

# AGENDA



# CITY OF HOPEWELL

Hopewell, Virginia 23860

## AGENDA

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### CITY COUNCIL

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

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

April 14, 2020

**COUNCIL CHAMBERS**  
**300 N MAIN ST. HOPEWELL VA**

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

### OPEN MEETING

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

**SUGGESTED MOTION: Move to go into closed meeting pursuant to Va. Code Sections 2.2-3711(A)(1) to discuss and consider personnel matters, including the appointment, assignment, and performance of specific appointees and employees and consideration/discussion of prospective candidates for employment and appointment; (A)(3) and (A)(6) to discuss the investment of public funds for the acquisition of real property for a public purpose where bargaining is involved, and discussion in open meeting would adversely affect the City's bargaining position and financial interest; (A)(7) and (8) to consult with legal counsel and be briefed by staff regarding probable litigation and specific legal matters where such briefing and consultation in open meeting would adversely affect the City's litigating posture; and to the extent such discussions will be aided thereby (A)(4) for the protection of the privacy of individuals in personal matters not related to public business.**

Roll Call

### CLOSED MEETING

### RECONVENE OPEN MEETING

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

Roll Call

### REGULAR MEETING

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

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

- 1. March 24, March 31, April 7 and April 9, 2020

**C-2 Pending List:**

- 1. Pending List
- 2. Pending List - Top Priorities

**C-3 Routine Approval of Work Sessions:**

**C-4 Personnel Change Report & Financial Report:**

- 1. Personnel Change Report

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

**C-6 Routine Grant Approval:**

**C-7 Public Hearing Announcement:**

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

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

**C-10 Other Announcements:**

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

**Unfinished Business**

**UB-1 Setting up a special account for the Francisco Landing project proceeds.**

**ISSUE:** On January 31, 2020, the Francisco Landing LLC officially purchased the old Patrick Copeland site with the proceeds to the city amounting to \$426,214.11. City staff is requesting a special account eventually be setup for these proceeds. This money will be used as necessary with the Development Agreement signed by Mr. Altman and Mr. Bowman on December 6th, 2018. The agreement includes the City buying back improved parcels to include the Amphitheatre and Plaza areas. The Development Agreement is attached, and more information is provided in the “Background” section.

City Council is requested approve the setting up of a special account. This will reserve these funds to be used exclusively for this project, rather than revert to the General Fund. Staff is not able to expend General Fund funds without Council Action.

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

**Roll Call**

**UB-2 DHR Historical Marker – Kippax Plantation Archaeological Site**

**ISSUE:** Application to place a historic highway marker to recognize the Kippax Plantation Archaeological Site and the graves of Jane Rolfe Bolling and Thomas Rolfe.

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

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**Roll Call**

**UB-3 Request to transfer funds**

**ISSUE:** Each councilor is allotted a certain amount of funding. This funding is broken into categories (e.g., travel, lodging, ward improvement, communications, etc.). Council is allowed to use their funding as they see fit within the parameters of the fund. However, if a councilor wishes to use these funds outside of the allotted funding (i.e., use travel funds to pay for something other than travel), the councilor must seek permission from Council. Since I don't travel, I wish to use my travel, lodging, mileage funds, etc. for a curb and gutter project for Princess Anne, as well as to purchase a Blue Devils bank uniform for a needy child. I am asking Council's permission to transfer funds from these other sources into my ward improvement fund so that I can better assist my constituents.

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

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**Roll Call**

**UB-4 Request to transfer funds**

**ISSUE:** Each councilor is allotted a certain amount of funding. This funding is broken into categories (e.g., travel, lodging, ward improvement, communications, etc.). Council is allowed to use their funding as they see fit within the parameters of the fund. However, if a councilor exceeds the amount within the allotted fund, they are allowed to use another councilor's funding with permission from the councilor and Council. Recently, Mayor Gore attended NLC Congressional City meeting in DC. She was slightly over her allotted funding, so I am offering her \$695 from my Conventions and Conferences line item. I am seeking Council's agreement to this request.

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

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**Roll Call**

**UB-5 Request for Council to take action for the Vice Mayor to continue as the point of contact for the Clerk's Office**

**ISSUE:** Council decided by consensus in a previous Closed Session that the Vice Mayor would act as the point of contact for the Clerk's Office. However, Council failed to vote publicly. The Vice Mayor has, based on the consensus of Council, been acting as the POC for the Clerk's office, and is asking that she be allowed to continue as such.

