appropriated category, and that the payment of such expenses is not expected to cause the appropriated department budget to be exceeded. Any expenditure or obligation authorized or incurred in violation of these provisions

shall be deemed void as a matter of law. Any payment or expense knowing made or incurred, as the case may be, in violation of this provision may result in disciplinary action, up to and including termination from City employment.

6.7. An appropriation for a capital expenditure shall carry forward to the following fiscal year(s) until the City Council changes or eliminates the appropriation. The project or purpose for a capital appropriation shall be deemed abandoned if three year pass from the initial appropriation without any disbursement or encumbrance of the appropriation. Every unexpended or unencumbered appropriation, except an appropriation designated for a capital expenditure, shall lapse at the close of the fiscal year and shall be returned to the City's general operating fund.

7.8. Appropriations tied to or resulting from a grant award shall first be restricted based on the instructions or requirement of the grant/grantor. To ensure that the City's expenses are aligned with the priorities of the City, whether imposed by general law or as established by the City Council, no grant requiring any matching funds shall be applied for by any City staff without the expressed prior approval of the City Council.

9. A transfer shall mean the movement of all or a portion of an existing appropriation between one budget item (i.e., budget line) to another budget item within a single department or agency. The City Manager may/shall have one-time transfer authority up to \$ 25,000 between appropriated budget items for any one department, provided that the budget item from which the transfer is being made is unencumbered and so long as the total budget appropriated for that department will not be exceeded. Nothing contained herein shall be construed to give the City Manager the expressed or implicit authority to transfer funds between City departments without the expressed approval of City Council, as such shall be construed as an appropriation to

the recipient department and must be effected in accordance with the applicable provision(s) of law.

8.10. If at any time during the fiscal year it appears probable to the City Manager that the revenue or fund balances available will be insufficient to finance the expenditures without for which appropriations have been authorized, the City Manager shall report to the City Council without delay, indicating the estimated amount of the deficit and recommending any remedial action relative to the actions that should be taken.

9.11. To the extent that any ~~All~~ prior grants of authority expressly delegated by the City Council to the City Manager or Finance Director ~~is in that are~~ conflict with these provisions, ~~these provisions shall supersede and shall govern~~ ~~are hereby withdrawn.~~

10.12. These policies may be amended, from time to time, until comprehensive policies and procedures are established.

11.13. These provisions shall be effective immediately upon approval/adoption by the Hopewell City Council.

PROCUREMENT POLICY AND PROCEDURES

SMALL PURCHASE 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 this Small Purchase Policy and Procedures for the City ("the Small Purchase Policy"), 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 Small Purchase Policy shall operate to delegate the City's power to contract without formal competition and without first seeking the formal approval by of City Council under these 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. The provisions of the Act shall govern all other procurement by the City.

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.

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 (not including professional services), insurance, or construction, in aggregate (all phases) and without regard to whether such contract is single or term.

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

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 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 15th _____ day of the following month. Department reconciliation reports shall be retained by Finance Department in accordance with 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.

CITY MANAGER

The City Council hereby designates the City Manager to execute all contracts on behalf of the City, unless Council, as a part of its contract approval process, expresses otherwise.

The City Manager shall be authorized to incur any obligation on behalf of the City that falls within the maximum amount authorized for small purchases under the Act event though such amount might be greater than the maximum amount permitted under this Small Purchase Policy.
The City Manager shall not, however, be authorized to designate the City's contracting power for any contract that exceed the maximum amount permitted under this Small Purchase Policy.

The City Manager's power to incur obligation on behalf of the City shall not extend to any contract that must be competitively bid or negotiated as required by the Act, and/or any contract that requires the expressed approval by the City Council.

LIMITATION ON DELEGATION OF AUTHORITY

Nothing contained in this Small Purchase Policy shall be construed to grant any person permission or authority to incur any obligation on behalf of the City which will result in exceeding (in whole or part) the amount of appropriations then available for that purpose.

NO CHANGES WITHOUT CITY COUNCIL'S APPROVAL

No change or modification to this policy shall be effective unless by approval of the City Council.

DRAFT

CR-2



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 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE:

City Energy and Conservation Program

ISSUE: To have the City Manager research and bring back recommendations on how to make city buildings more energy efficient and to development a program that reduces utility usage.

RECOMMENDATION: To authorize the city manager to research and present some recommendations to city council in 3 months.

TIMING: As soon as possible

BACKGROUND: For 10 years the Hopewell City Public Schools implement an energy and conservation program led by Tim Dunn that resulted in nearly \$6 million in savings with reducing their energy consumption and reducing their utility usage. In an ongoing effort to reduce city operating costs, this may prove to be a beneficial idea on saving money and improving our environmental footprint.

ENCLOSED DOCUMENTS:

- None

STAFF:

March Altman, City Manager

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: _____

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

CR-3



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 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE:

Exploring and Researching the Establishment of a Hopewell/Prince George Stormwater Commission

ISSUE: Virginia is experiencing increased numbers of rainstorms. The rainstorms are also increasing in intensity resulting in increased flooding and pollution to our waterways.

RECOMMENDATION: To charge the City Manager with exploring and researching the possibility of establishing a joint Hopewell and Prince George Stormwater Commission and bring back recommendations no later than 3 months.

TIMING: As soon as possible

BACKGROUND: Prince George County borders Hopewell and drainage from the county enters into Hopewell's stormwater system and share smaller water ways like Bailey's Creek, Cattail Creek, Cabin Creek, Bull Hill Creek, Mathis Stream, etc. The request is for the City Manager to research this idea and its feasibility for Hopewell and Prince George to team up to address these environmental, infrastructure, and quality of life issues for both city and county residents.

ENCLOSED DOCUMENTS:

- None

STAFF:

March Altman, City Manager

FOR IN MEETING USE ONLY**SUMMARY:**

Y N

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

Y N

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

MOTION: _____

Roll Call

SUMMARY:

Y N

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

Y N

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

ADJOURNMENT

WORK SESSION

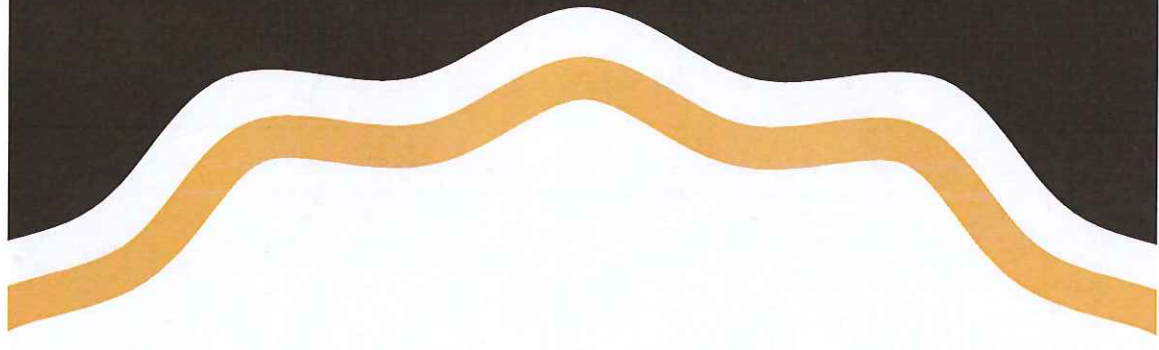


**CITY COUNCIL
WORKSESSION**

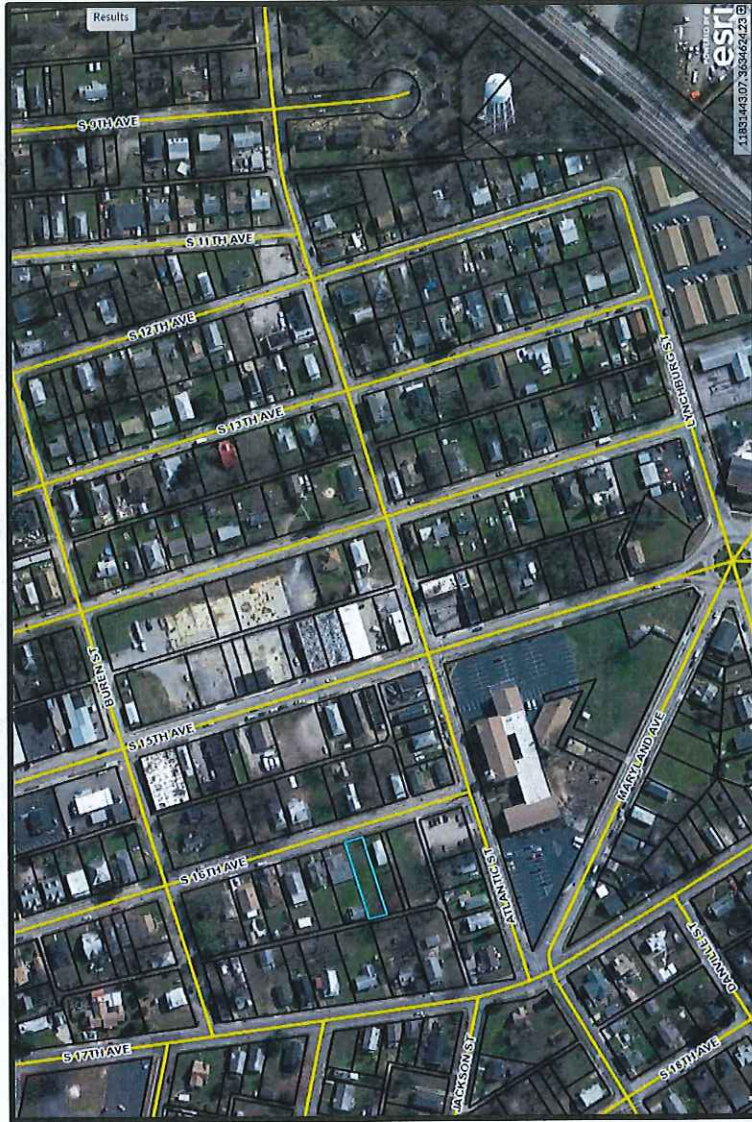
JANUARY 25, 2022

214 S. 16TH AVE.

CONDITIONAL USE PERMIT



214 SOUTH 16TH AVENUE



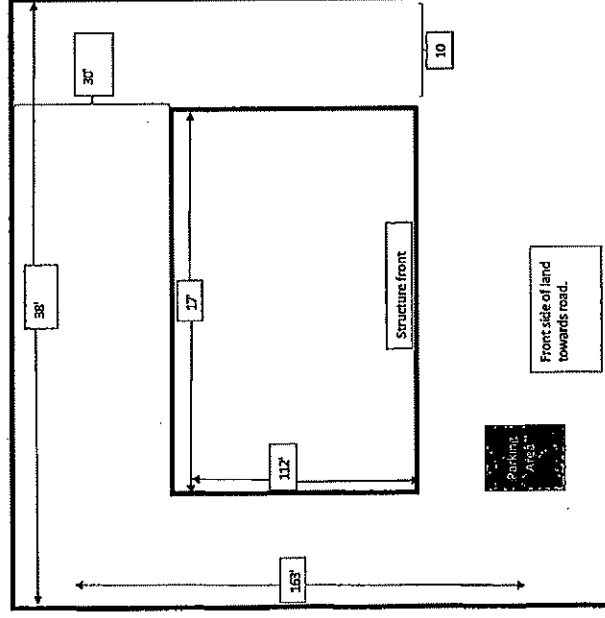


**Conditional
Use Permit**

- REQUEST TO BUILD A SINGLE FAMILY DETACHED HOME ON A NON-CONFORMING PARCEL
- LOCATED IN THE R-2, RESIDENTIAL, MEDIUM DENSITY ZONING DISTRICT

SUBJECT PROPERTY

- Lot Size = 6,194 sq. ft.
- 38 ft. of frontage
- Required lot size: 7,500 sq. ft.
- Required frontage: 75 ft.

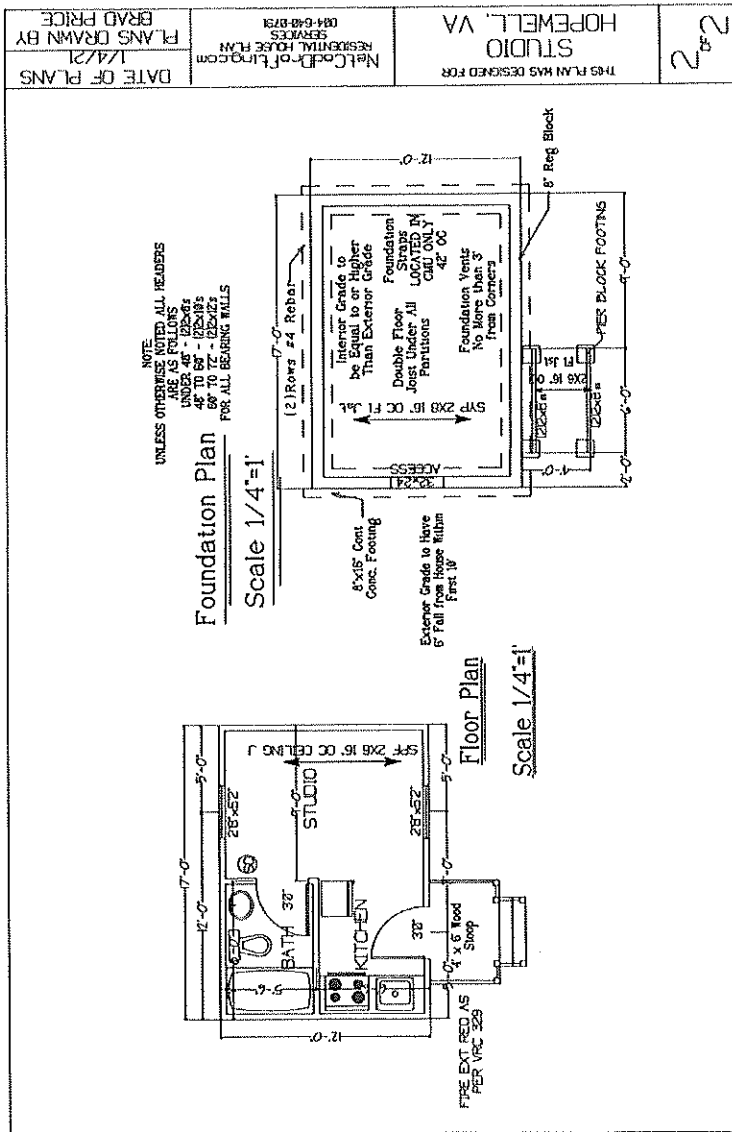



NEIGHBORHOOD CHARACTERISTICS

- Average home size: 1,423 square feet
- 3 bedrooms
- 1.5 baths
- 1.5 stories
- Architectural style: Bungalow & Cape Cod

PROPOSED HOUSE PLANS

- 207 sq. ft. studio
- Applicant will provide brick porch and foundation





Planning
Commission
Recommendation

The Planning Commission voted 3-0 to recommend denial of the permit because the application did not meet criteria 4 outlined in Article XXI, Section D. *Sub-Section d. Approval Criteria*. Specifically:

- The size of the structure, is not in keeping with the average size of homes present in the neighborhood.
- The architecture of the proposed home



QUESTIONS?



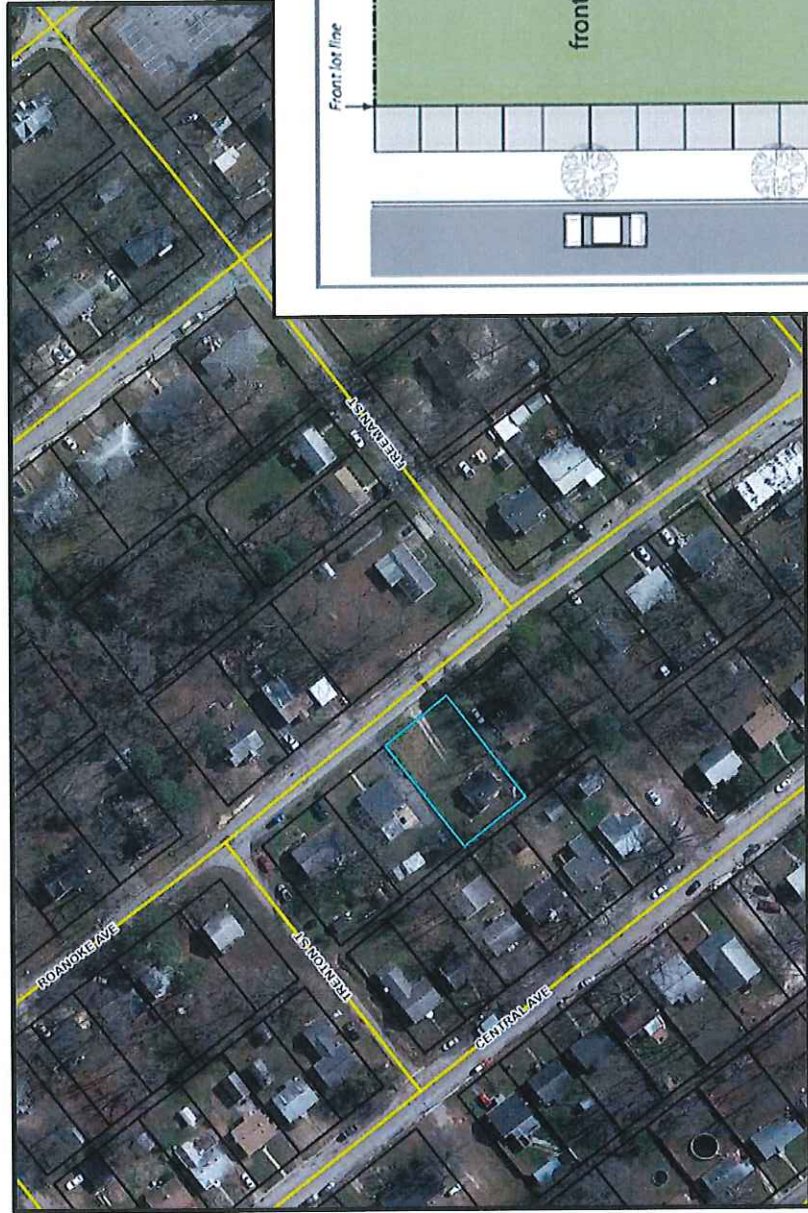
1404 ROANOKE AVE.

CONDITIONAL USE PERMIT

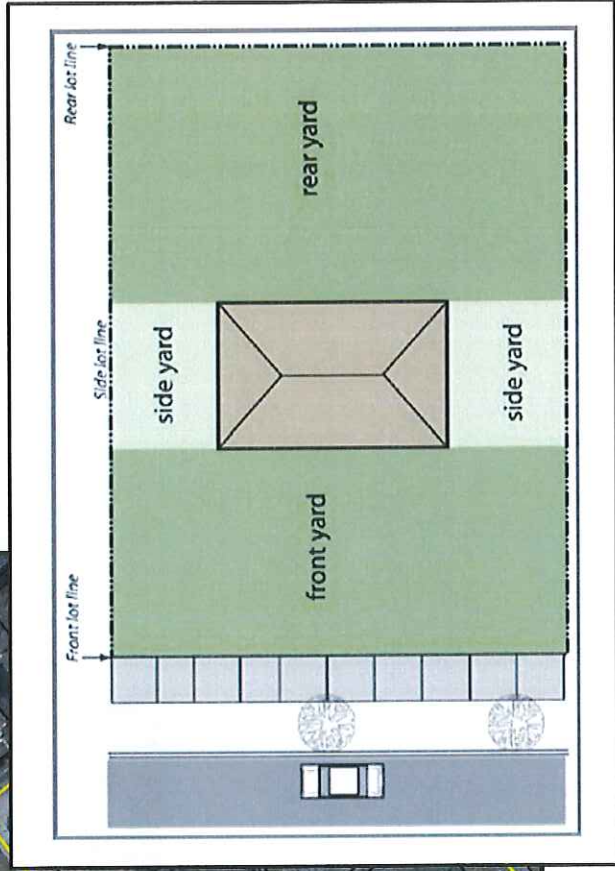




AERIAL MAP OF PROPERTY

1404 Roanoke Avenue

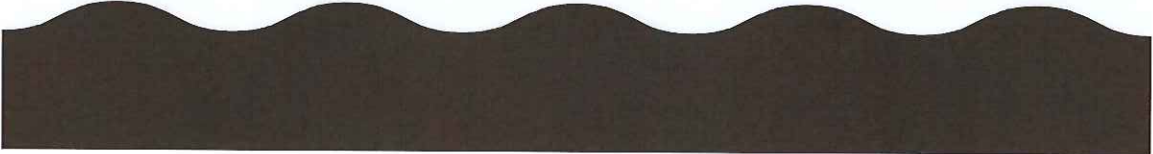


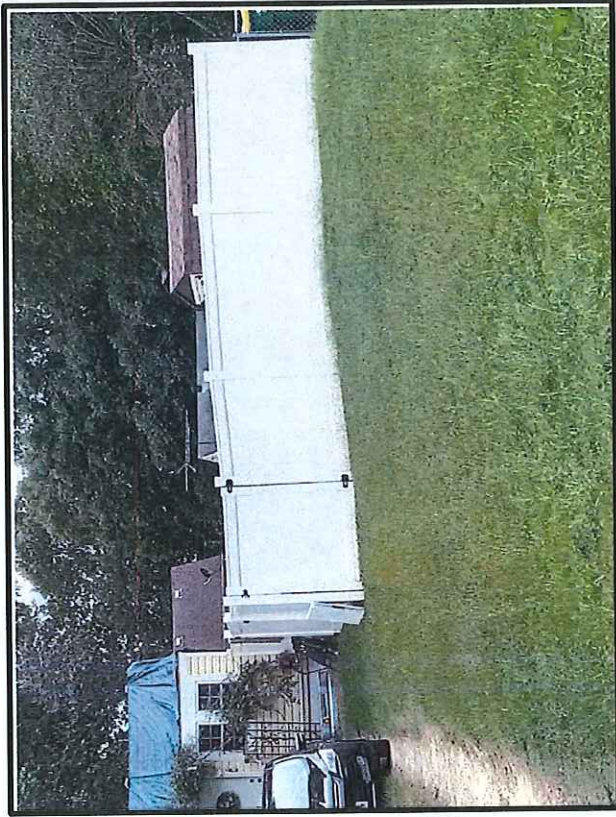
Typical yard setbacks diagram



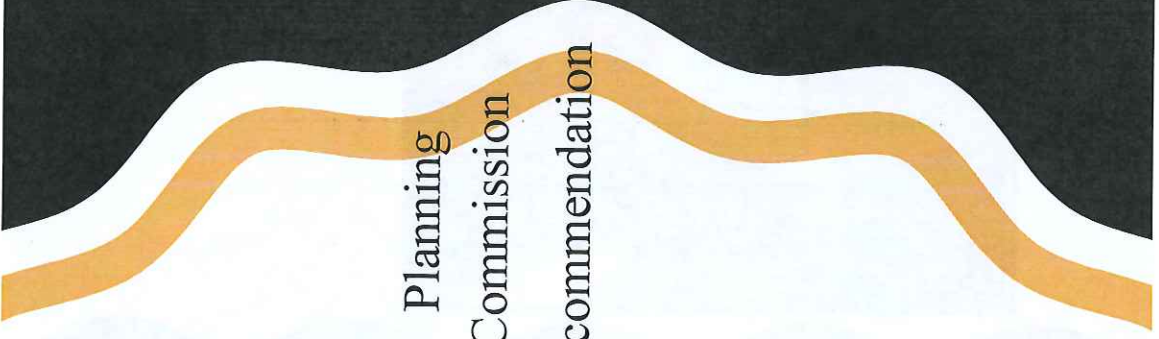


QUESTIONS?





FENCE IN FRONT YARD

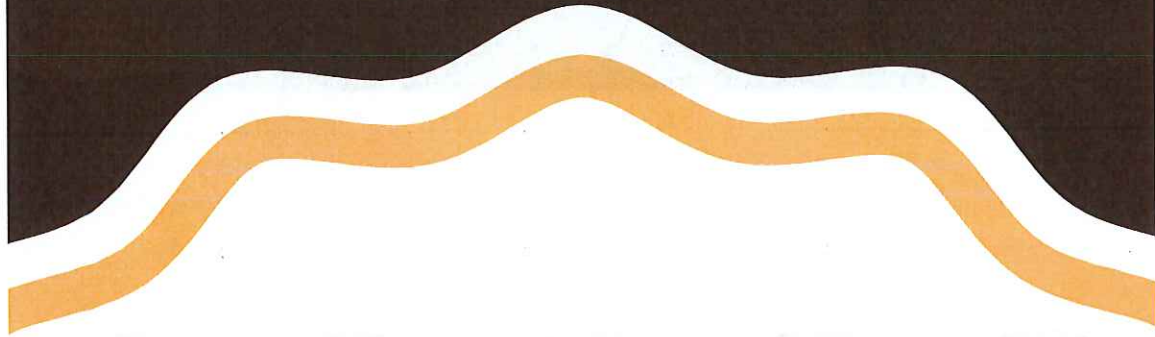


Planning
Commission
Recommendation

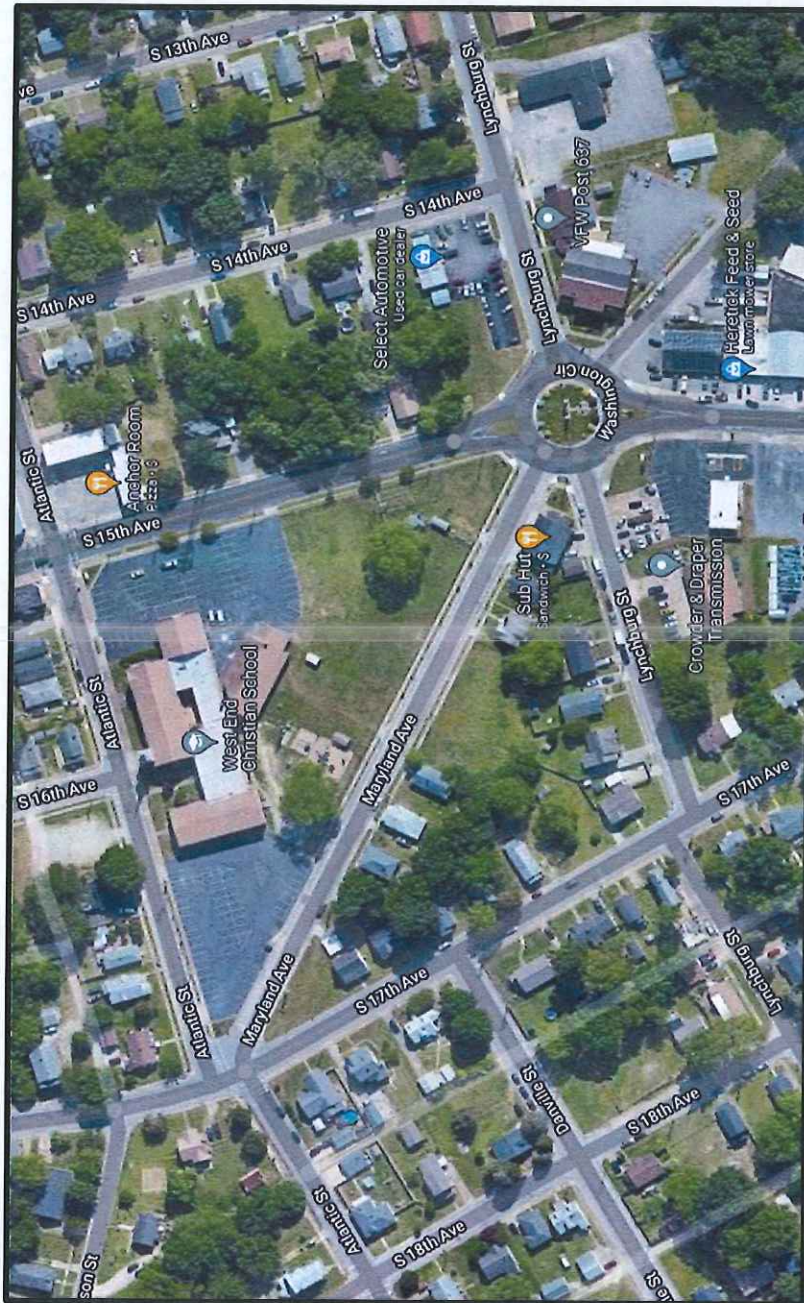
- The Planning Commission voted 3-0 to recommend approval of the permit, with conditions, because the application met the criteria outlined in Article XXI, Section D. Sub-Section d. of the Hopewell Zoning Ordinance. The condition is that the owners must plant shrubbery within 2 years to obscure the bottom 3ft of fence in its entirety.
- Additionally, the Fire and Police Department had no objections to the placement of the fence. According to both departments, the presence of functioning gates gave emergency personnel access to the yard and home.

SUB-PARCEL#024-0305

CONDITIONAL USE PERMIT

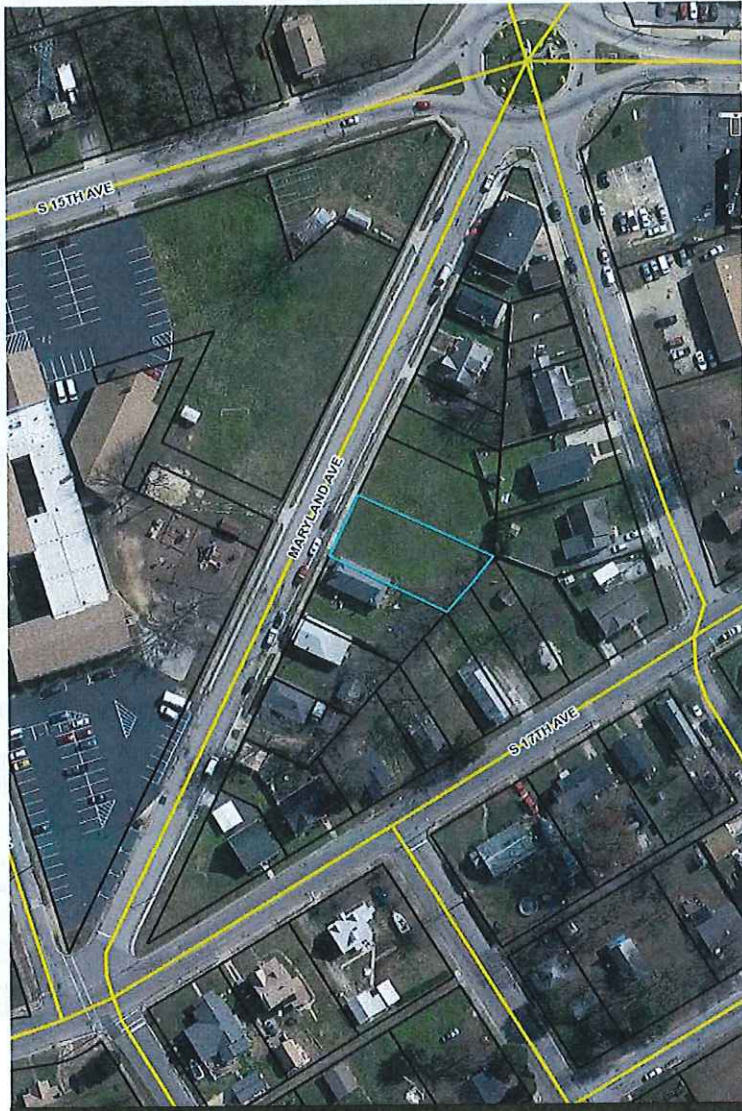


VICINITY MAP



PROPERTY INFORMATION

- Lots 10-11, Block 4, Buren Subdivision
- Ward 1
- R-2 Zoning District
- Parcel Size: 7,840 sq. ft.
- Parcel frontage: 61 ft.



NEIGHBORHOOD INVENTORY

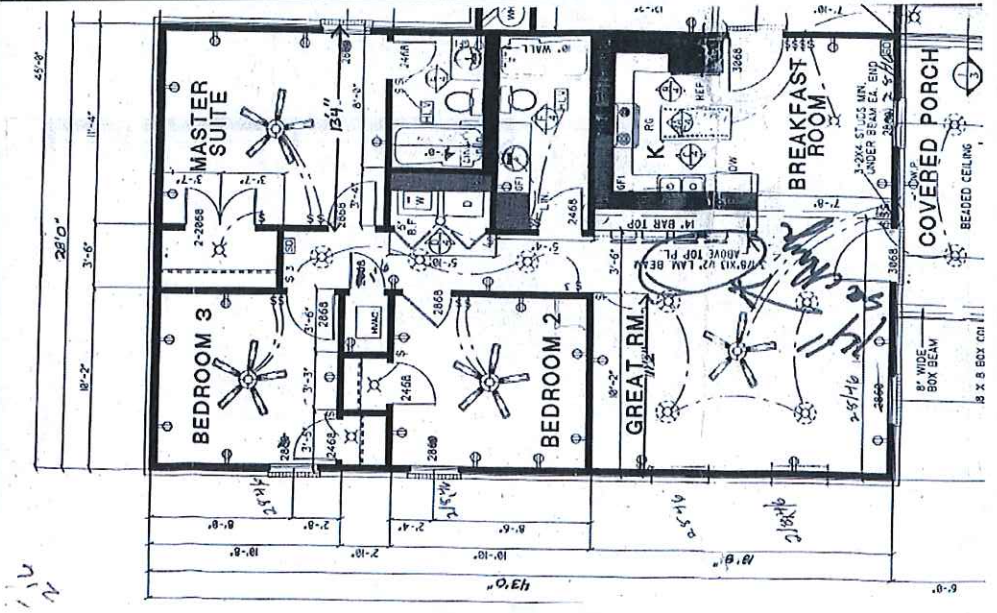
Average Year Built	1932
# of Bedrooms	3
# of Stories	1.25
Exterior Siding	50% vinyl 23% brick 11% masonite Other: stucco, asbestos siding, wood, and concrete block
Average Square Feet	1,309
Average Value of SFD	\$82,776.92




PROPOSED CONSTRUCTION



FLOOR PLAN





Planning
Commission
Recommendation

- The Planning Commission voted 3-0 to recommend approval of the permit, with conditions, because the application met the criteria outlined in Article XXI, Section D. Sub-Section d. of the Hopewell Zoning Ordinance.
- The condition is that the owner must work with the Department of Development to provide brick front porch and foundation, and to provide a front building façade with varying architectural elements.



QUESTIONS?

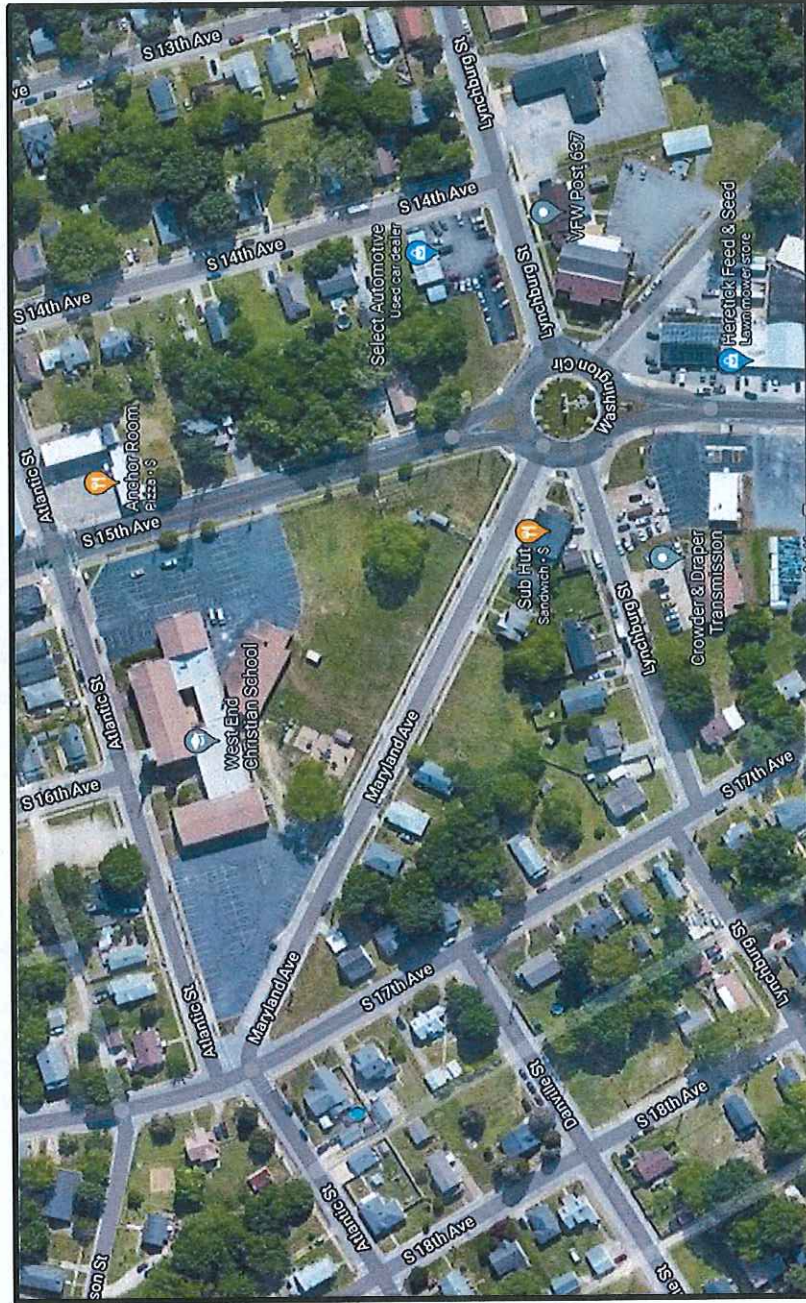


SUB-PARCEL#024-3510

CONDITIONAL USE PERMIT

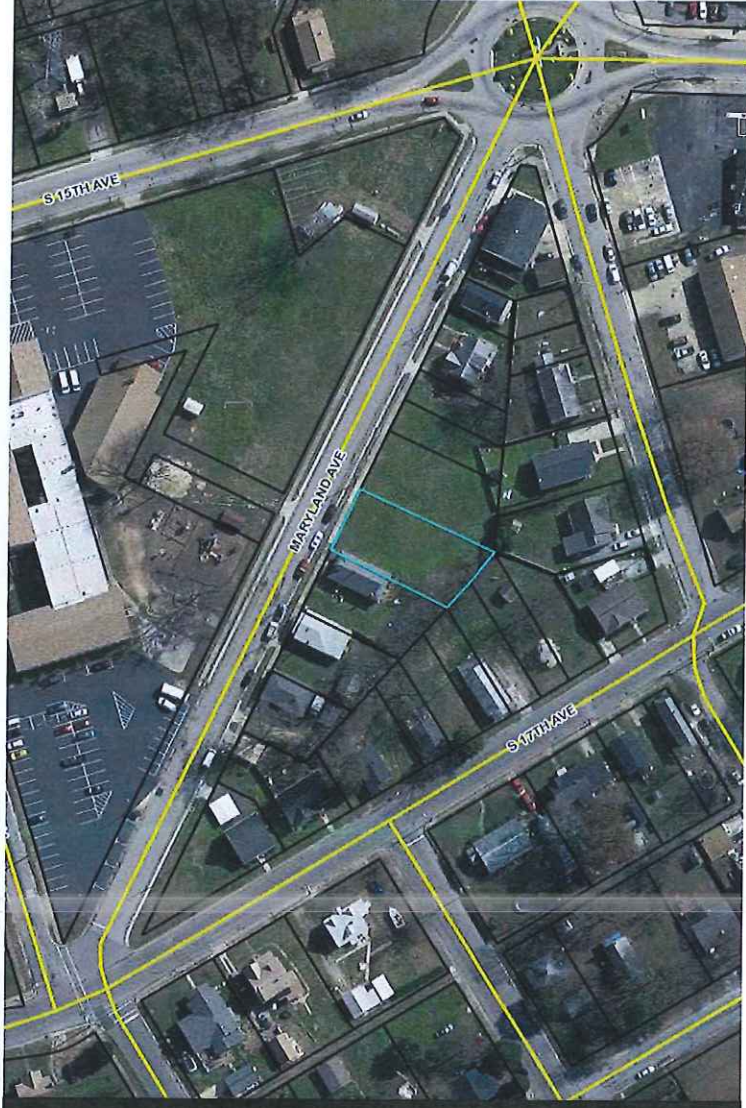


VICINITY MAP



PROPERTY INFORMATION

- Lots 12-13, Block 4,
Buren Subdivision
- Ward 1
- R-2 Zoning District
- Parcel Size: 7,200 sq. ft.
- Parcel frontage: 60 ft.