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

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**Roll Call**

**UB-6 Request for Council to take action for the Vice Mayor to continue her supervision of the agenda and its processes.**

**ISSUE:** The agenda is historically prepared by the City Clerk and the City Manager, with input from the City Attorney. Generally, a representative of Council reviews the agenda prior to its issuance, and asks questions, as needed. By consensus of Council during a previous Closed Session, the Vice Mayor has acted in that role. Since Council did not vote on this item in Open Session, the item is being added to this agenda.

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

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

**Regular Business**

**Reports of City Manager:**

**R-1 CAFR Update**

**ISSUE:** Update on status of CAFRs

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

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

**R-2 The Local Choice (TLC) Annual Insurance Renewal**

**ISSUE:** Council to approve the 2020-2021 The Local Choice (TLC) health care rates as proposed by OneDigital, the City's benefit consultant, during the April 14, 2020 meeting.

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

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

**Reports of City Attorney:**

**1 Place Freedom of Information Act (FOIA) Requests and Liens with the City Attorney**

**ISSUE:** FOIA requests and Code Enforcement and demolition liens are currently handled by the City Clerk's office. Both of these are legal matters which are best handled by the City Attorney. Accordingly, it is requested that Council move both FOIA and liens to the office of the City Attorney.

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

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

**Reports of City Clerk:**

**Reports of City Council:**

**Committees:**

**Individual Councilors**

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

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

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

Roll Call

**IR-2 Request City Council create a system for members of staff and public to report suspected incidents of fraud, waste or abuse**

**ISSUE:** The City currently does not have any means for anyone to report concerns or suspicions of fraud, waste or abuse. A system needs to be created in which information goes directly to the City Attorney and disseminated to City Council for review.

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

Roll Call

**IR-3 Request for City Council direct the City Manager review city owned space and rental properties to identify a location for the Office on Youth to offer programs. In addition, for the City Manager to provide an update as to the costs/needs to renovate Mallonee Gym to house the Office on Youth and the status of the \$250,000 previously allocated by City Council for renovation.**

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

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

Roll Call

**IR-4 City of Hopewell Open Government Policy**

**ISSUE:** Request City Council to adopt an open government policy to ensure that citizens have access to meeting and planning documents of Council, Administration, and all boards and commissions.

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

Roll Call

**IR-5 Request for City Council direct the City Manager to delegate to staff to review non-developed city land to identify a location for a practice field for youth sports and free citizen usage.**

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

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

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**Roll Call**

**IR-6 Request for City Council to set a new date to deliver the “State of the City Address” in February to include the unveiling of the new City Council Strategic Plan.**

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

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

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**Roll Call**

**IR-7 Request City Council to direct the City Manager to provide Council with the status of uncollected funds within the City of Hopewell**

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

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

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**Roll Call**

**IR-8 Request for City Council to vote to direct the City Manager provide City Council with options to dissolve the Beacon Theater LLC. The prior City Council voted to support dissolving the LLC in order to create a Regional Performing Arts Center and/or improve community programs and access to the Beacon Theater. In the meantime, the City Council will support opening the Beacon Theater free on Sundays after the Beacon Church for groups to offer free services/programs to the public.**

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

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

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

**IR-9 The Charge Challenge**

**ISSUE:** Several residents have voiced concerns about the lack of progress in issues that affect residents.

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

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

**IR-10 City of Hopewell Finance Policies**

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

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

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

**IR-11 Strategic Plan and Crime Meeting Transparency – Post Online Records for Public**

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

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

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



**IR-12 Request City Council create an Innovation Competition for City Departments**

**ISSUE:** The current Efficiency Study and Technology Review was originally designed to include an element of staff engagement. The desire was to include members of staff by creating an innovation competition for them to suggest problem-solving ideas to help the City operate better and improve customer service.

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

Roll Call

**IR-13 CENSUS Adjustment**

**ISSUE:** The 2020 Census is underway and households across America are responding every day. In light of the COVID-19 outbreak, the U.S. Census Bureau has adjusted 2020 Census operations. The following is provide City Council with the latest U.S. Census Bureau update.