NEIGHBORHOOD INVENTORY

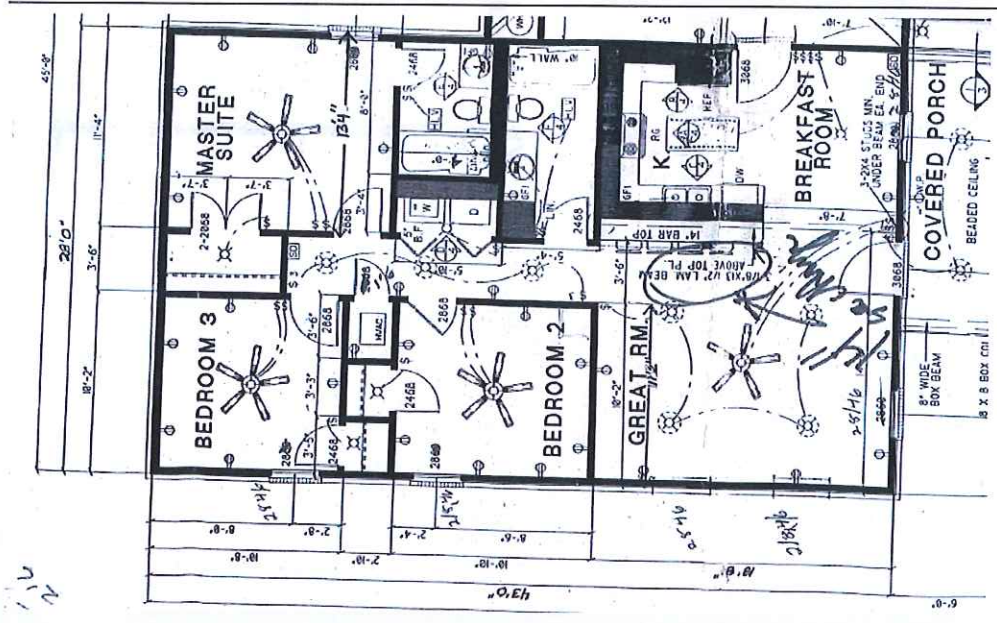
Average Year Built	1932
# of Bedrooms	3
# of Stories	1.25
Exterior Siding	50% vinyl 11% masonite Other: stucco, asbestos siding, wood, and concrete block
Average Square Feet	1,309
Average Value of SFD	\$82,776.92



PROPOSED CONSTRUCTION



FLOOR PLAN





Planning
Commission
Recommendation

- The Planning Commission voted 3-0 to recommend approval of the permit, with conditions, because the application met the criteria outlined in Article XXI, Section D. Sub-Section d. of the Hopewell Zoning Ordinance.
- The condition is that the owner must work with the Department of Development to provide brick front porch and foundation, and to provide a front building façade with varying architectural elements. Additionally, the fence encroachment issue between this property and 1507 Lynchburg Street must be cleared in favor of the applicant.

QUESTIONS?

WS-1



Applicant: Edgardo Ledee
214 South 16th Avenue
Conditional Use Permit
Staff Report prepared for the Planning Commission Regular Meeting

November 16, 2021

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission November 16, 2021 Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning: N/A
Existing Zoning: R-2, Residential, Medium Density
Acreage: 6,194 square feet
Owner: Jackie Butterworth
Election Ward: Ward 1
Land Use Plan Recommendation: Urban Residential
Strategic Plan Goal: N/A
Map Location(s): Sub Parcel #: 024-0845
 Lots 47 & ½ of 48, Block 8, Buren
 Subdivision
Zoning of Surrounding Property: North: R-2
 South: R-2
 East: R-2
 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request Edgardo Ledee for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record in the Medium Density, R-2, Zoning District.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IV, Section I, Special Conditions for Non-conforming Lots

For property consisting of less than seven thousand five hundred (7,500) square feet but five thousand (5,000) or more square feet and/or less than seventy (75) feet but fifty (50) feet or more of frontage, an applicant may appeal to City Council for a Conditional Use Permit as allowed in Section XVIII of the Zoning Ordinance for approval to construct a single family dwelling on such lot in accordance with the procedures given in Section XVIII of the Zoning Ordinance.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and

- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XXI, Amendments, Section D, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.
6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.

7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The minimum square footage required to construct a single family detached home in the R-2 Zoning District is 7,500 square feet. The required lot width at the right-of-way line is 75 linear feet. The subject property meets the minimum square footage requirement but only has 38 feet of frontage at the right of way line and is therefore required to obtain a Conditional Use Permit from City Council.

The subject property is a vacant lot located in the Buren Subdivision at 216 South 16th Avenue, also identified as Sub-Parcel #024-0845. The property is located between two single family detached homes. On this portion of 16th Street from Atlantic Street to Buren there are 15 dwellings. West End Presbyterian Church is located at Atlantic and 16th. An unimproved parking lot is located at the western corner of Atlantic and South 16th and is used for overflow parking for West End Presbyterian Church.

VI. ZONING/STAFF ANALYSIS:

As of March 26, 2019, in order to construct a permitted use on a non-conforming lot of record, applicants must receive a Conditional Use Permit regardless of the zoning district.

When considering a conditional use permit, the Planning Commission must consider the seven conditions outlined in Article XXI of the Zoning Ordinance, cited on page 3. The Commission may also impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be a variance with either the exterior architectural appeal and/or the functional plan of the structures already constructed in the immediate neighborhood or the character of the applicable zoning district.

A single family detached home is a suitable use on this property. The required side yard setback in the R-2 District is 10 feet. With a 38 foot wide lot, the maximum width of the home can be 18 feet.

The applicant has proposed to build a 12' x 17' home. The 204 square studio would have a kitchen and bath as shown on the drawing marked, "Floor Plan". The structure will have a crawl space and brick foundation.

The Building Official and Director met with the applicant to discuss the Conditional Use Permit process and the architectural inventory survey requested by City Council. The applicant will provide a rendering of the proposed building façade at the Planning Commission meeting. The rendering provided with the application did not fully depict the architectural details as desired by the applicant.

An inventory of fourteen (14) homes in the immediate vicinity of the lot in question is attached to this report. The average square feet of the homes are 1,423. All homes were built prior to 1951. Most homes are Bungalow style with a few Cape Cod's. The exterior material varies from brick, masonite, vinyl and asbestos.

The applicant advised Staff that he plans to construct additions onto the home as finances permit. This initial build should be considered phase 1. Any addition must be constructed to the rear of the home to not encroach in the side yard setback.

VII. STAFF RECOMMENDATION:

The Staff recommends denial of the request as submitted by Edgardo Ledee for the following reason:

1. The application does not meet standards outlined in *Article XXI, Amendments, Section D, Sub-Section d. Approval Criteria: Condition 4 and 5* (see page3).
 - a. The size of the structure, and average number of bedrooms is not in keeping with the average size of homes present in the neighborhood.
 - b. An architectural style has not been presented.

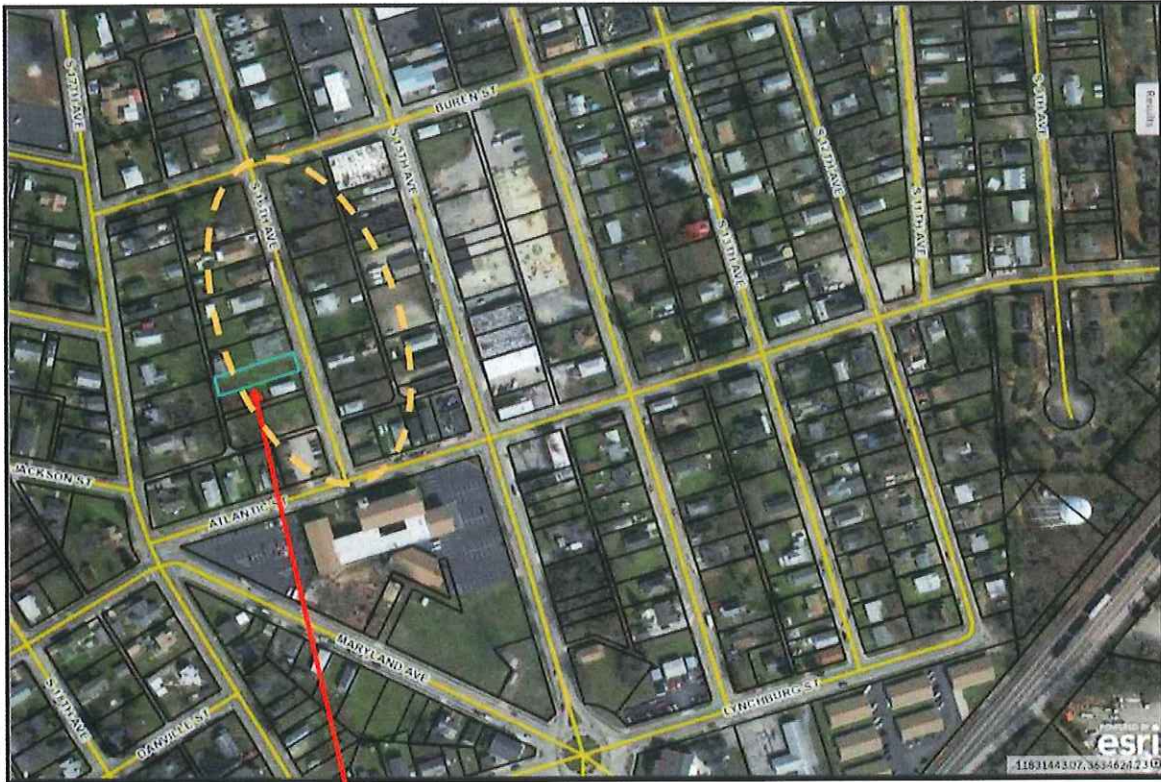
VIII. PLANNING COMMISSION RESOLUTION:

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell Planning Commission recommends by a vote of ___ - ___ to (approve) (approve with conditions) (deny) the request submitted by Edgardo Ledee for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record in the Medium Density, R-2, Zoning District.

Attachment(s):

1. Application for Conditional Use Permit
2. Neighborhood housing inventory

Aerial Map



214 South 16th Avenue



Housing Inventory Survey Area

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

None

THE CONDITIONAL USE PERMIT WILL ALLOW:

To build a modern style property that will comply with all city codes and regulations.

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

Property will use all available city services. Sewage, water and electric will follow and comply with city codes and regulations.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

The proposed building will be a dwelling and will be use as a primary residence.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

The proposed development will be a modern style building that will fit the land as per codes and regulations.

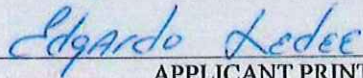
AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



APPLICANT SIGNATURE

09.17.2021

DATE



APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____

DATE OF ACTION _____

_____ APPROVED _____ DENIED

_____ APPROVED WITH THE FOLLOWING CONDITIONS:



City of Hopewell, VA
Dept. of Code Enforcement
300 N. Main Street
Hopewell, VA 23060
804-541-2220
Welcome

116341-0003 debra m. 09/17/2021 09:17AM

PERMITS / INSPECTIONS

CONDITIONAL USE PERMIT -
REVIEW

2021 Item: 20210782|CUP 300.00

Payment Id: 232946

300.00

Subtotal 300.00

Total 300.00

CASH 300.00

Change due 0.00



Thank you for your payment.

CUSTOMER COPY



Central Virginia Regional MLS Purchase Agreement For Unimproved Property



(This is a legally binding contract. If you do not understand any part of it,
please seek competent advice before signing.)
(Paragraphs marked with an asterisk * require a blank to be filled in or checked.)

*This Purchase Agreement (the "Agreement") is dated September 9th, 2021, between
Lex Real Estate LLC ("Seller") and
Edgardo Ledee ("Purchaser").
The parties acknowledge EXP Realty LLC ("Listing Broker") represents Seller, and
EXP Realty LLC ("Selling Broker") represents Purchaser.

* 1. **REAL PROPERTY:** Purchaser agrees to buy and Seller agrees to sell the land, all improvements thereon, and appurtenances thereto belonging, located in the City/County of Hopewell, Virginia, and described as (legal description) LOT 47 & 1/2 OF 48 BLK B SUBDIVISION: BUREN, Tax Parcel # 024-0845 and more commonly known as: 214 S 16th AVE Hopewell VA 23860 together with the items of personal property described in paragraph 2 (the "Property").

*2. **PERSONAL PROPERTY INCLUDED:** The following items of personal property are included in this sale:

*3. **PURCHASE PRICE:** The purchase price for the Property is Eight Thousand Dollars (\$ 8,000.00) and shall be determined as follows [select one box]:

- This sale shall be in gross, and the stated purchase price shall be the exact sales price. **OR**
- The Purchase price shall be adjusted at settlement to an exact purchase price of \$ _____ per sq. ft. **OR** per acre. The exact measurements are to be determined by a survey to be made by a licensed surveyor and paid for by _____.

PAYMENT SOURCE: Purchaser shall pay to Seller at settlement the purchase price, subject to the prorations herein and from the following sources [select applicable boxes]:

- This sale is **not** subject to financing. Purchaser shall pay all cash at closing by bank certified funds or bank wire.
- This sale **is** subject to financing. This is subject to Purchaser being able to obtain a [insert loan type]:
\$ _____ ("Loan Amount"), secured by a first deed of trust lien on the Property bearing interest at a [select one box]:
 - fixed rate not exceeding _____% per year **OR**
 - at an adjustable rate with an initial rate not to exceed _____% per year and a maximum rate not to exceed _____% during the term of the loan **OR**
 - at the prevailing rate of interest at the time of settlement.

The loan shall be amortized for a term of _____ years and shall require not more than a total of _____ discount and origination points. Purchaser shall pay the balance of the Purchase Price at settlement, less any deposit, loan amount and/or other credits set forth in this Agreement. Nothing in this Agreement prohibits Purchaser from seeking financing other than as specified above so long as settlement is not delayed and there is no cost to Seller. Purchaser's failure to obtain such alternative financing does not relieve Purchaser from the obligations to obtain the financing specified above.

This sale is subject to Seller financing. Seller Financing Addendum must be completed and attached to this Agreement.

Purchaser shall pay the balance of the Purchase Price at settlement, less any deposit, loan amount and/or other credits set forth in this Agreement.

***4. APPRAISAL:** This sale [select one]: is OR is not further subject to the Property's appraised value equaling or exceeding the Purchase Price, which value shall be determined by an appraiser selected by Purchaser's lender (If a cash purchase, the appraiser shall be selected by Purchaser). **The appraisal shall be ordered within fifteen (15) days of the Date of Ratification. It shall be the responsibility of Purchaser to advise Purchaser's lender of this requirement.** If the appraisal is not ordered within 15 days of the Date of Ratification, then Seller may terminate this Agreement by written notice to Purchaser and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder. If the appraisal is ordered after the 15 day period but Seller has not yet terminated this Agreement, then Seller's right to terminate this Agreement for said purpose is waived.

Regarding the appraisal, if the Purchase Price exceeds the appraised value, Purchaser shall either: (i) proceed with consummation of this Agreement without regard to the amount of the appraised value, or (ii) make a written request to Seller within five (5) days of receipt of the appraisal for a reduction in the Purchase Price so long as the reduced Purchase Price is not lower than the appraised value, and provide Seller a copy of the appraisal (or lender verification of the appraised value). Seller shall then have five (5) days to respond to Purchaser's request for a reduction in the Purchase Price (the "Response Deadline"). If the parties are unable to agree in writing as to a Purchase Price within five (5) days following the Response Deadline, then either Purchaser or Seller may terminate this Agreement by written notice to the other party, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder. For purposes of this paragraph, Purchaser is deemed to have received a copy of the appraisal when Purchaser is notified in writing of the appraised value of the Property. If Purchaser does not request a reduction in the Purchase Price within five (5) days after receipt of the appraisal, then this condition shall be deemed waived by Purchaser.

***5. FINANCING:** If this Agreement is conditioned upon Purchaser obtaining financing, Purchaser shall make written application for such loan within seven (7) days after the Date of Ratification (as defined in Paragraph 21) and shall make diligent effort to secure a written loan commitment no later than 5:00 p.m. on [select one box]: the settlement date set forth in Paragraph 8 OR _____, 20____. If, at the time of such loan application, Purchaser chooses not to lock-in the rate and/or points that meet or exceed the requirements set forth in Paragraph 3, Purchaser waives such rate and point contingency. If this Agreement is not conditioned upon Purchaser obtaining financing, Purchaser shall provide Seller with written verification from a third-party in possession of Purchaser's assets within seven (7) days after the Date of Ratification that Purchaser has sufficient assets to pay the balance of the Purchase Price at settlement. If Purchaser fails to comply with any of the provisions of this paragraph or fails to obtain a written loan commitment by 5:00 p.m. on the date set forth above, then Seller may terminate this Agreement by written notice to Purchaser, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder. As used in this paragraph, "diligent effort" shall mean that Purchaser has provided all information or documentation requested by a lender within seven days of each such request and paid all costs associated with such loan application, including but not limited to, application fees, credit reports and appraisal(s). Purchaser authorizes the lender to: (i) disclose to the Listing Broker and Selling Broker information about the progress of Purchaser's loan application and approval, including whether Purchaser has complied with the lender's requests and paid all costs associated with such application and (ii) furnish a copy of Purchaser's loan estimate(s) and closing disclosure(s) to the Selling Broker. If, after diligent effort, Purchaser is unable to obtain financing, then this Agreement shall terminate, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder.

6. WIRE FRAUD ALERT: Criminals are hacking email accounts of real estate agents, settlement attorneys/agents and others resulting in fraudulent wire instructions being sent to divert Seller or Purchaser's funds to the criminal's account. These emails look legitimate, but they are not. **Purchaser and Seller are advised not to wire any funds without personally speaking with the intended recipient of the wire to confirm the bank routing number and account number.**

***7. DEPOSIT:** Purchaser shall make a deposit of \$ 100.00 to be held by Brad Butterworth Esq. (the "Escrow Agent") in the form of: check cash other _____ (the "Deposit"). Purchaser [select one]: has paid the Deposit to the Escrow Agent OR will pay the Deposit to the Escrow Agent within 5 days (the "Extended Deposit Date") after the Date of Ratification. If Purchaser fails to pay the Deposit as set forth herein, then Purchaser shall be in breach of this Agreement. In such event, at Seller's option and in lieu of all other remedies set forth in this Agreement, Seller may terminate this Agreement by written notice to Purchaser and neither party shall have any further obligation hereunder. If the Escrow Agent is a Virginia Real Estate Board ("VREB") licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account by the end of the fifth business banking day following the latter of: (i) ratification and delivery of this Agreement as defined in Paragraph 21, or (ii) the Extended Deposit Date. If the Escrow Agent is not a VREB licensee, the parties direct the Escrow Agent to place the Deposit in

an escrow account in conformance with applicable Federal or Virginia law and regulations. The Deposit may be held in an interest bearing account and the parties waive any claim to interest resulting from such Deposit. The Deposit shall not be released by the Escrow Agent until (i) credited toward the purchase price at settlement; (ii) Seller and Purchaser agree in writing as to its disposition, (iii) a court of competent jurisdiction orders a disbursement of the funds, or (iv) disbursed in such manner as authorized by the terms of this Agreement and subject to Virginia law and/or VREB regulations. Seller and Purchaser agree that Escrow Agent shall have no liability to any party for disbursing the Deposit in accordance with this paragraph, except in the event of Escrow Agent's negligence or willful misconduct.

If the Property is foreclosed upon while this Agreement is pending, the terms of Virginia Code Section 54.1-2108.1 shall apply to the disbursement of the Deposit. The foreclosure shall be deemed a termination of this Agreement by Seller and, absent any default by Purchaser, the Deposit shall be disbursed to Purchaser.

***8. SETTLEMENT; POSSESSION:** Settlement shall be made at the offices of Brad Butterworth Esq. on or before [select one box and insert closing date]:

December 30th, 2021, or a reasonable time thereafter if the Purchaser or Seller is making diligent effort to satisfy any contingencies contained in this Agreement.

OR
 _____, 20____, if settlement does not occur within ten (10) days following such date (but subject to Seller's right to cure any title defects as set forth in Paragraph 18B, a party who is ready, willing and able to close under the terms of this Agreement may terminate this Agreement by written notice to the other party, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder.

Possession of the Property shall be given at settlement, unless otherwise agreed in writing by the parties. Failure to check one box above shall not invalidate this Agreement. The settlement date shall be as inserted above. Seller and Purchaser authorize and direct the settlement agent to provide a copy of Purchaser's closing disclosure (if Purchaser obtains lender financing), settlement statement and/or disbursement summary for this transaction to the Seller, Purchaser, Listing Broker and Selling Broker.

***9. STUDY PERIOD:** Purchaser shall have 60 days from the Date of Ratification to determine whether Purchaser's use or plan of development for the Property is practical. If, prior to the expiration of the study period, Purchaser determines that Purchaser's proposed use or plan of development for the Property is not practical, then Purchaser may terminate this Agreement by written notice to Seller and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder, except as provided herein. Time shall be of the essence for this Paragraph.

***10. SOIL STUDY:** This Agreement is contingent for _____ days from the Date of Ratification to allow _____ to obtain a soil study and/or percolation test, which shall lawfully allow for the erection and use of _____ on the Property. Such study or test shall be pursued diligently and in good faith and if such study or test reveals that Purchaser's intended use of the Property is not permissible or practicable, Purchaser may terminate this Agreement by written notice to Seller and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder, except as provided herein.

11. ACCESS: Purchaser and Purchaser's representatives and engineers shall have the right to enter onto the Property at all reasonable times prior to settlement for purposes of engineering, surveying, title or such other work as is permitted under this Agreement, so long as such studies do not result in a permanent change in the character or topography of the Property. Purchaser shall not interfere with Seller's use of the Property, and Purchaser, at Purchaser's expense, shall promptly restore the Property to its prior condition upon completion of Purchaser's studies or work. Purchaser shall keep the Property free and clear from all liens resulting from its work, studies, investigations or other activities performed pursuant to this Agreement and shall indemnify and hold Seller harmless against any loss or liability to person or property resulting from Purchaser's presence or activities on the Property. This obligation shall survive settlement and transfer of title and possession to the Property.

***12. PROPERTY OWNERS' ASSOCIATION DISCLOSURE:** The Seller represents that the Property [select one]:
 is OR is not located within a development which is subject to the Virginia Property Owners' Association Act (Sections 55.1-1800 et. seq. of the Code of Virginia) (the "Act"). If the Property is within such a development, the Act requires the Seller to obtain from the property owners' association an association disclosure packet and provide it to the Purchaser, or Purchaser's authorized agent. The information contained in the association disclosure packet shall be

current as of the specified date on the disclosure packet. The Purchaser may cancel this Agreement (a) within 3 days after the date of this Agreement, if on or before the date that the Purchaser signs this Agreement, the Purchaser receives the association disclosure packet or is notified that the association disclosure packet is not available; (b) within 3 days after receiving the association disclosure packet, if the association disclosure packet or notice that the association disclosure packet will not be available is hand delivered, delivered by electronic means or delivered by a commercial overnight delivery service or the United Parcel Service, and a receipt obtained; or (c) within 6 days after the postmark date if the association disclosure packet or notice that the association disclosure packet will not be available is sent to the Purchaser by United States mail. The Purchaser may also cancel this Agreement at any time prior to settlement if the Purchaser has not been notified that the association disclosure packet will not be available and the association disclosure packet is not delivered to the Purchaser. Notice of cancellation shall be provided to the Seller (owner) or his agent by one of the following methods: (i) hand delivery; (ii) United States mail, postage prepaid, provided the sender retains sufficient proof of mailing, which may be either a United States postal certificate of mailing or a certificate of service prepared by the sender confirming such mailing; (iii) electronic means provided the sender retains sufficient proof of the electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile, or a certificate of service prepared by the sender confirming the electronic delivery; or (iv) overnight delivery using a commercial service or the United States Postal Service. In the event of a dispute, the sender shall have the burden to demonstrate delivery of the notice of cancellation. Such cancellation shall be without penalty, and the Seller shall cause any deposit to be returned promptly to the Purchaser, but not later than thirty days from the date of cancellation. Seller shall provide written instructions to the Association for delivery of the disclosure packet to Purchaser or Purchaser's authorized agent. The right to receive the association disclosure packet and to cancel this Agreement terminates at settlement. If the Purchaser has received the association disclosure packet, the Purchaser has a right, at Purchaser's sole expense, to request an update of such disclosure packet from the property owners' association in accordance with subsection G of Section 55.1-1810. A request for an updated disclosure packet does not extend the cancellation periods set forth above.

13. BROKERAGE FEE: Seller authorizes and directs the settlement agent to disburse to Listing Broker and Selling Broker from the settlement proceeds their respective brokerage fees payable as a result of the sale and settlement set forth under this Agreement. Prior to settlement, Listing Broker and/or Selling Broker shall deliver to the settlement agent a signed written statement setting forth the disbursement instructions for payment of any brokerage fees and any sales incentives payable to each broker.

14. DEFAULT: If either Seller or Purchaser defaults under this Agreement, the defaulting party, in addition to all other remedies available at law or in equity, shall be liable for the brokerage fees set forth in Paragraph 13 and any brokerage fees set forth in Seller's Listing Agreement with the Listing Broker for the Property (which document is hereby incorporated herein by this reference) as if this Agreement and Seller's Listing Agreement had been performed, and for any damages and all expenses incurred by the non-defaulting party, the Listing Broker and the Selling Broker in connection with this transaction and the enforcement of this Agreement and Seller's Listing Agreement, including, without limitation, attorney's fees and court costs. Payment of a real estate broker's fee as the result of a transaction relating to the Property which occurs subsequent to a default under this Agreement, shall not relieve the defaulting party of liability for any brokerage fees due under this Agreement or Seller's Listing Agreement, or for any damages and expenses, including attorney's fees and court costs, incurred by the non-defaulting party, the Listing Broker and the Selling Broker in connection with this transaction.

***15. RELATED BUSINESS AND SERVICES:** The Listing Broker and Selling Broker may engage in mortgage loan, homeowner's and title insurance, real estate settlement, home warranty and other real estate related businesses and services from which they receive compensation during the course of this transaction, in addition to the real estate brokerage fees.

16. PURCHASER DISCLOSURE: Purchaser warrants he/she does not own any real or personal property that must be sold and settled prior to the settlement of this Agreement, except as disclosed in this Agreement.

***17. ADDITIONAL TERMS:**

This contract is contingent on the Buyer receiving approval to build on this lot.
If this does not close before January 1, 2022 this contract will become voided.

18. STANDARD PROVISIONS:

A. EXPENSE PRORATIONS: Seller agrees to pay the expense of preparing the deed and the applicable grantors tax, release fees, and any other fees applicable to the grantor by custom. Except as otherwise agreed herein, Purchaser shall pay all expenses incurred by Purchaser in connection with this Agreement, including without limitation, title examination fees, title insurance premiums, survey costs, recording costs and Purchaser's attorney's fees. All taxes, assessments, interest, rent escrow deposits and other ownership fees, if any, shall be prorated as of the date of settlement. In addition to the Purchase Price, Purchaser agrees to pay Seller for all fuel oil and propane/LP gas remaining in any tanks (if applicable) at the prevailing market price as of the date of settlement.

B. TITLE: At settlement Seller shall convey the Property to Purchaser by a general warranty deed containing English covenants of title, free of all encumbrances, tenancies, and liens (for taxes or otherwise), but subject to such restrictive covenants and utility easements of record which do not materially and adversely affect Purchaser's proposed use of the Property or render the title unmarketable. If the Property does not abut a public road, title to the Property must include a recorded easement providing adequate access thereto satisfactory to Purchaser. In the event this sale is subject to a financing contingency under Paragraph 3, the access to a public road must also be satisfactory to the lender. If the examination reveals a title defect that can be remedied by legal action or otherwise within a reasonable time, Seller, at his/her expense, shall promptly take such action as is necessary to cure such defect. If the defect is not cured within thirty (30) days after Seller receives notice of the defect or if seller is unable to provide access to a public road as provided above, then either party may terminate this Agreement (at the expiration of the thirty (30) day period if termination relates to title defect(s) not being cured) by written notice to the other party. Upon termination of this Agreement, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder. The parties agree that the settlement date prescribed in Paragraph 8 shall be extended if necessary to enable Seller to cure any title defect, but not for more than thirty (30) days, time being of the essence.

C. LAND USE ASSESSMENT: In the event the Property is taxed under land use assessment and this sale results in disqualification from land use eligibility, Seller shall pay any rollback taxes assessed. If the Property continues to be eligible for land use assessment, Purchaser agrees to make application at Purchaser's expense for continuation under land use, and to pay any rollback taxes resulting from failure to file or to qualify. Notwithstanding anything herein to the contrary, the provisions of this Paragraph C shall survive settlement and the delivery of the deed.

D. RISK OF LOSS: All risk of loss or damage to the Property by fire, windstorm, casualty, or other cause is assumed by Seller until settlement. In the event of substantial loss or damage to the Property before settlement, Purchaser shall have the option of either (i) terminating this Agreement, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder, or (ii) affirming this Agreement, in which event Seller shall assign to Purchaser all of Seller's rights under any policy or policies of insurance applicable to the Property.

E. VA/FHA LOANS: If a VA or FHA loan is selected in Paragraph 3, it is expressly agreed that notwithstanding any other provisions of this Agreement, Purchaser shall not be obligated to complete the purchase of the Property or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Purchaser has been given in accordance with HUD/FHA or VA requirements a written statement by the Federal Housing Commissioner, Veterans Administration, or a direct endorsement lender setting forth the appraised value of the Property of not less than the Purchase Price. Purchaser shall have the privilege and option of proceeding with consummation of this Agreement without regard to the amount of the appraised value. The appraised value is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the Property. Purchaser should satisfy himself/herself that the price and condition of the Property are acceptable.

F. MISCELLANEOUS: This Agreement represents the entire agreement between Seller and Purchaser and may not be modified or changed except by written instrument executed by the parties. This Agreement shall be construed according to the laws of the Commonwealth of Virginia and shall be binding upon and shall inure to the benefit of the heirs, personal representatives, successors, and assigns of the parties. To the extent any handwritten or typewritten terms herein conflict with, or are inconsistent with the pre-printed terms hereof, the handwritten or typewritten terms shall control. This Agreement may only be assigned by Purchaser with the written consent of the Seller. If the Seller agrees in writing to an assignment of this Agreement, Purchaser shall remain obligated hereunder until settlement. The parties agree that faxed or electronic transmission of any signed original document shall have the same effect as an original. As used in this Agreement, a "day" shall mean a calendar day and all times are local Eastern Standard Time unless otherwise noted. This Agreement may be signed in one or more counterparts, each of which is deemed to be an original and all of which shall together constitute the same instrument. No party will refuse delivery of any notice from the other party in order to

hinder or delay any deadline established in this Agreement. Unless otherwise provided herein, the provisions of this Agreement affecting title shall be deemed merged into the deed delivered at settlement and shall not survive settlement.

G. MECHANIC'S LIEN DISCLOSURE: Virginia law (§ 43-1 et seq.) permits persons who have performed labor or furnished materials for the construction, removal, repair or improvement of any building or structure to file a lien against the Property. This lien may be filed at any time after the work is commenced or the material is furnished, within 90 days from the last day of the month in which the lien or last performed work or furnished materials or 90 days from the time the construction, removal, repair or improvement is terminated. **AN EFFECTIVE LIEN FOR WORK PERFORMED PRIOR TO THE DATE OF SETTLEMENT MAY BE FILED AFTER SETTLEMENT. LEGAL COUNSEL SHOULD BE CONSULTED.** Seller shall deliver to Purchaser at settlement an affidavit in a form acceptable to Purchaser's title company, signed by Seller, that no labor or materials have been furnished to the Property within the statutory period for the filing of mechanics' or materialmen's liens against the Property. If labor or materials have been furnished to the Property during the statutory period, Seller shall deliver to Purchaser an affidavit signed by Seller and the person(s) furnishing the labor and/or materials that such items have been paid.

19. SELLER REPRESENTATION: Seller warrants each person signing this Agreement as "Seller" includes all persons possessing an ownership interest in the Property or who will be a necessary party to convey clear title to the Property.

20. ELECTRONIC SIGNATURES: In accordance with the Uniform Electronic Transactions Act (UETA) regarding electronic signatures and transactions, the parties do hereby expressly authorize and agree to the use of electronic signatures (such as Authentisign) as an additional method of signing and/or initialing this Agreement.

***21. ACCEPTANCE:** This Agreement becomes a legally binding agreement only upon ratification and delivery. Unless ratification and delivery of this Agreement occurs by 12 a.m. or p.m. on September 12, 2021, **this offer shall expire and shall not be binding on either party.** If the parties desire to accept an offer that has expired, then (i) the date set forth in this paragraph 21 must be revised to the ratification date (or later), (ii) each party must initial such revision, and (iii) ratification and delivery must occur prior to the revised expiration date.

As used herein, "ratification and delivery" means delivery of a final accepted and signed Agreement to the other party or their respective broker or salesperson by hand delivery, fax or electronic transmission, or by a professional courier service (including overnight delivery service) or by United States mail with return receipt requested. In the event of a dispute, the sender shall have the burden to demonstrate delivery to the recipient of the final accepted and signed Agreement. "Date of Ratification" means the date upon which ratification and delivery occurs. Purchaser and Seller understand that they shall have the right to withdraw any offer at any time prior to ratification and delivery. If either party withdraws an offer, notice shall be deemed effective upon receipt. If any offer is withdrawn, all deposits shall be returned to the Purchaser at no penalty.

[Signatures appear on next page.]

WITNESS the following authorized signatures:

Edgardo Ledee 09/09/2021
Purchaser Edgardo Ledee Date

Jackie Butterworth 09/09/2021
Seller Lex Real Estate LLC Date

Purchaser _____ Date _____

Seller _____ Date _____

Purchaser _____ Date _____

Seller _____ Date _____

The following is for informational purposes only:

Selling Broker Company's Name and Address

EXP Realty LLC
6802 Paragon Pl Ste 410
Richmond VA 23230

Listing Company's Name and address

EXP Realty LLC
Richmond VA 23230

Office Phone 8047295188
Office Fax _____
DPOR Firm License No.: _____

Office Phone 8047295188
Office Fax (571) 295-5809
DPOR Firm License No.: 226027967

Purchaser's Authorized Agent's Information:

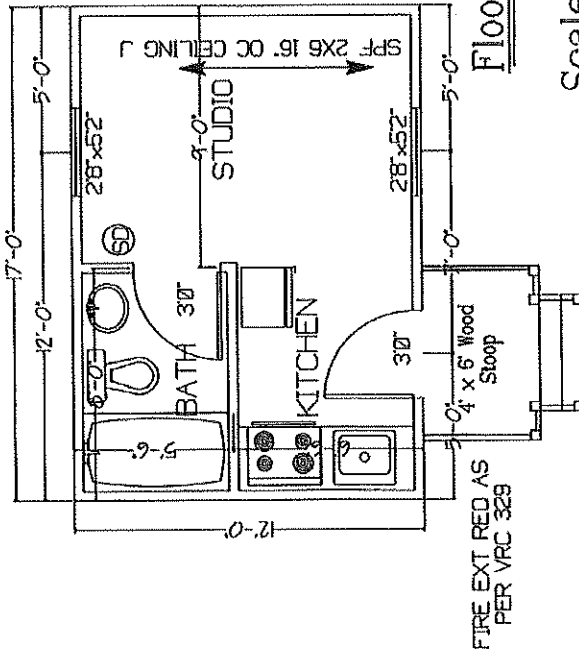
Name Jackie Butterworth
Email realtorbutterworth@gmail.com
Cell No. 8044264005
Agent's DPOR License No.: 0225100128

Seller's Authorized Agent's Information:

Name Jackie Butterworth
Email realtorbutterworth@gmail.com
Cell No. (804) 426-4005
Agent's DPOR License No.: 0225100128

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Floor Plan



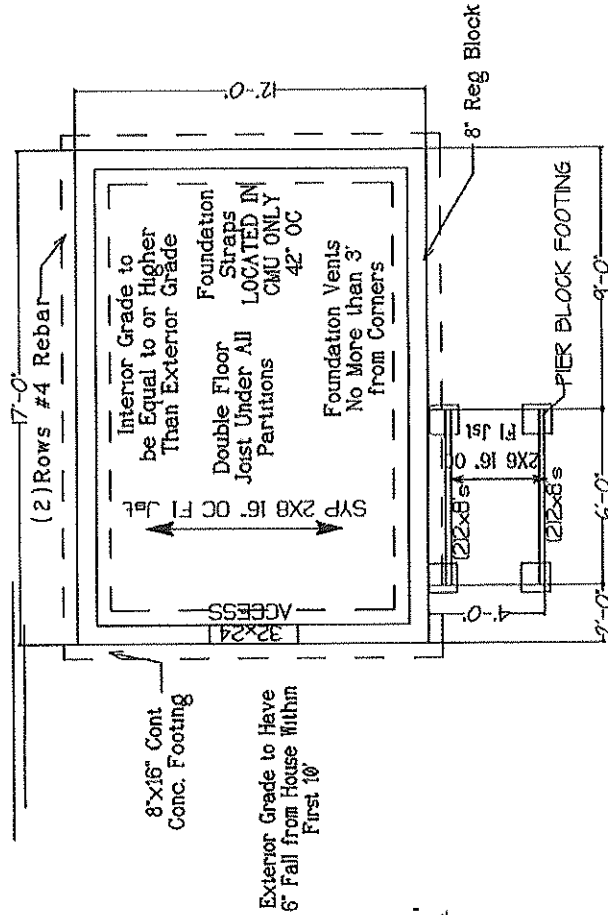
Floor Plan

Scale 1/4"=1'

NOTE:
UNLESS OTHERWISE NOTED ALL HEADERS
ARE AS FOLLOWS
UNDER 48" - (2)2x8's
48" TO 60" - (2)2x10's
60" TO 72" - (2)2x12's
FOR ALL BEARING WALLS