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

Roll Call

**IR-14 UNEMPLOYMENT INSURANCE (UI) PROCEDURES TO FILE OR RE-OPEN A CLAIM**

**ISSUE:** Due to the COVID-19 outbreak, many American’s will have to fire for unemployment. The following form is the latest information about how to initiate that process for the Crater Workforce Region.

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

Roll Call

**Citizen/Councilor Requests**

**Presentations form Boards and Commissions**

**Other Council Communications**

**Adjournment**

# **REGULAR MEETING**

# **CONSENT AGENDA**

# MINUTES

**MINUTES OF THE MARCH 24, 2020 CITY COUNCIL SPECIAL MEETING**

A regular meeting of the Hopewell City Council was held Tuesday, March 24, 2020, at 6:30 p.m. The meeting was scheduled to be held by electronic communication only, pursuant to Va. Code § 2.2-3708(A)(3).

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

John M. Altman, Jr., City Manager  
Sandra R. Robinson, City Attorney  
Ronnieye L. Arrington, City Clerk

Mayor Gore opened the meeting at 6:32 p.m. Due to the Novel Coronavirus (COVID-19), the meeting was held via Zoom Video Communications. Council was allowed to either call in on the telephone, or were able to video in using a smart phone, computer, laptop, or tablet. Citizens were also able to call in and hear the meeting. Mayor Gore waited a couple of minutes for everyone to get logged in or to call in. At 6:35 p.m., Mayor Gore requested a roll call, as follows:

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

**REGULAR BUSINESS**

Mayor Gore thanked everyone for joining the meeting. She specifically thanked the IT Department for all of their hard work in creating solutions for teleworking and for electronic Council meetings. Charles Dane, Assistant City Manager prayed, after which Councilor Pelham led the Pledge of Allegiance.

Councilor Partin moved to adopt the agenda. His motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

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

**Motion passed 7-0**

**Emergency Ordinance Authorizing Local Action Pursuant to Declarations of Emergency Related to the COVID-19 Pandemic**

**ISSUE:** The Director of Emergency Management (City Manager) issued a local declaration of emergency, with the consent of a majority of City Council meeting and voting electronically. It is necessary that Council confirm this declaration, and provide additional authorities, as needed during this pandemic. Accordingly, Council is asked to review and approved an emergency ordinance.

Mayo Gore introduced this item to Council. The City Attorney read each of the paragraphs under the “Be It Ordained” section of the *Emergency Ordinance Authorizing Local Action Pursuant to Declarations of Emergency Related to the Covid-19 Pandemic*.

Councilor Pelham moved to revise the paragraph regarding curfew as follows:

**FURTHER ORDAINED** that the Hopewell Police Chief shall be authorized to impose a curfew [in consultation with the Director of Emergency Management and Mayor,](#) restricting the movement of individuals and vehicles in the City of Hopewell if it is determined that without such action the health, safety, and welfare of the citizens of Hopewell will be at immediate risk. Any administrative curfew imposed hereunder shall remain in effect for no longer than 15 calendar days from the date on which the curfew is imposed unless expressly extended by the City Council. Curfews authorized by this authority shall be in addition to any other applicable curfews enacted by existing separate legislation or regulation. It is

Her motion was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Randolph	-	No
Councilor Holloway	-	Yes
Councilor Partin	-	No
Mayor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes
Vice Mayor Bennett	-	Yes

**Motion passed 4-3**

Councilor Pelham then moved to add a paragraph that had been removed from the original draft ordinance. Her motion was seconded by Councilor Holloway. There was discussion of Council.

Councilor Partin then moved to make an amendment to Councilor Pelham’s motion. His request was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Randolph	-	No
Councilor Holloway	-	Yes
Councilor Partin	-	No
Mayor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes
Vice Mayor Bennett	-	Yes

**Motion passed 4-3**

Councilor Partin moved to add the paragraph that had been removed from the original draft, but to amend the paragraph as below:

**FURTHER ORDAINED** that the President of Council/Mayor shall be informed by the local director of emergency management and police chief, which the President of Council/Mayor shall report to City Council, relative to their efforts to maintain order and enforce the laws that are enacted due to the public health emergency created by the coronavirus, and shall be authorized to jointly appear and speak on behalf of the City of Hopewell with the Director of Emergency Management if called upon if the participation of the City of Hopewell is deemed desirable or necessary to formulate regional support or messaging, and communicate with the citizens of Hopewell.

His motion was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Randolph	-	Yes
Councilor Holloway	-	Yes
Councilor Partin	-	Yes
Mayor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes
Vice Mayor Bennett	-	Yes

**Motion passed 6-1**

Councilor Pelham moved to adopt the *Emergency Ordinance Authorizing Local Action Pursuant to Declarations of Emergency Related to the Covid-19 Pandemic* as revised. Her motion was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Randolph	-	Yes
Councilor Holloway	-	Yes
Councilor Partin	-	Yes
Mayor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes
Vice Mayor Bennett	-	Yes

**Motion passed 6-1**

**ADJOURN**

Councilor Randolph moved to adjourn the meeting, which was seconded by Councilor Partin. Upon the roll call, the vote resulted:

Councilor Randolph	-	Yes
Councilor Holloway	-	Yes
Councilor Partin	-	Yes
Mayor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	No
Vice Mayor Bennett	-	Yes

**Motion passed 6-1**

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Jasmine E. Gore, Mayor

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Ronnieye L. Arrington, City Clerk



**MINUTES OF THE MARCH 31, 2020 CITY COUNCIL REGULAR MEETING**

A regular meeting of the Hopewell City Council was held Tuesday, March 31, 2020, at 7:30 p.m. The meeting was held by electronic communication only, pursuant to Va. Code § 15.1-1413, and by emergency ordinance adopted by Council at its March 24, 2020 meeting.

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

John M. Altman, Jr., City Manager  
Sandra R. Robinson, City Attorney  
Ronnieye L. Arrington, City Clerk

Mayor Gore opened the meeting at 7:34 p.m. Due to the Novel Coronavirus (COVID-19), the meeting was held via Zoom Video Communications. Council either called in on the telephone, or joined the meeting via video using a smart phone, computer, laptop, or tablet. Citizens were also able to call in and hear the meeting. Mayor Gore requested a roll call, as follows:

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

**REGULAR MEETING**

Mayor Gore thanked everyone for joining the meeting. Herbert Bragg, Director of Intergovernmental and Public Affairs offered the prayer, which was followed by the Pledge of Allegiance, led by Councilor Randolph.

**AMEND/ADOPT AGENDA**

Councilor Pelham moved to amend the agenda to move items R-6 and R-7 from under Report of City Manager, to Reports of City Council under Individual Councilors as Items IR-16 and IR-17, and to move items IR-13, IR-14, and IR-15 to after item R-2 for discussion. Her motion was seconded by Mayor Gore. There was discussion of Council.

Vice Mayor Bennett requested to amend Councilor Pelham’s motion to add items. Her request was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes

Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes

**Motion passed 7-0**

Vice Mayor Bennett moved to amend Councilor Pelham’s original motion to add as item R-8, for Council to take action for the Vice Mayor to continue a the point of contact with overall responsibility of the Clerk’s Office, and to determine the start date for same; and to add as item R-9, for Council to take action for the Vice Mayor to continue her supervision of the agenda and its process. Her motion was seconded by Councilor Denton. There was discussion of Council.

Councilor Denton requested of Council to make a substitute motion. Her request was seconded by Councilor Randolph. Upon the roll call, the vote resulted:

Councilor Holloway	-	no
Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	no
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes

**Motion passed 4-3**

Councilor Denton moved to break up the original motion of Councilor Pelham and Vice Mayor Bennett into separate motions, and for Council to vote on each one separately. City Attorney, Sandra Robinson, opined that the previous motion was invalid and should have been made as separate motion, so therefore, Councilor Denton’s motion was unnecessary as Council needed to break up the motion.

Councilor Pelham moved to amend the agenda to move items R-6 and R-7 from under Report of City Manager, to Reports of City Council under Individual Councilors as Items IR-16 and IR-17. Her motion was seconded by Mayor Gore. There was considerable discussion of Council. Councilor Pelham called for the vote and to end discussion. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Partin	-	no
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	no
Councilor Randolph	-	no

**Motion failed 4-3**

Upon completion of discussion, Council voted on the original motion (move items R-6 and R-7 from under Report of City Manager, to Reports of City Council under Individual Councilors as Items IR-16 and IR-17). Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Partin	-	no
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	no
Councilor Randolph	-	no

**Motion failed 4-3**

Council requested that the Clerk research to determine if/when there was discussion and agreement/consensus of Council to split the Council travel.