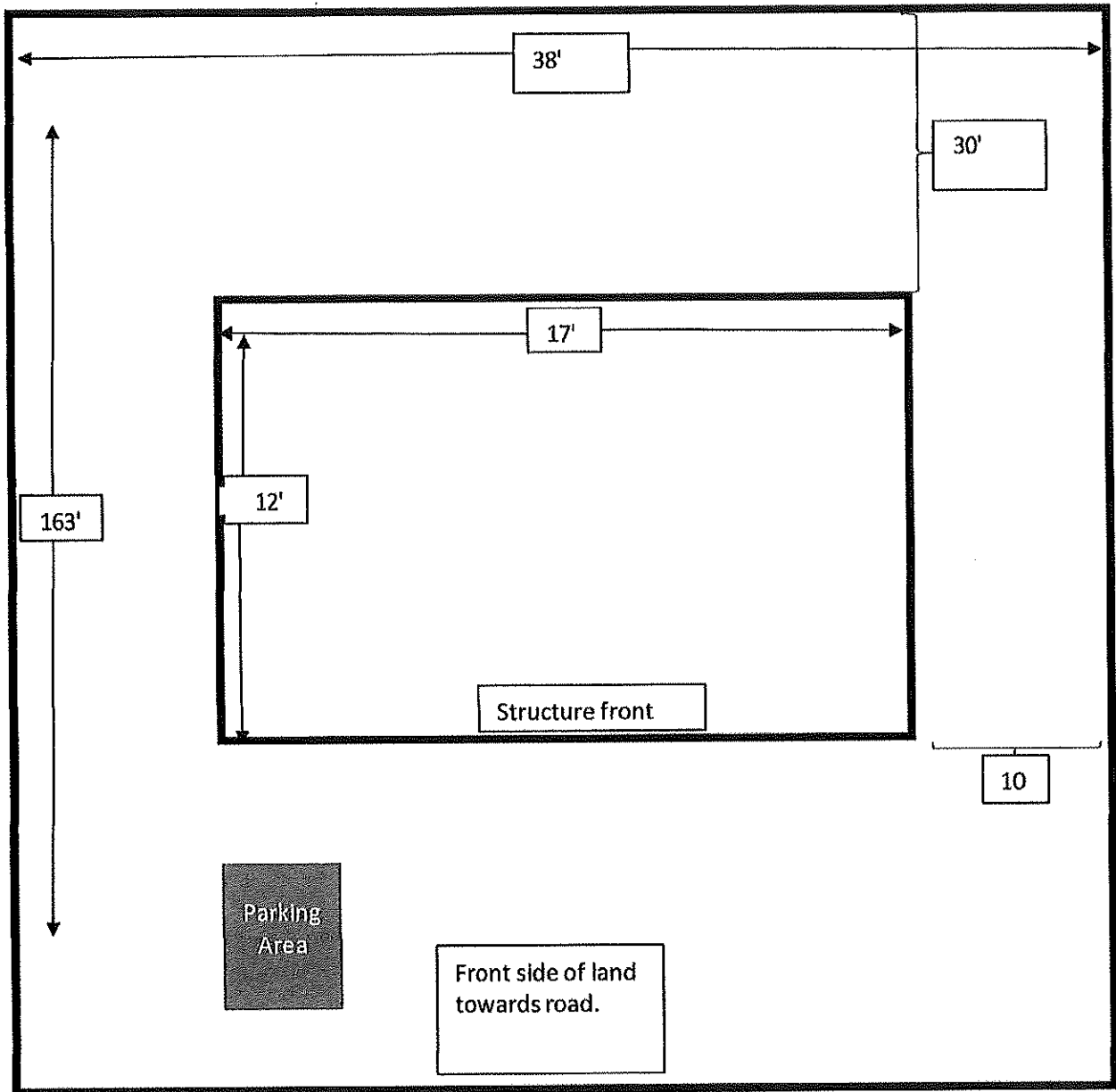
Foundation Plan

Scale 1/4"=1'



DATE OF PLANS 1/4/21	PLANS DRAWN BY BRAD PRICE	NetCaddrafting.com RESIDENTIAL HOUSE PLAN SERVICES 804-640-0791	THIS PLAN WAS DESIGNED FOR STUDIO HOPEWELL, VA	2 OF 2
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PLOT PLAN



38' = width of lot
163 = depth of lot

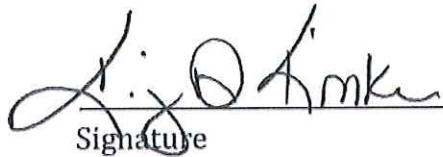
Filters:

Shape 0.011 sq. miles

Parcel ID	Address	Year Built	Building St	Bedrooms
240905	211 16 S, H	1918	1	3
240885	223 16 S, H	1939	2	4
240830	208 16 S, H	1910	1	3
240955	212 15 S, H	1978	1	
240970	224 15 S, H	1932	1	
240930	200 15 S, H	1957	1	
240760	225 17 S, H	1949	1	3
240765	221 17 S, H	1974	1	3
240945	208 15 S, H	1972	1	
240775	215 17 S, H	1920	1	3
240840	212 16 S, H	1920	1	2
240825	206 16 S, H	1915	1	3
240849	216 16 S, H	1920	1	3
240815	202 16 S, H	1920	1	3
240845	214 16 S, Hopewell, VA			
240850	16 S, Hopewell, VA			
240935	204 15 S, H	1958	1	2
240975	226 15 S, H	1950	1	
240960	S 15TH AVE, Hopewell, VA			
240810	201 17 S, H	1920	1	4
240890	219 16 S, H	1940	2	3
240835	210 16 S, H	1920	2	4
240985	230 15 S, H	1955	1	
240950	210 15 S, H	1964	1	
240785	207 17 S, H	1928	1	2
240780	209 17 S, H	1920	1	3
240920	201 16 S, H	1950	2	3
240910	207 16 S, H	1920	2	3
240820	204 16 S, H	1920	1	3
240755	237 17 S, H	1939	2	6
240805	203 17 S, H	1950	1	3
240900	213 16 S, H	1920	2	3
AVERAGE			1.461538	3.363636

AFFIDAVIT OF MAILING

I, (**Kimberly D. Kinker**), under oath, hereby certify that the City of Hopewell received a request for a Conditional Use Permit at 214 S 16th Avenue, also identified as Sub-Parcel # 024-0845, to allow for a single family detached home be built on a non-conforming lot. Notice was mailed on (**October 29, 2021**) by first class mail, postage prepaid, to all interested property owners, agents, occupants and other parties listed on the attached mailing matrix, all in accordance with Section 15.2-2204, Code of Virginia, 1950, as amended.



Signature

Executive Assistant

Title

COMMONWEALTH OF VIRGINIA
CITY OF HOPEWELL, TO WIT:

I, undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that (**Kimberly D. Kinker**) whose name is signed to the foregoing as **Executive Assistant** for the (**Department of Development/Planning**), has signed, acknowledged and sworn to the same before me in my jurisdiction aforesaid and, under oath, acknowledged the contents of the foregoing instrument to be true and accurate.

Given under my hand this 29th day of October 2021.

My Commission expires: 04/30/2022



Notary Public





*The City of
Hopewell, Virginia*

Department of Development

300 N. Main Street • Hopewell Virginia 23860 • (804) 541-2220 • Fax: (804) 541-2318

October 29, 2021

NOTICE OF PUBLIC HEARING & MEETING
CITY OF HOPEWELL

Dear Adjacent Property Owner:

The Hopewell Planning Commission will conduct a public hearing on Tuesday, November 16, 2021 at 6:00 p.m. at the Hopewell Municipal Building, 300 North Main Street, in Council Chambers for the purpose of receiving comments regarding the following requests in accordance with, Article XXI, Amendments, of the Hopewell Zoning Ordinance. The following item will be considered:

1. A request from Edgardo Ledee for a Conditional Use Permit to build a single family detached home on a non-conforming lot located at 214 S 16th Avenue, also identified as Sub-Parcel #024-0845.

If you desire additional information regarding this hearing, please contact the Department of Development at (804) 541-2220. If you would like to speak in favor or against this application please attend the meeting on November 16, 2021. If you are unable to attend the meeting, written correspondence can be hand delivered or mailed to City Hall, at 300 North Main Street, Suite 321, Hopewell, Virginia 23860. Email comments to devdept@hopewellva.gov.

Sincerely,

Tevya Williams Griffin, AICP
Director
Department of Development

Estelle & Douglas R Fullerton
204 S 16TH AVE
HOPEWELL, VA 23860

Arnold K Daye
P O BOX 243
HOPEWELL, VA 23860

Raymond L Wyatt
413 JEFFERSON AVE
HOPEWELL, VA 23860

Brush Randall
232 S 15TH AVE STE C
HOPEWELL, VA 23860

Nguyen Nga Trinh & Nguyen Phung
Duc
4305 MOUNT SINAI ROAD
PRINCE GEORGE, VA 23875

Carol L & Carroll E Wilson
7515 HIDDEN LAKE CIRCLE
MECHANICSVILLE, VA 23111

Jose D & Carol J Hernandez
PO BOX 2397
PETERSBURG, VA 23804

Delancey Kaine
208 S 16TH AVE
HOPEWELL, VA 23860

Mark & Joanna C Kawa
1301 BERMUDA HUNDRED RD
HOPEWELL, VA 23860

PACUN ELIZA L & EMELY
DASALLIA MUSCAT
903 E WESTOVER AVE
COLONIAL HEIGHTS, VA 23834

Robert E JR Brown & Naomi
12413 HENRY LANE
CHESTER, VA 23836

Mark & Joanna C Kawa
212 S 15TH AVE
HOPEWELL, VA 23860

Gile P Hamrick & Janet G
225 S 17TH AVE
HOPEWELL, VA 23860

221 S 17TH AVE LLC
14406 MAYFAIR DR
CHESTER, VA 23836

Dolly B Crowder
11606 MERCHANTS HOPE RD
N PRINCE GEORGE, VA 23860

Oliver Brandon Lee
3417 PRINCE GEORGE DRIVE
PRINCE GEORGE, VA 23875

WESSEL BEVERLY M LIFE
ESTATE
212 S 16TH AVE
HOPEWELL, VA 23860

Stevenson Connor
7203 SPRINGLAKE DR
PRINCE GEORGE, VA 23875

Richard & Frances R Wooten
13112 HOLLIS ROAD
CHESTER, VA 23836

James & Kimberly D Crews
202 S 16TH AVE
HOPEWELL, VA 23860

LEX REAL ESTATE LLC
4103 MONTREAL AVE
PRINCE GEORGE, VA 23875

Russell & Deborah R Hughes
15425 APPOMATTOX ST
CHESTER, VA 23368

Dolly B Crowder
11606 MERCHANTS HOPE RD
N PRINCE GEORGE, VA 23860

Raymond L Wyatt
413 JEFFERSON AVE
HOPEWELL, VA 23860

Robert E & Naomi B Brown
12413 HENRY LANE
CHESTER, VA 23836

Frances & Richard P Wooten
13112 HOLLIS ROAD
CHESTER, VA 23836

Robert D Dereski
8209 SANDY RIDGE RD
N PRINCE GEORGE, VA 23860

Naomi & Roebert Brown
12413 HENRY LN
CHESTER, VA 23836

LEON INVESTMENTS
LLCONNECT DEALS LLC
7210 COURTHOUSE RD
CHESSTERFIELD, VA 23832

Ronald S & Tracy Wilson
15709 PROVIDENCE RD
PETERSBURG, VA 23805

SILVIA & REGINALD JOHNSON
6981 FOX DRIVE
PRINCE GEORGE, VA 23875

Harold E Harrison
210 S 16TH AVE
HOPEWELL, VA 23860

Kim J & Anthony R Bennett
P O BOX 402
HOPEWELL, VA 23860

Busby Cynthia Demaria
1605 ATLANTIC ST
HOPEWELL, VA 23860

Riley E Ingram Sr.
3302 OAKLAWN BLVD
HOPEWELL, VA 23860

ELITE RENTALS LLC
PO BOX 3208
CHESTER, VA 23831

WEST END PRESBY CHURCH
1600 ATLANTIC ST
HOPEWELL, VA 23860

EAI RENTALS LLC
PO BOX 3208
CHESTER, VA 23831

Michele L & Wesley R Neal
8824 KING DRIVE
DISPUTANTA, VA 23842

ELIZABETH A & RICHARD A
HALL JR
207 S 16TH AVE
HOPEWELL, VA 23860

Estelle & Douglas R Fullerton
204 S 16TH AVE
HOPEWELL, VA 23860

WS-2



Applicant: Arlin Griffin
1404 Roanoke Avenue
Conditional Use Permit

Staff Report prepared for the Planning Commission Regular Meeting

December 2, 2021

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission December 2, 2021 Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning: N/A
Existing Zoning: R-2, Residential, Medium Density
Acreage: 9,150 square feet
Owner: Arlin Griffin, Jr. and Alisha Bennett
Election Ward: Ward 7
Land Use Plan Recommendation: Urban Residential
Strategic Plan Goal: N/A
Map Location(s): Sub Parcel #: 041-1165
 Lots 19-21, Block 34, Hopewell Terrace
 Subdivision
Zoning of Surrounding Property: North: R-2
 South: R-2
 East: R-2
 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from Arlin Griffin for a Conditional Use Permit (CUP) to construct a six (6) foot privacy fence in the front yard in accordance with Article XVIII. Development Standards, Section 7. Fencing, sub-section b1(i).

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article XVIII. Development Standards, Section 7, Fencing, sub-section b1(i).

b. Permitted Fences.

(1) Residential Zoning Districts.

Fences up to seven (7) feet high shall be permitted along all property lines, subject to the necessary setbacks, for property zoned residential or residential-office or used for single family residences, except:

- i. No fence higher than four (4) feet shall be permitted in any front or corner side yard between the street line and the front or side building line of the subject property and any adjacent property; provided, however, that City Council may grant a Conditional Use Permit for a fence not to exceed seven (7) feet in height in these areas.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and
 - ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XXI, Amendments, Section D, Sub-Section d.

d. Approval Criteria

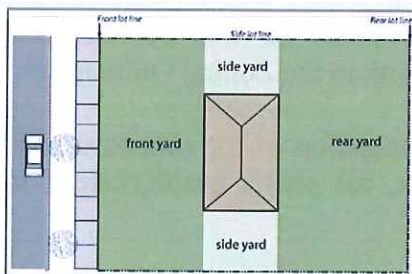
As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.

5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.
6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The applicant placed a six foot privacy fence into the front yard of 1404 Roanoke Avenue. The front yard is described as open space, on the same lot as a building, between the front line of the building (excluding steps) and the front lot or street line, and extending across the full width of the lot. The diagram below gives an illustration of the location of a front, side, and rear yard as defined in the Zoning Ordinance. For easy accessibility during an emergency and for neighborhood aesthetics fences up to four feet are only allowed in a front yard.



The required front yard setback of a primary structure in the R-2 Zoning District is 25 feet. This means that the home must be at least 25 feet from the front property line. The SFD at 1404 Roanoke is 75 feet from the front property line; 45 feet more than required. As the entire length of the property is 122 feet, and the length of the SFD is 32 feet, the rear yard is 15 feet. The applicant contends that the fence was placed in the front yard for privacy and that it does not block the view of any streets.

Staff from the City’s Police and Fire department have reviewed this application and have no objection because the fence, while 6 feet, still allows for accessibility; the fence has a gate and does not block the front door.

VII. STAFF RECOMMENDATION:

The Staff recommends approval of the request as submitted by Arlin Griffin for the following reasons:

1. The home is located past the 25 foot setback line. The fence is technically past the 25 foot setback.
2. The City's Fire and Police Department have no conflict with the request.
3. The application meets the approval criteria as outlined in Article XXI. Amendments.

IX. PLANNING COMMISSION RESOLUTION:

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell Planning Commission recommends by a vote of ___ - ___ to (approve) (approve with conditions) (deny) the request submitted by Arlin Griffin to construct a six (6) foot privacy fence in the front yard at 1404 Roanoke Avenue, also identified as Sub-Parcel # 047-1165.

Attachment(s):

1. Application for Conditional Use Permit
2. Pictures

Aerial Map



1404 Roanoke Avenue

CONDITIONAL USE PERMIT REVIEW
APPLICANT INFORMATION



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION #

APPLICANT: Arline Gr. Stein

ADDRESS: 1404 Roanoke Ave Hopewell Va

PHONE #: 804 926 0687 FAX #:

EMAIL ADDRESS: Big Ab in Va @ Gmail.com

INTEREST IN PROPERTY: OWNER OR AGENT
 IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: _____

ADDRESS: _____

PHONE #: _____ FAX #: _____

PROPERTY ADDRESS / LOCATION: _____

PARCEL #: 0471165 ACREAGE: 9150[±] ZONING: R2

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, A SITE PLAN MUST ACCOMPANY THIS APPLICATION ***

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____

2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

Application # 20210885

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION
OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Residential

THE CONDITIONAL USE PERMIT WILL ALLOW:

0 foot fencing to extend into front yard

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

would harm anything see that the fence

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

fence will not block view of any streets, just the privacy it will provide

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

[Signature]
APPLICANT SIGNATURE

10/26/21
DATE

Dustin Griffin
APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____ DATE OF ACTION _____

APPROVED _____ DENIED _____

APPROVED WITH THE FOLLOWING CONDITIONS:







WS-3



Applicant: David Edwards
Maryland Avenue – Sub-Parcel# 024-0310
Conditional Use Permit
Staff Report prepared for the Planning Commission Regular Meeting

December 2, 2021

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission December 2, 2021 Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning: N/A
Existing Zoning: R-2, Residential, Medium Density
Acreage: 7,200 square feet
Owner: Christopher & Kelly Gill
Election Ward: Ward 1
Land Use Plan Recommendation: Urban Residential
Strategic Plan Goal: N/A
Map Location(s): Sub Parcel #: 024-0310
 Lots 12 & 13, Block 4, Buren Subdivision
Zoning of Surrounding Property: North: R-2/B3
 South: R-2
 East: R-2
 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record in the Medium Density, R-2, Zoning District.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IV, Section I, Special Conditions for Non-conforming Lots

For property consisting of less than seven thousand five hundred (7,500) square feet but five thousand (5,000) or more square feet and/or less than seventy (75) feet but fifty (50) feet or more of frontage, an applicant may appeal to City Council for a Conditional Use Permit as allowed in Section XVIII of the Zoning Ordinance for approval to construct a single family dwelling on such lot in accordance with the procedures given in Section XVIII of the Zoning Ordinance.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic,

circulation, noise, lighting, hours of operation and similar characteristics; and

- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XXI, Amendments, Section D, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The minimum square footage required to construct a single family detached (SFD) home in the R-2 Zoning District is 7,500 square feet. The required lot width at the right-of-way line is 75 linear feet. The subject property is 7,200 square feet with 60 feet of frontage on the street. Therefore, a conditional use permit must be approved to build a SFD.

The property is surrounded by residential structures but commercial establishments are nearby on 15th Avenue (Route 36). This property is considered a non-conforming lot of record.

It appears that a fence erected at 1507 Lynchburg Street is encroaching on the subject property. This matter will be rectified between the property owners and should not impact the outcome of this request.

VI. ZONING/STAFF ANALYSIS:

As of March 26, 2019, in order to construct a permitted use on a non-conforming lot of record, applicants must receive a Conditional Use Permit regardless of the zoning district.

When reviewing a request for a conditional use permit, the Planning Commission must consider the seven conditions outlined in Article XXI of the Zoning Ordinance, cited on page 3. The Commission may also impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be a variance with either the exterior architectural appeal and/or the functional plan of the structures already constructed in the immediate neighborhood or the character of the applicable zoning district.

When considering a conditional use permit to construct a single family detached home in an established neighborhood Staff conducts an inventory of current homes to determine if the proposed structure is compatible.

The table below provides a summary of the inventory. A total of 26 structures were considered.

Average Year Built	1932	
# of Bedrooms	4	
# of Stories	1.5	
Exterior Siding	50% vinyl	11% masonite
	23% brick	12% stucco, asbestos siding, wood, and

		concrete block
Average Square Feet	1,309	
Average Value of SFD	\$82,776	

The applicant is proposing to construct a 1300 square foot home with 3 bedrooms and 2 baths with a brick foundation and covered front porch. The exterior material of the home will be vinyl.

VII. STAFF RECOMMENDATION:

The Staff recommends approval of the request as submitted by David Edwards because it meets criteria 1-5 and 7 as outlined in Article XXI, Amendments, Section D, Sub-Section d. Criteria 6 will be determined after hearing from citizens during the public comment period. The City received one comment from an adjoining property owner regarding this application. He had questions about the purpose of the request. Based on the lack of comments from adjoining property owners and residents, Staff does not anticipate opposition to this request.

VIII. PLANNING COMMISSION RESOLUTION:

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell Planning Commission recommends by a vote of ___ - ___ to (approve) (approve with conditions) (deny) the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0310 in the Medium Density, R-2, Zoning District.

Attachment(s):

1. Application for Conditional Use Permit
2. Neighborhood housing map and inventory

Aerial Map



Sub-Parcel #024-0310



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

City of Hopewell, VA
Permits / Inspect... - 202102091CUP - 2021
016675-0007 deBra mc... 11/03/2021 03:44PM
0 -
CONDITIONAL USE PERMIT - REVIEW
Payment Amount: 300.00
Transaction Amount: 300.00
CHECK: 13096

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION # 20210909

APPLICANT: DAVID EDWARDS
ADDRESS: P.O. Box 669
Prince George VA 23875
PHONE #: 804-691-6042 FAX #: _____
EMAIL ADDRESS: debbie.edwards@jamescrest.net

INTEREST IN PROPERTY: _____ OWNER OR X AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: CHRISTOPHER & KELLY GILL
ADDRESS: P.O. Box 669
Prince George VA 23875
PHONE #: 804-691-6042 FAX #: _____

PROPERTY ADDRESS / LOCATION:

0240310, ~~0240310~~ Maryland Ave.
PARCEL #: 12-13 ACREAGE: _____ ZONING: R-2

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

- 1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
- 2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Open Land

THE CONDITIONAL USE PERMIT WILL ALLOW:

Construction of a 3 bedroom home

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

Proposed construction will improve the neighborhood & eliminate unsightly open land where others congregate without permission of owners.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

Proposed construction will not create adverse parking or additional traffic.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

Proposed construction is within the appropriate zoning of R-2

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

David Edwards
APPLICANT SIGNATURE

10/28/21
DATE

DAVID EDWARDS
APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____ DATE OF ACTION _____

_____ APPROVED _____ DENIED

_____ APPROVED WITH THE FOLLOWING CONDITIONS:



City of Hopewell, VA
 Dept. of Code Enforcement
 300 N. Main Street
 Hopewell, VA 23860
 804-541-2220
 Welcome

16675-0007 debra m. 11/03/2021 03:44PM

PERMITS / INSPECTIONS

CONDITIONAL USE PERMIT -	
REVIEW	
2021	Item: 20210909 CUP 300.00
Payment Id: 235265	

	300.00
Subtotal	300.00
Total	300.00
CHECK	300.00
Check Number: 13096	

Change due	0.00



Thank you for your payment.

CUSTOMER COPY

DAVID EDWARDS CUSTOM BUILDER, INC.

Treasurer, City of Hopewell

10/20/2021

13096

CUP fee for both maryland avenue properties \

300.00



Department of Development
 City of Hopewell, Virginia
 Residential Lot Plans

Official Use Only
Application Number: _____
Permit Number: _____

Affidavit of Responsibility

Application for the following:

Property Address/Parcel: 0240310

Lot: 12-13 Block: 4 Subdivision: Buren

I, DAVID EDWARDS, by filing this affidavit certify that I am the owner or authorized agent of Christopher & Kelly Gill, and further, certify that I have enclosed the Residential Lot Plan to be included as part of the Building Permit.

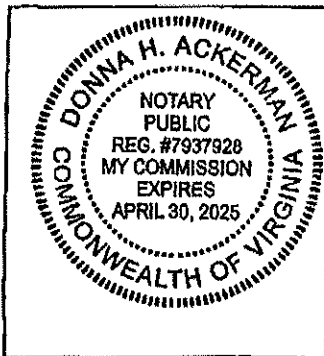
Furthermore, I certify that the lot grading of the aforementioned parcel will be consistent with the submitted plan. If within 12 months after a CO has been issued the City of Hopewell determines that the drainage configuration does not function properly, I will assume full responsibility to make corrections in order that the drainage will function as intended and approved by the City of Hopewell.

APPLICANT NAME (PRINT):

DAVID EDWARDS

SIGNATURE: [Handwritten Signature]

DATE: 10/29/21



CITY/COUNTY OF Prince George
 COMMONWEALTH OF VIRGINIA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS 28th DAY OF October, ²⁰²¹ 2020 BY

NOTARY PUBLIC: Donna H. Ackerman

NOTARY PUBLIC REGISTRATION NUMBER: 7937928

MY COMMISSION EXPIRES: 04/30/2025

**RESIDENTIAL LOT PLAN CHECKLIST
FOR APPLICANT**

ADDRESS: _____
 PARCEL/TAX ID: _____
 APPLICANT: _____ PREPARER: _____
 OWNER: _____ SF/DUPLEX: _____

FORMATTING	INCLUDED	NOT APPLICABLE	COMMENT
Address of Proposed Work			
Tax Map Reference #			
Subdivision Name			
Deed Reference			
North Arrow			
1"=20' Scale or Greater			
Lot Dimensions			
Name, Address, Phone # of Plan Preparer			
Name, Address, Phone # of Lot Owner			
Professional Certification of Lot Plan			
ZONING			
Setback Line - Front:	030'		
Setback Line - Side:	16'		
Setback Line - Rear:	30'		
Lot Square Footage	7295.4'		
Dimensional Setbacks - deck, pool, accessory, etc.			
EXISTING CONDITIONS			
Existing Structure(s) - Location			
Existing Structure(s) - Dimensions			
Existing Structure(s) - Lot Coverage Calc.			
Existing Impervious Surfaces - Location			
Existing Impervious Surfaces - Dimensions			
Existing Impervious Surfaces - Lot Coverage Calc.			
Easements			
Existing utility connection points			
Existing Septic Field/Reserve Drainfields			
ENVIRONMENTAL & STORMWATER			
Allowable Buildable Area w/ Enviro. Constraints			
Existing Topography @ 2' Contours			
Topo @ 2' Contours for Site Improvements			
Existing Storm Drainage			
Proposed Storm Drainage			
Water Features			
100-yr Floodplain			
Limits of Clearing/Removal of Vegetation			
E&S Location and Design			
RPA/RMA Boundaries			
PROPOSED IMPROVEMENTS			
Proposed Structure - Location			
Proposed Structure - Dimensions			
Proposed Structure - Lot Coverage Calc.			
Temporary Construction Entrance			
Driveway/Off-Street Parking Area(s)			
Retaining Wall(s) - Location & Design			
UNDER SEPARATE COVER (If Applicable)			
Soils Test			
Water Quality Impact Assessment (WQIA)			
Wetlands Permit			

ON THE PLAT *



**City of Hopewell
Department of Development
Residential Lot Plans**

This document provides information regarding the requirements to submit a residential lot plan within the City of Hopewell, Virginia. It outlines when a residential lot plan is required and the review process utilized by the City. All plans must be submitted to the Department of Development located in Suite 321 of the Hopewell Municipal Building, 300 North Main Street, Hopewell, VA 23860. Currently there is no fee for this submittal.

The intent of the residential lot plan is to ensure that proposed uses and certain related lot development activities are compatible with approved subdivision plats, proposed subdivision plan applications, and other land disturbing activities as well as to ensure consistency with the zoning regulations and other City ordinances and development guidelines.

For more information about this process please contact the Department of Development at (804) 541-2220.

Why is a Residential Lot Plan Required?

A residential lot plan for each subdivision lot is required to ensure that uses and certain related lot development activities are compatible with approved subdivision plats, new subdivision plats, and public improvements plans as well as to ensure consistency with the zoning regulations. Plans are required for the following land use activities:

- a. Any residential use or any land disturbing activity in a designated Chesapeake Bay Preservation Area related to a residential use;
- b. detached residences in any zoning district on lots or parcels less than 30,000 square feet in area;
- c. accessory buildings or apartments, accessory uses on a residential lot;
- d. private detached garages on a residential lot; and
- e. lots with terrain, utility or locational characteristics that, at the discretion of the Development Director, require lot plan review.

Purpose

The plan is intended to provide necessary and sufficient information to the City to ensure the following:

- f. the lot and the siting and use of the intended structure(s) are in conformance with the approved subdivision plat and public improvements plans for the subdivision in which the lot(s) is located;
- g. site grading, storm water drainage improvements and storm runoff patterns for the subject lot meet or exceed contemporary requirements for residential lot development and do not adversely impact adjoining lots and properties,
- h. all existing easements and rights of way have been identified and respected,
- i. yard and setback requirements and other zoning requirements are identified and respected,
- j. appropriate site planning initiatives are incorporated into the lot development plan,
- k. the development of the lot and as well as the physical siting and use of the intended structure(s) on the lot will not adversely impact or encroach upon adjoining properties,
- l. adequate erosion and sediment controls are provided to protect adjoining properties and public rights of way,
- m. lot access and driveway arrangements that connect to a public or private street meet City standards,
- n. CBPA-O District requirements, where applicable, are fully coordinated with any proposed single family dwelling.

Process

The residential lot plan shall be submitted either in advance of or concurrently with the application for a zoning or building permit:

- o. The residential lot plan shall be submitted to, reviewed by, and acted upon by the Development Director within ten (10) business days upon receipt and application for a zoning permit and building permit, provided that if the residential lot plan is submitted concurrently with the building permit application, the Development Director shall notify the Building Official of action taken on the residential lot plan not later than the Building Official's mandatory building permit review timeframe but not less than five (5) business days from the date of concurrent application.
- p. The Development Director may request the input of the City Engineer,

Building Official or other City Staff in the review of the residential lot plan.

- q. In the event of denial of the residential lot plan by the Development Director, the Development Director shall notify the Building Official of action taken.
- r. If the residential lot plan is denied by the Development Director, the applicant may either (a) revise and resubmit the plan, or (b) petition the matter to be heard by the Planning Commission at their next regularly scheduled meeting.
- s. The applicant shall submit copies (8) copies of the residential lot plan on a sheet not to exceed 11" x 17", unless otherwise approved by the Development Director.
- t. The lot development plan shall be prepared by a certified engineer, surveyor, architect, or landscape architect qualified to do such plans unless otherwise waived by the Development Director.

Required Information

The contents of the residential lot plan shall include the following:

Format

- Address and tax map reference number of lot, deeded name of subdivision plat in which the lot is located, and deed reference for the subject lot.
- North arrow; dimensions of the lot drawn to scale of 1" = 20' or greater, with metes and bounds of lot and yard, and yard setback lines for front, rear and side yards established by zoning district.
- Name, address and telephone number of plan preparer and lot owner.
- Certification of the residential lot plan by a professional engineer, surveyor, architect or landscape architect licensed in the State of Virginia. *In lieu of a certified residential plot plan as described, the applicant may submit a self-prepared residential plot plan and an Affidavit of Responsibility.*

Zoning

- Dimensional setbacks from property lines to any structure or improvement, including porches, decks, stairwells, garages, swimming pools, accessory uses, etc.
- Square footage of lot per recorded subdivision plat; calculation and depiction of impervious surfaces.

Existing Conditions

- Location, dimensions, and lot coverage calculation of existing structure(s) and impervious surfaces.
- Basements contained within the lot or physical improvements that impact the lot or contiguous lots.
- Location of utility service connections to public water and sewer, including meter placement for domestic water.
- Location of any existing septic field and reserve drainfield location.

Environmental & Storm water

- *Allowable buildable area of the lot that considers the size and shape of the lot, environmental constraints, and the zoning district setbacks* (i.e. allowable building perimeter in accord with applicable geometric requirements of the zoning district in which the lot is located, and considers environmental constraints.) Include location of existing and proposed vegetation.
- Existing topography and lot improvements, if any, and proposed finished lot grading shown with two foot (2') contour intervals and spot elevations.
- Location of all existing natural or man-made drainage channels and storm sewer facilities, as well as location of proposed drainage improvements, to ensure the adequate conveyance of storm water on and through the property.
- Location and boundaries of any existing storm water management improvements, water features and 100-year floodplain limits that impacts the subject lot(s). In the absence of existing or proposed storm water management improvements within the subdivision, the lot developer shall address alternative Low Impact Development (LID) measures.
- Limits of clearing and lot disturbance.
- Location and design of any erosion and sediment practices that may be required to protect adjoining properties, public rights of way, and utility infrastructure during the construction period.
- Site-specific determination of RPA and RMA boundaries (to be conducted in accord with the requirements of the CBPA-O District.) Any applicable Resource Protection Areas (RPA) notations as may be related to: (1) retention of an undisturbed, vegetated 100' RPA, and (2) land development within the RPA is to be limited to water dependent facilities or redevelopment as shown on city maps.

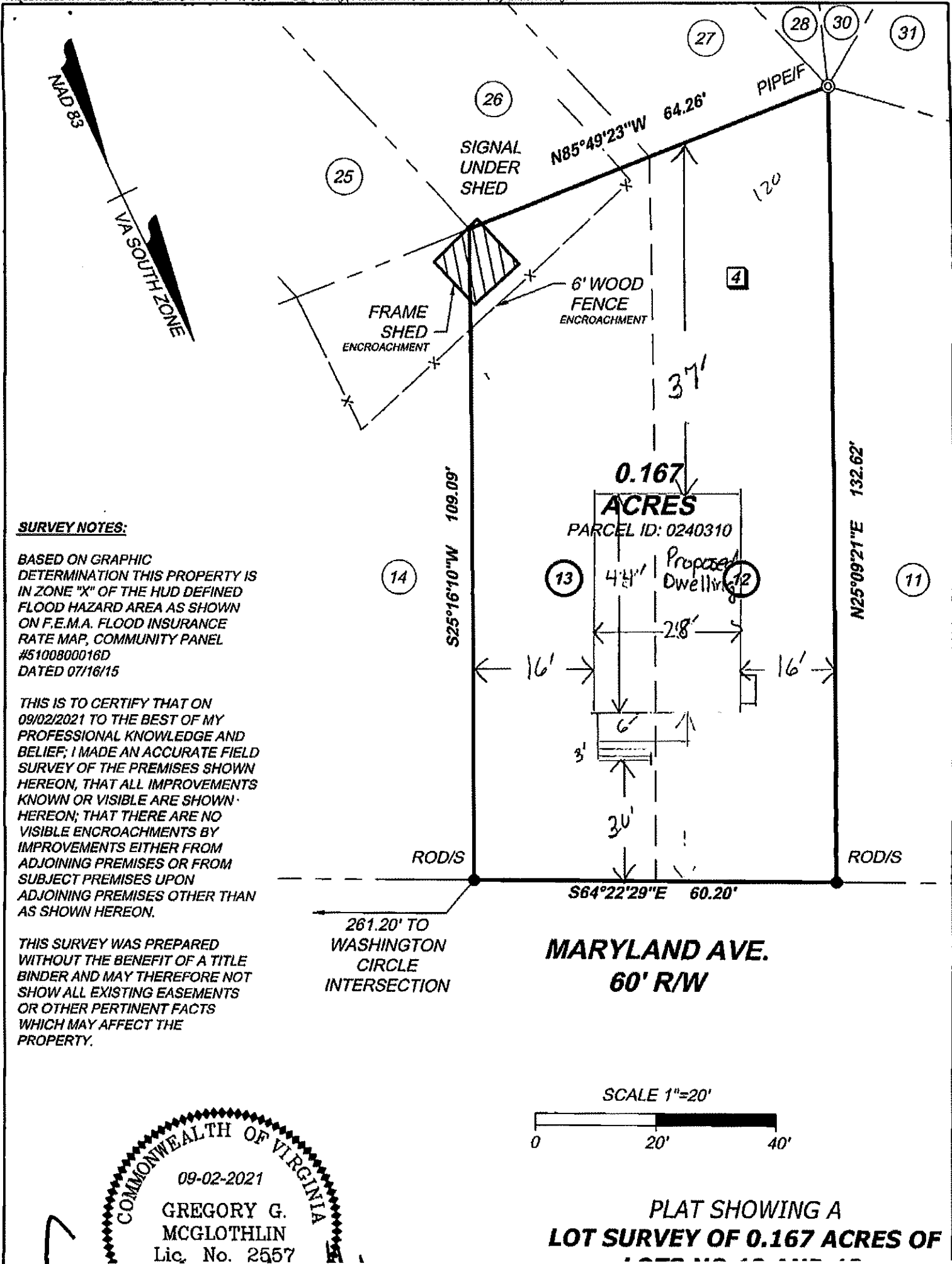
Proposed Improvements

- Location, dimensions, and lot coverage calculation of proposed structure(s) and impervious surfaces.
- Location, design, material type, and coverage of all required off-street parking, parking access, street entrances, driveways, and temporary construction entrances, where applicable.
- Location and design of retaining walls.

Under Separate Cover, If Applicable

- Geotechnical evaluation and certified engineering design for building foundation for lots that contain shrink/swell soils, highly erodible soils, or other geological attribute(s) that could impact construction, *as required by the Building Official.*
- Evidence of approved Water Quality Impact Assessment, if required by the Zoning Administrator.
- Evidence of wetlands permits *if required by Chapter 25 Code of Hopewell and approved by the Hopewell Wetlands Board. If you have not gone through this process it is likely the property does not have wetlands and this requirement is not applicable.*

Words in italics represent additional information provided to clarify residential lot plan requirements. They are not included in the Hopewell Zoning Ordinance.

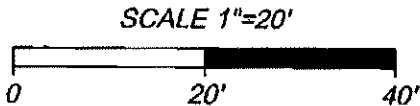
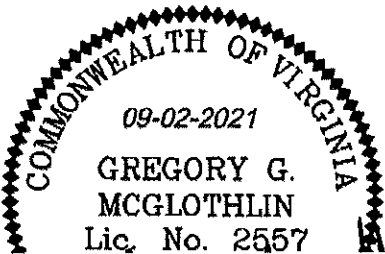


SURVEY NOTES:

BASED ON GRAPHIC DETERMINATION THIS PROPERTY IS IN ZONE "X" OF THE HUD DEFINED FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #5100800016D DATED 07/16/15

THIS IS TO CERTIFY THAT ON 09/02/2021 TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF; I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT ALL IMPROVEMENTS KNOWN OR VISIBLE ARE SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES OTHER THAN AS SHOWN HEREON.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER AND MAY THEREFORE NOT SHOW ALL EXISTING EASEMENTS OR OTHER PERTINENT FACTS WHICH MAY AFFECT THE PROPERTY.



PLAT SHOWING A LOT SURVEY OF 0.167 ACRES OF

140 SURVEY

BUREN SUBDIVISION

214

45'-0"

28'-0"

10'-2"

3'-6"

11'-4"

BEDROOM 3

MASTER SUITE

2868

2-2068

2468

2868

2468

HVAC

2868

2868

BEDROOM 2

2868

2868

GREAT RM.

10'-2"

3'-6"

3/8" X 13 1/2" LAM. BEAM ABOVE TOP PL.

14" BAR TOP

GFI

R6

DW

REF

3068

2546

2546

2546

10'-8"

8'-0"

2'-8"

2'-10"

2'-4"

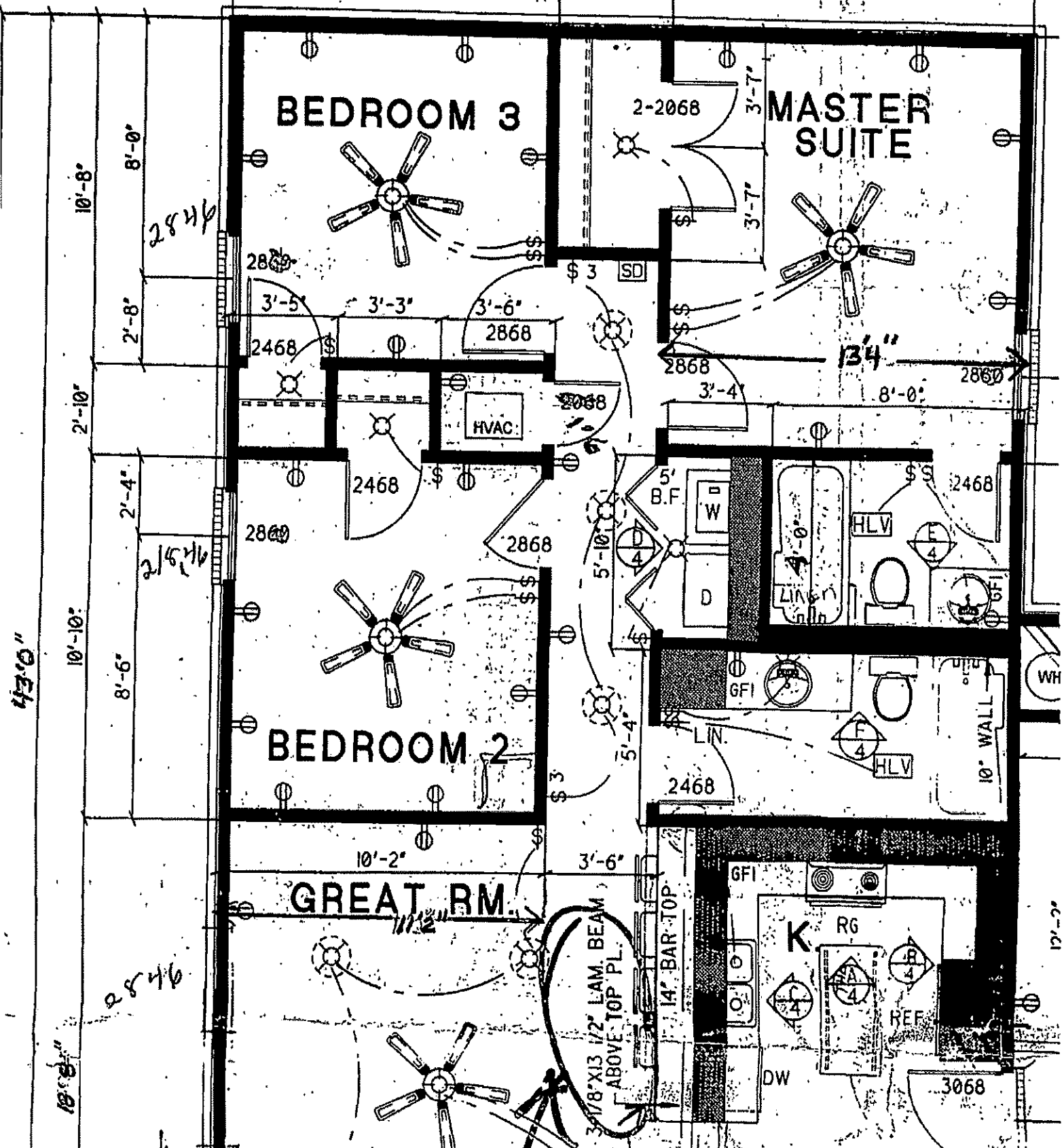
10'-10"

8'-6"

43'-0"

10'-8"

10'-2"



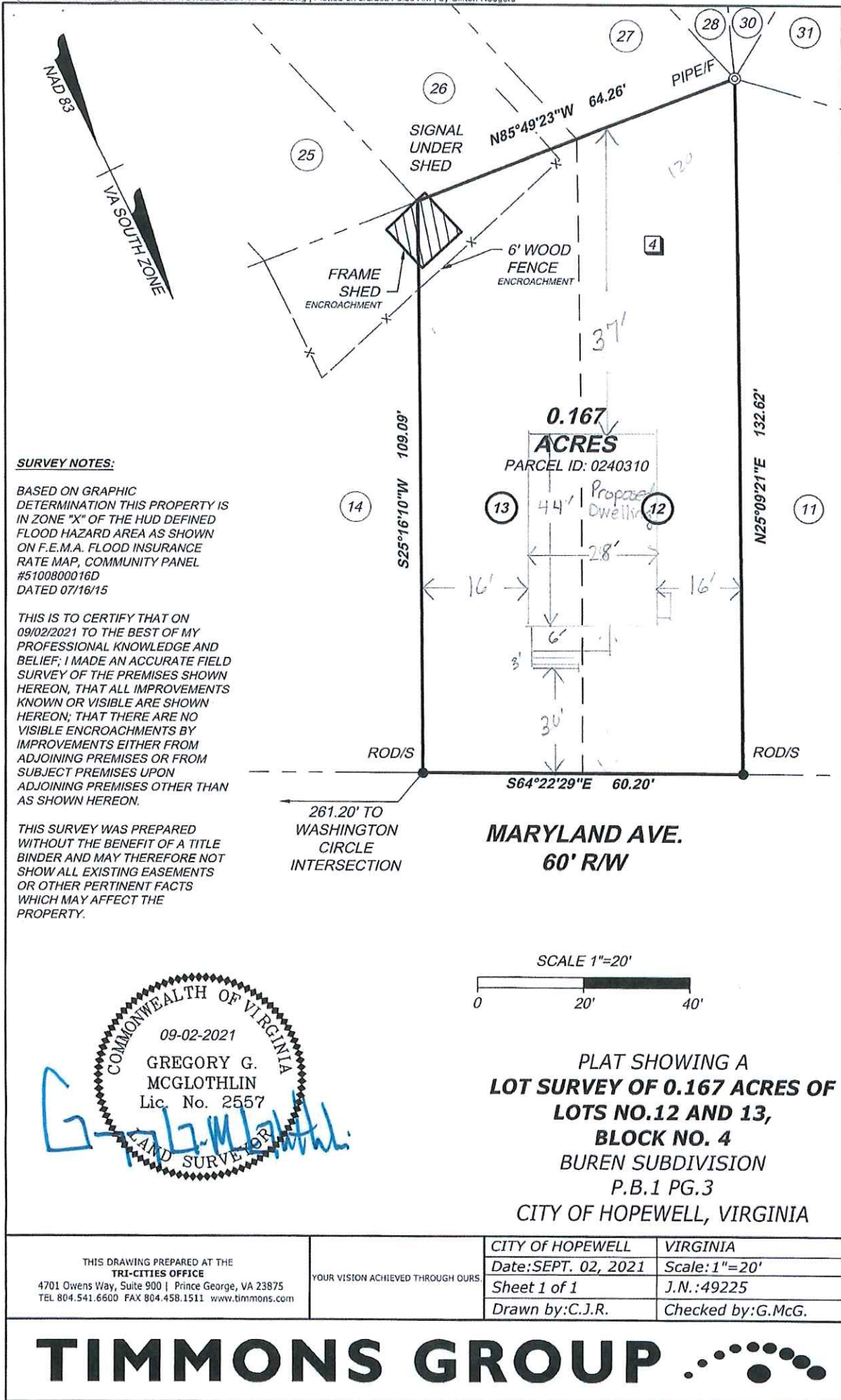


BREAKFAST
ROOM



Neighborhood Housing Inventory

Parcel ID	Address	Improvement Value	Size of SFD	Exterior Material	Year Built	Bedrooms	Building Stories	Owner Occupied	
0240355	1505 LYNCHBURG, Hopewell, VA	\$132,200.00	1296	brick	1963	3	1	Yes	
0240360	1507 LYNCHBURG, Hopewell, VA	\$144,600.00	1288	vinyl	2007	3	1	Yes	
0240370	1511 LYNCHBURG, Hopewell, VA	\$127,100.00	1248	vinyl	2005	3	1	Yes	
0131540	1715 DANVILLE, Hopewell, VA	\$111,900.00	1789	wood	1950	4	1.5	Yes	
0131525	301 18 S, Hopewell, VA	\$59,500.00	1124	vinyl	1920	3	1	No	
0131520	302 17 S, Hopewell, VA	\$127,800.00	1248	vinyl	1950	3	1	Yes	
0131515	304 17 S, Hopewell, VA	\$92,500.00	3156	stucco	1952	5	2	Yes	
0240426	307 17 S, Hopewell, VA	\$129,500.00	1473	vinyl	2003	3	2	Yes	
0240427	309 17 S, Hopewell, VA	\$122,900.00	1278	vinyl	2003	3	1	Yes	
0131535	309 18 S, Hopewell, VA	\$58,500.00	1904	vinyl	1913	3	2	No	
0240270	310 MARYLAND, Hopewell, VA	\$51,200.00	936	concrete block	1920	3	1	Yes	
0240428	311 17 S, Hopewell, VA	\$68,400.00	748	asbestos siding	1955	2	1	No	
0131510	314 17 S, Hopewell, VA	\$74,400.00	1164	vinyl	1951	4	2	Yes	
0240285	314 MARYLAND, Hopewell, VA	\$53,300.00	1032	masonite	1920	3	1	No	
0240405	315 17 S, Hopewell, VA	\$37,300.00	736	vinyl	1920	2	1	No	
0240290	318 MARYLAND, Hopewell, VA	\$34,700.00	984	masonite	1920	3	1	No	
0240395	319 17 S, Hopewell, VA	\$17,800.00	943	masonite	1920	2	1	No	
0131830	320 17 S, Hopewell, VA	\$91,400.00	1333	brick	1952	3	1	Yes	
0240325	328 MARYLAND, Hopewell, VA	\$128,300.00	1704	brick	1954	4	2	No	
0240330	330 MARYLAND, Hopewell, VA	\$31,800.00	864	brick	1920	2	1	No	
0131825	332 17 S, Hopewell, VA	\$49,100.00	1298	brick	1951	2	1	Yes	
0131815	334 17 S, Hopewell, VA	\$40,800.00	717	vinyl	1950	2	1	No	
0240371	335 17 S, Hopewell, VA	\$118,500.00	1191	vinyl	2004	3	1	Yes	
0131855	337 18 S, Hopewell, VA	\$69,800.00	1215	vinyl	1964	3	1	No	
0131805	338 17 S, Hopewell, VA	\$81,600.00	1492	vinyl	1914	4	2	Yes	
0131860	339 18 S, Hopewell, VA	\$97,300.00	1894	brick	1938	3	1	Yes	
		\$82,776.92	1309.807692		1950.731	3	1.25		
								0.576923077	yes
								0.423076923	no



Proposed dwelling for C.V.P. apps.



WS-4



Applicant: David Edwards
Maryland Avenue – Sub-Parcel# 024-0305
Conditional Use Permit
Staff Report prepared for the Planning Commission Regular Meeting

December 2, 2021

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission December 2, 2021 Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	R-2, Residential, Medium Density
Acreage:	7,840 square feet
Owner:	David Edwards
Election Ward:	Ward 1
Land Use Plan Recommendation:	Urban Residential
Strategic Plan Goal:	N/A
Map Location(s):	Sub Parcel #: 024-0305 Lots 10 & 11, Block 4, Buren Subdivision
Zoning of Surrounding Property:	North: R-2/B3 South: R-2 East: R-2 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record in the Medium Density, R-2, Zoning District.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IV, Section I, Special Conditions for Non-conforming Lots

For property consisting of less than seven thousand five hundred (7,500) square feet but five thousand (5,000) or more square feet and/or less than seventy (75) feet but fifty (50) feet or more of frontage, an applicant may appeal to City Council for a Conditional Use Permit as allowed in Section XVIII of the Zoning Ordinance for approval to construct a single family dwelling on such lot in accordance with the procedures given in Section XVIII of the Zoning Ordinance.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic,

circulation, noise, lighting, hours of operation and similar characteristics; and

- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XXI, Amendments, Section D, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The minimum square footage required to construct a single family detached (SFD) home in the R-2 Zoning District is 7,500 square feet. The required lot width at the right-of-way line is 75 linear feet. The subject property is 7,840 square feet with 61 feet of frontage on the street. Therefore, a conditional use permit must be approved to build a SFD.

The property is surrounded by residential structures but commercial establishments are nearby on 15th Avenue (Route 36). This property is considered a non-conforming lot of record.

VI. ZONING/STAFF ANALYSIS:

As of March 26, 2019, in order to construct a permitted use on a non-conforming lot of record, applicants must receive a Conditional Use Permit regardless of the zoning district.

When reviewing a request for a conditional use permit, the Planning Commission must consider the seven conditions outlined in Article XXI of the Zoning Ordinance, cited on page 3. The Commission may also impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be a variance with either the exterior architectural appeal and/or the functional plan of the structures already constructed in the immediate neighborhood or the character of the applicable zoning district.

When considering a conditional use permit to construct a single family detached home in an established neighborhood Staff conducts an inventory of current homes to determine if the proposed structure is compatible.

The table below provides a summary of the inventory. A total of 26 structures were considered.

Average Year Built	1932	
# of Bedrooms	4	
# of Stories	1.5	
Exterior Siding	50% vinyl	11% masonite
	23% brick	12% stucco, asbestos siding, wood, and concrete block
Average Square Feet	1,309	
Average Value of SFD	\$82,776	

The applicant is proposing to construct a 1300 square foot home with 3 bedrooms and 2 baths with a brick foundation and covered front porch. The exterior material of the home will be vinyl.

VII. STAFF RECOMMENDATION:

The Staff recommends approval of the request as submitted by David Edwards because it meets criteria 1-5 and 7 as outlined in Article XXI, Amendments, Section D, Sub-Section d. Criteria 6 will be determined after hearing from citizens during the public comment period. The City received one comment from an adjoining property owner regarding this application. He had questions about the purpose of the request. Based on the lack of comments from adjoining property owners and residents, Staff does not anticipate opposition to this request.

VIII. PLANNING COMMISSION RESOLUTION:

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell Planning Commission recommends by a vote of ___ - ___ to (approve) (approve with conditions) (deny) the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0305 in the Medium Density, R-2, Zoning District.

Attachment(s):

1. Application for Conditional Use Permit
2. Neighborhood housing map and inventory

Aerial Map



Sub-Parcel #024-0305

City of Hopewell VA
Permits / Inspect... - 20210911CUP - 2021
016687-0002 Debra mc... 11/04/2021 12:13PM
0
CONDITIONAL USE PERMIT - REVIEW 300.00
Payment Amount: 300.00
Transaction Amount:
CHECK: 8080



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION # 20210911

APPLICANT: David Edwards
ADDRESS: PO Box 669
Prince George VA 23875
PHONE #: 804-691-6092 FAX #: _____
EMAIL ADDRESS: debbie.edwards@jamescrest.net

INTEREST IN PROPERTY: OWNER OR _____ AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: David Edwards
ADDRESS: PO. Box 669
Prince George VA 23875
PHONE #: 804-691-6092 FAX #: _____

PROPERTY ADDRESS / LOCATION:

Maryland Ave Hopewell, VA

PARCEL #: 0240305 ACREAGE: _____ ZONING: R-2
10-11

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION
OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

OPEN LAND

THE CONDITIONAL USE PERMIT WILL ALLOW:

Construction of a 3BR Home

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

Proposed dwelling will improve the neighborhood & eliminate unsightly open land where others congregate without permission of owners.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

Proposed dwelling will not create adverse parking or additional traffic.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

Proposed dwelling is within the appropriate zoning of R-2

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



APPLICANT SIGNATURE

10-28-21

DATE

DAVID EDWARDS

APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____

DATE OF ACTION _____

APPROVED _____ DENIED

APPROVED WITH THE FOLLOWING CONDITIONS:



Department of Development
City of Hopewell, Virginia
Residential Lot Plans

Official Use Only	
Application Number:	_____
Permit Number:	_____

Affidavit of Responsibility

Application for the following:

Property Address/Parcel: 0240305

Lot: 10-11 Block: 4 Subdivision: Buren

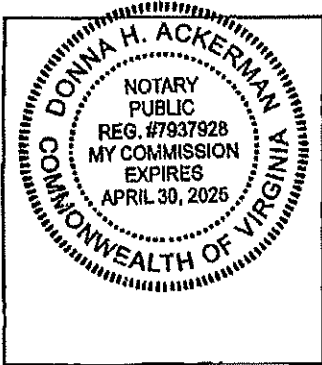
I, David Edwards, by filing this affidavit certify that I am the owner or authorized agent of David Edwards Custom Builders, Inc.; and further, certify that I have enclosed the Residential Lot Plan to be included as part of the Building Permit.

Furthermore, I certify that the lot grading of the aforementioned parcel will be consistent with the submitted plan. If within 12 months after a CO has been issued the City of Hopewell determines that the drainage configuration does not function properly, I will assume full responsibility to make corrections in order that the drainage will function as intended and approved by the City of Hopewell.

APPLICANT NAME (PRINT):
DAVID EDWARDS

SIGNATURE: [Signature]

DATE: 10/28/2021



CITY/COUNTY OF Prince George
COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS 28th DAY OF October, ²⁰²¹ 2020 BY
NOTARY PUBLIC: Donna Hewlett Ackerman
NOTARY PUBLIC REGISTRATION NUMBER: 7937928
MY COMMISSION EXPIRES: 4/30/2025

SQA BANK
 68-927/514
JOHN D. EDWARDS
DEBORAH H. EDWARDS
 P.O. BOX 669
 PRINCE GEORGE, VA 23875
 PAY TO THE ORDER OF
 City of Hopewell
 Three hundred & 10/100
 MEMO Permit Hopewell - Maryland St.
 AUTHORIZED SIGNATURE
 DEBORAH H. EDWARDS
 DOLLARS
 \$ 300.00

⑆008880⑆ ⑆051409278⑆ ⑆001239793⑆



City of Hopewell, VA
 Dept. of Code Enforcement
 300 N. Main Street
 Hopewell, VA 23860
 804-541-2220
 Welcome

016687-0002 debra m. 11/04/2021 12:13PM

PERMITS / INSPECTIONS	
CONDITIONAL USE PERMIT -	
REVIEW	
2021 Item: 20210911 CUP	300.00
Payment Id: 235342	

	300.00
Subtotal	300.00
Total	300.00
CHECK	300.00
Check Number 8080	

Change due	0.00



Thank you for your payment.

CUSTOMER COPY

**RESIDENTIAL LOT PLAN CHECKLIST
FOR APPLICANT**

ADDRESS: _____
 PARCEL/TAX ID: _____
 APPLICANT: _____
 OWNER: _____

PREPARER: _____
 SF/DUPLEX: _____

FORMATTING	INCLUDED	NOT APPLICABLE	COMMENT
Address of Proposed Work			
Tax Map Reference #			
Subdivision Name			
Deed Reference			
North Arrow			
1"=20' Scale or Greater			
Lot Dimensions			
Name, Address, Phone # of Plan Preparer			
Name, Address, Phone # of Lot Owner			
Professional Certification of Lot Plan			
ZONING			
Setback Line - Front:	30'		
Setback Line - Side:	110'		
Setback Line - Rear:	45'		
Lot Square Footage	9432 sq ft		
Dimensional Setbacks - deck, pool, accessory, etc.			
EXISTING CONDITIONS			
Existing Structure(s) - Location			
Existing Structure(s) - Dimensions			
Existing Structure(s) - Lot Coverage Calc.			
Existing Impervious Surfaces - Location			
Existing Impervious Surfaces - Dimensions			
Existing Impervious Surfaces - Lot Coverage Calc.			
Easements			
Existing utility connection points			
Existing Septic Field/Reserve Drainfields			
ENVIRONMENTAL & STORMWATER			
Allowable Buildable Area w/ Enviro. Constraints			
Existing Topography @ 2' Contours			
Topo @ 2' Contours for Site Improvements			
Existing Storm Drainage			
Proposed Storm Drainage			
Water Features			
100-yr Floodplain			
Limits of Clearing/Removal of Vegetation			
E&S Location and Design			
RPA/RMA Boundaries			
PROPOSED IMPROVEMENTS			
Proposed Structure - Location			
Proposed Structure - Dimensions			
Proposed Structure - Lot Coverage Calc.			
Temporary Construction Entrance			
Driveway/Off-Street Parking Area(s)			
Retaining Wall(s) - Location & Design			
UNDER SEPARATE COVER (If Applicable)			
Soils Test			
Water Quality Impact Assessment (WQIA)			
Wetlands Permit			

ON THE PLAT *



**City of Hopewell
Department of Development
Residential Lot Plans**

This document provides information regarding the requirements to submit a residential lot plan within the City of Hopewell, Virginia. It outlines when a residential lot plan is required and the review process utilized by the City. All plans must be submitted to the Department of Development located in Suite 321 of the Hopewell Municipal Building, 300 North Main Street, Hopewell, VA 23860. Currently there is no fee for this submittal.

The intent of the residential lot plan is to ensure that proposed uses and certain related lot development activities are compatible with approved subdivision plats, proposed subdivision plan applications, and other land disturbing activities as well as to ensure consistency with the zoning regulations and other City ordinances and development guidelines.

For more information about this process please contact the Department of Development at (804) 541-2220.

Why is a Residential Lot Plan Required?

A residential lot plan for each subdivision lot is required to ensure that uses and certain related lot development activities are compatible with approved subdivision plats, new subdivision plats, and public improvements plans as well as to ensure consistency with the zoning regulations. Plans are required for the following land use activities:

- a. Any residential use or any land disturbing activity in a designated Chesapeake Bay Preservation Area related to a residential use;
- b. detached residences in any zoning district on lots or parcels less than 30,000 square feet in area;
- c. accessory buildings or apartments, accessory uses on a residential lot;
- d. private detached garages on a residential lot; and
- e. lots with terrain, utility or locational characteristics that, at the discretion of the Development Director, require lot plan review.

Purpose

The plan is intended to provide necessary and sufficient information to the City to ensure the following:

- f. the lot and the siting and use of the intended structure(s) are in conformance with the approved subdivision plat and public improvements plans for the subdivision in which the lot(s) is located;
- g. site grading, storm water drainage improvements and storm runoff patterns for the subject lot meet or exceed contemporary requirements for residential lot development and do not adversely impact adjoining lots and properties,
- h. all existing easements and rights of way have been identified and respected,
- i. yard and setback requirements and other zoning requirements are identified and respected,
- j. appropriate site planning initiatives are incorporated into the lot development plan,
- k. the development of the lot and as well as the physical siting and use of the intended structure(s) on the lot will not adversely impact or encroach upon adjoining properties,
- l. adequate erosion and sediment controls are provided to protect adjoining properties and public rights of way,
- m. lot access and driveway arrangements that connect to a public or private street meet City standards,
- n. CBPA-O District requirements, where applicable, are fully coordinated with any proposed single family dwelling.

Process

The residential lot plan shall be submitted either in advance of or concurrently with the application for a zoning or building permit:

- o. The residential lot plan shall be submitted to, reviewed by, and acted upon by the Development Director within ten (10) business days upon receipt and application for a zoning permit and building permit, provided that if the residential lot plan is submitted concurrently with the building permit application, the Development Director shall notify the Building Official of action taken on the residential lot plan not later than the Building Official's mandatory building permit review timeframe but not less than five (5) business days from the date of concurrent application.
- p. The Development Director may request the input of the City Engineer,

Building Official or other City Staff in the review of the residential lot plan.

- q. In the event of denial of the residential lot plan by the Development Director, the Development Director shall notify the Building Official of action taken.
- r. If the residential lot plan is denied by the Development Director, the applicant may either (a) revise and resubmit the plan, or (b) petition the matter to be heard by the Planning Commission at their next regularly scheduled meeting.
- s. The applicant shall submit copies (8) copies of the residential lot plan on a sheet not to exceed 11" x 17", unless otherwise approved by the Development Director.
- t. The lot development plan shall be prepared by a certified engineer, surveyor, architect, or landscape architect qualified to do such plans unless otherwise waived by the Development Director.

Required Information

The contents of the residential lot plan shall include the following:

Format

- Address and tax map reference number of lot, deeded name of subdivision plat in which the lot is located, and deed reference for the subject lot.
- North arrow; dimensions of the lot drawn to scale of 1" = 20' or greater, with metes and bounds of lot and yard, and yard setback lines for front, rear and side yards established by zoning district.
- Name, address and telephone number of plan preparer and lot owner.
- Certification of the residential lot plan by a professional engineer, surveyor, architect or landscape architect licensed in the State of Virginia. *In lieu of a certified residential plot plan as described, the applicant may submit a self-prepared residential plot plan and an Affidavit of Responsibility.*

Zoning

- Dimensional setbacks from property lines to any structure or improvement, including porches, decks, stairwells, garages, swimming pools, accessory uses, etc.
- Square footage of lot per recorded subdivision plat; calculation and depiction of impervious surfaces.

Existing Conditions

- Location, dimensions, and lot coverage calculation of existing structure(s) and impervious surfaces.
- Easements contained within the lot or physical improvements that impact the lot or contiguous lots.
- Location of utility service connections to public water and sewer, including meter placement for domestic water.
- Location of any existing septic field and reserve drainfield location.

Environmental & Storm water

- *Allowable buildable area of the lot that considers the size and shape of the lot, environmental constraints, and the zoning district setbacks (i.e. allowable building perimeter in accord with applicable geometric requirements of the zoning district in which the lot is located, and considers environmental constraints.)* Include location of existing and proposed vegetation.
- Existing topography and lot improvements, if any, and proposed finished lot grading shown with two foot (2') contour intervals and spot elevations.
- Location of all existing natural or man-made drainage channels and storm sewer facilities, as well as location of proposed drainage improvements, to ensure the adequate conveyance of storm water on and through the property.
- Location and boundaries of any existing storm water management improvements, water features and 100-year floodplain limits that impacts the subject lot(s). In the absence of existing or proposed storm water management improvements within the subdivision, the lot developer shall address alternative Low Impact Development (LID) measures.
- Limits of clearing and lot disturbance.
- Location and design of any erosion and sediment practices that may be required to protect adjoining properties, public rights of way, and utility infrastructure during the construction period.
- Site-specific determination of RPA and RMA boundaries (to be conducted in accord with the requirements of the CBPA-O District.) Any applicable Resource Protection Areas (RPA) notations as may be related to: (1) retention of an undisturbed, vegetated 100' RPA, and (2) land development within the RPA is to be limited to water dependent facilities or redevelopment as shown on city maps.

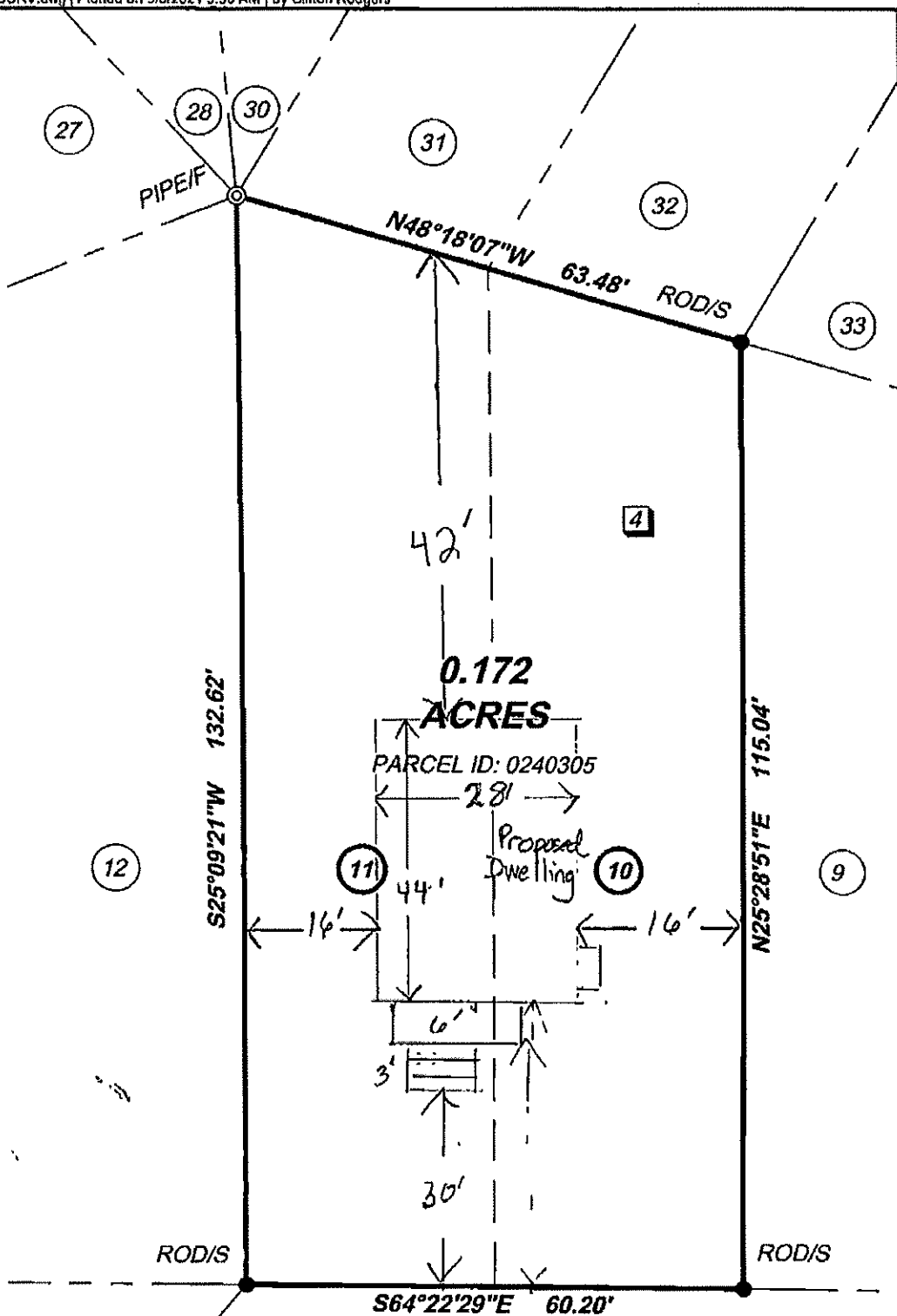
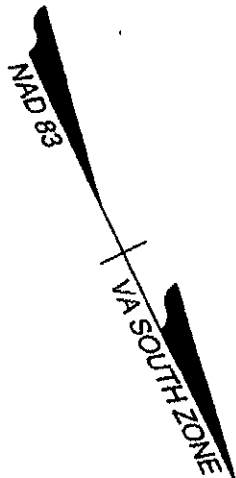
Proposed Improvements

- Location, dimensions, and lot coverage calculation of proposed structure(s) and impervious surfaces.
- Location, design, material type, and coverage of all required off-street parking, parking access, street entrances, driveways, and temporary construction entrances, where applicable.
- Location and design of retaining walls.

Under Separate Cover, If Applicable

- Geotechnical evaluation and certified engineering design for building foundation for lots that contain shrink/swell soils, highly erodible soils, or other geological attribute(s) that could impact construction, *as required by the Building Official.*
- Evidence of approved Water Quality Impact Assessment, if required by the Zoning Administrator.
- Evidence of wetlands permits *if required by Chapter 25 Code of Hopewell and approved by the Hopewell Wetlands Board. If you have not gone through this process it is likely the property does not have wetlands and this requirement is not applicable.*

Words in italics represent additional information provided to clarify residential lot plan requirements. They are not included in the Hopewell Zoning Ordinance.



SURVEY NOTES:

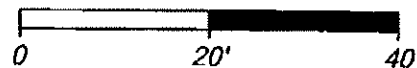
BASED ON GRAPHIC DETERMINATION THIS PROPERTY IS IN ZONE "X" OF THE HUD DEFINED FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #5100800016D DATED 07/16/15

THIS IS TO CERTIFY THAT ON 09/02/2021 TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF; I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT ALL IMPROVEMENTS KNOWN OR VISIBLE ARE SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES OTHER THAN AS SHOWN HEREON.

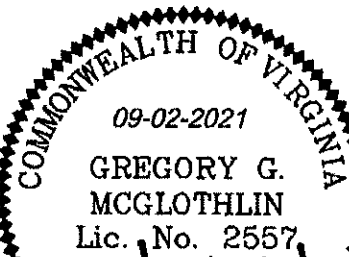
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER AND MAY THEREFORE NOT SHOW ALL EXISTING EASEMENTS OR OTHER PERTINENT FACTS WHICH MAY AFFECT THE PROPERTY.

**MARYLAND AVE.
60' R/W
P.B.1 PG. 3**

SCALE 1"=20'



**PLAT SHOWING A
LOT SURVEY OF 0.721 ACRES OF
LOTS NO.10 AND 11,**



BEDROOM 3

MASTER SUITE

BEDROOM 2

GREAT RM.

BREAKFAST ROOM

COVERED PORCH

43'0"

1'-0"

10'-8" 8'-0" 2'-8" 2'-10" 2'-4" 10'-10" 8'-6" 10'-2" 10'-8" 16'-8" 7'-8" 7'-10"

2/8 4/6

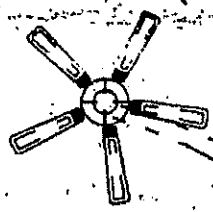
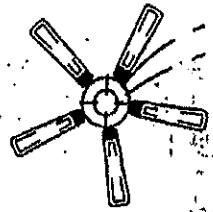
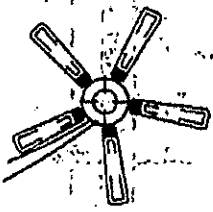
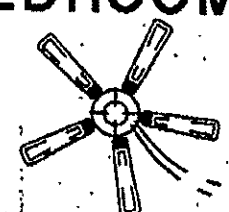
2/5 4/6

2/8 4/6

2/8 4/6

2/8 4/6

8" WIDE BOX BEAM



Handwritten notes and scribbles in the Great Room area.

2-2068

2868

2468

2868

2868

2868

2868

2868

2868

3068

2868

2468

3068

3068

134"

2868

2468

2468

3068

2868

HVAC

B.F.

W

D

HLV

F

LIN.

HLV

R6

REF

DW

3-2X4 STUDS MIN. UNDER BEAM EA. END

DW.P.



Download

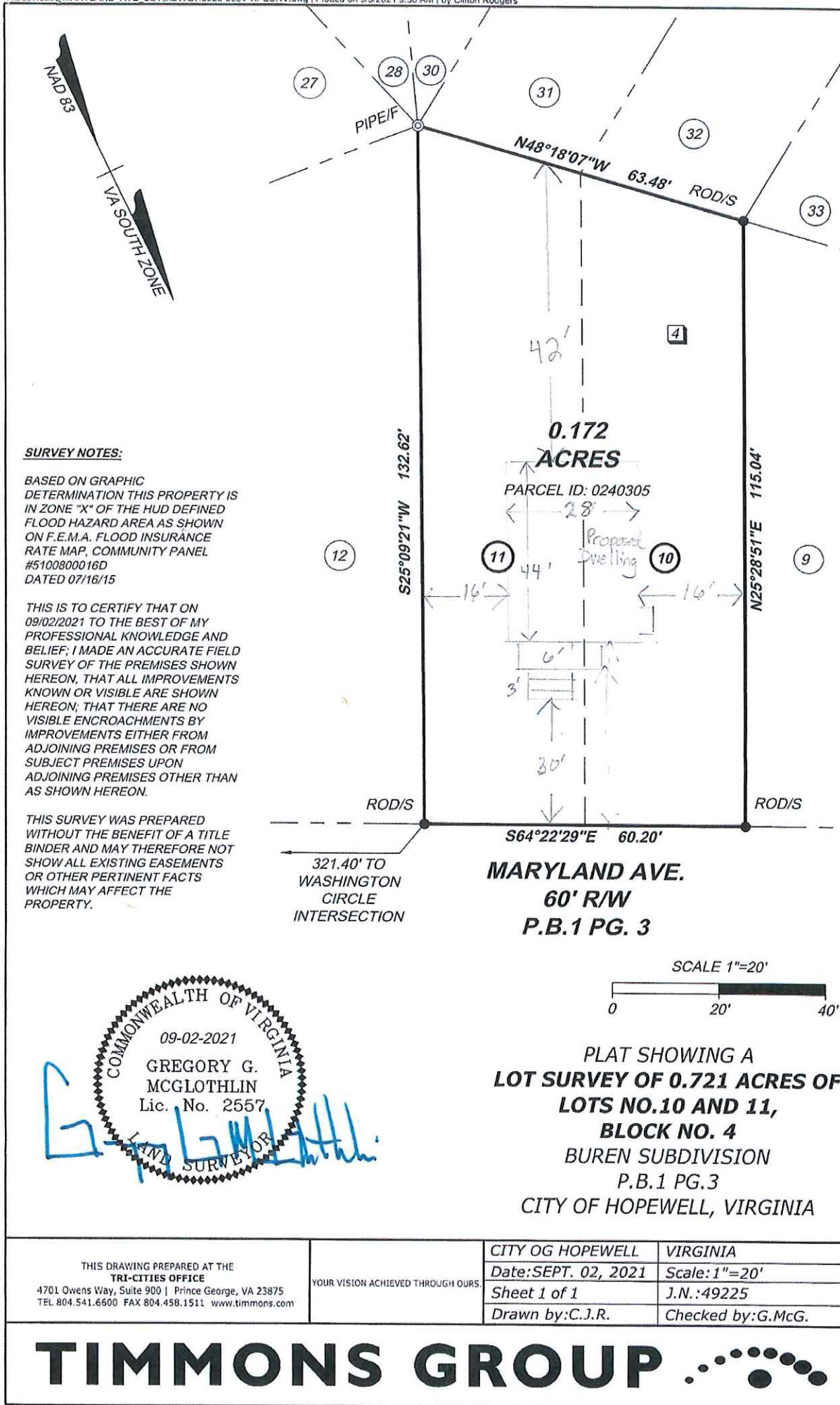
Log in

Neighborhood inventory map.GIF



Neighborhood Housing Inventory

Parcel ID	Address	Improvement Value	Size of SFD	Exterior Material	Year Built	Bedrooms	Building Stories	Owner Occupied	
0240355	1505 LYNCHBURG, Hopewell, VA	\$132,200.00	1296	brick	1963	3	1	Yes	
0240360	1507 LYNCHBURG, Hopewell, VA	\$144,600.00	1288	vinyl	2007	3	1	Yes	
0240370	1511 LYNCHBURG, Hopewell, VA	\$127,100.00	1248	vinyl	2005	3	1	Yes	
0131540	1715 DANVILLE, Hopewell, VA	\$111,900.00	1789	wood	1950	4	1.5	Yes	
0131525	301 18 S, Hopewell, VA	\$59,500.00	1124	vinyl	1920	3	1	No	
0131520	302 17 S, Hopewell, VA	\$127,800.00	1248	vinyl	1950	3	1	Yes	
0131515	304 17 S, Hopewell, VA	\$92,500.00	3156	stucco	1952	5	2	Yes	
0240426	307 17 S, Hopewell, VA	\$129,500.00	1473	vinyl	2003	3	2	Yes	
0240427	309 17 S, Hopewell, VA	\$122,900.00	1278	vinyl	2003	3	1	Yes	
0131535	309 18 S, Hopewell, VA	\$58,500.00	1904	vinyl	1913	3	2	No	
0240270	310 MARYLAND, Hopewell, VA	\$51,200.00	936	concrete block	1920	3	1	Yes	
0240428	311 17 S, Hopewell, VA	\$68,400.00	748	asbestos siding	1955	2	1	No	
0131510	314 17 S, Hopewell, VA	\$74,400.00	1164	vinyl	1951	4	2	Yes	
0240285	314 MARYLAND, Hopewell, VA	\$53,300.00	1032	masonite	1920	3	1	No	
0240405	315 17 S, Hopewell, VA	\$37,300.00	736	vinyl	1920	2	1	No	
0240290	318 MARYLAND, Hopewell, VA	\$34,700.00	984	masonite	1920	3	1	No	
0240395	319 17 S, Hopewell, VA	\$17,800.00	943	masonite	1920	2	1	No	
0131830	320 17 S, Hopewell, VA	\$91,400.00	1333	brick	1952	3	1	Yes	
0240325	328 MARYLAND, Hopewell, VA	\$128,300.00	1704	brick	1954	4	2	No	
0240330	330 MARYLAND, Hopewell, VA	\$31,800.00	864	brick	1920	2	1	No	
0131825	332 17 S, Hopewell, VA	\$49,100.00	1298	brick	1951	2	1	Yes	
0131815	334 17 S, Hopewell, VA	\$40,800.00	717	vinyl	1950	2	1	No	
0240371	335 17 S, Hopewell, VA	\$118,500.00	1191	vinyl	2004	3	1	Yes	
0131855	337 18 S, Hopewell, VA	\$69,800.00	1215	vinyl	1964	3	1	No	
0131805	338 17 S, Hopewell, VA	\$81,600.00	1492	vinyl	1914	4	2	Yes	
0131860	339 18 S, Hopewell, VA	\$97,300.00	1894	brick	1938	3	1	Yes	
		\$82,776.92	1309.807692		1950.7308	3	1.25		
								0.576923077	yes
								0.423076923	no



SURVEY NOTES:

BASED ON GRAPHIC DETERMINATION THIS PROPERTY IS IN ZONE "X" OF THE HUD DEFINED FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #5100800016D DATED 07/16/15

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321.40' TO WASHINGTON CIRCLE INTERSECTION

MARYLAND AVE.
60' R/W
P.B.1 PG. 3

SCALE 1"=20'



PLAT SHOWING A
LOT SURVEY OF 0.721 ACRES OF
LOTS NO.10 AND 11,
BLOCK NO. 4
BUREN SUBDIVISION
P.B.1 PG.3
CITY OF HOPEWELL, VIRGINIA



THIS DRAWING PREPARED AT THE TRI-CITIES OFFICE 4701 Owens Way, Suite 900 Prince George, VA 23875 TEL 804.541.6600 FAX 804.458.1511 www.timmons.com	YOUR VISION ACHIEVED THROUGH OURS.	CITY OF HOPEWELL	VIRGINIA
		Date: SEPT. 02, 2021	Scale: 1"=20'
		Sheet 1 of 1	J.N.: 49225
		Drawn by: C.J.R.	Checked by: G.McG.

TIMMONS GROUP

Proposed dwelling for C.V.P. apps.