Councilor Pelham moved to insert item IR-13, IR-14 and IR-15 after item R-2 on the agenda. Her motion was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	no
Councilor Randolph	-	no

**Motion passed 4-3**

Vice Mayor Bennett moved to add as item R-8, for Council to take action for the Vice Mayor to continue as the point of contact with overall responsibility of the Clerk's Office, and to determine the start date for same. Her motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

Councilor Holloway	-	no
Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	no
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes

**Motion passed 4-3**

Vice Mayor Bennett moved to add as item R-9, for Council to take action for the Vice Mayor to continue her supervision of the agenda and its process. Her motion was seconded by Councilor Partin. Upon the roll call, the vote resulted:

Councilor Holloway	-	no
Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	no
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes

**Motion passed 4-3**

**CONSENT AGENDA**

Councilor Randolph moved to approve the Consent Agenda. Her motion was seconded by Councilor Partin. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes

**Motion passed 6-1**

**UNFINISHED BUSINESS**

**UB-1 City Owned Property –Bank Street Garages Demolition** – John M. (“March”) Altman, Jr., the City Manager, introduced the topic. Tevya Griffin, the Director of Development then presented information to Council regarding this item. The Architectural Review Board held a public hearing regarding the demolition of the Bank Street garages on February 24, 2020. The Board approved the demolition and, because the garages are located on public property, is asking City Council to endorse the approval so demolition can proceed. Ms. Griffin noted that the Department of historical Preservation had already reviewed the proposal and had no issue with the demolition. Councilor Pelham moved to agree to the demolition, but for it to be deferred until after the COVID-19 crisis, at least the end of June, to see if the City would need those funds elsewhere. Her motion was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	--- (absent from dais)
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes

**Motion passed 7-0** (per council rules)

**R-1 Coronavirus (COVID-19) Briefing** – March Altman updated Council on the status of the Novel Coronavirus, and what the City is doing to combat it, and to prepare for problems related to the virus. He noted that items already purchased to aid in combatting and preparing for the virus were purchased without the need to transfer funds. Mr. Altman noted that Council would receive a draft budget on Wednesday, April 1, 2020, but that he was aware the budget would need to be revised due to COVID-19. Councilor Partin moved to charge the City Manager with checking on different economic relief options for the City and to bring back information to Council for discussion at the next meeting in July, and for the City Manager to answer the questions submitted by Mayor Gore in the agenda packet. His motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

**Motion passed 7-0**

Mayor Gore called for a special meeting to discuss the Novel Coronavirus (COVID-19). She asked that the meeting be set for Tuesday, April 7, 2020 at 6:30 p.m. She said that she would work with the City Manager on information for the special meeting.

**R-2 CAFR Update** – Mr. Altman presented a brief update on the status of the CAFRS.

**ADJOURN**

Councilor Pelham moved to adjourn the meeting, which was seconded by Mayor Gore. Upon the roll call, the vote resulted:

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

**Motion passed 7-0**

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Jasmine E. Gore, Mayor

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Ronnieye L. Arrington, City Clerk

**MINUTES OF THE APRIL 7, 2020 CITY COUNCIL SPECIAL MEETING**

A meeting of the Hopewell City Council was held Tuesday, April 7, 2020, at 6:30 p.m. The meeting was held by electronic means pursuant to Va. Code § 15.1-1413, and by emergency ordinance adopted by Council at its March 24, 2020 meeting.

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

John M. Altman, Jr., City Manager  
Sandra R. Robinson, City Attorney  
Ronnieye L. Arrington, City Clerk

**SPECIAL MEETING**

Mayor Gore opened the meeting at 6:45 p.m. Due to the Novel Coronavirus (COVID-19), the meeting was held via Zoom Video Communications. Council either called in on the telephone, or joined the meeting via video using a smart phone, computer, laptop, or tablet. Citizens were also able to call in and hear the meeting. Mayor Gore requested a roll call, as follows:

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

**AMEND/ADOPT AGENDA**

Councilor Denton moved to amend the agenda limit each speaker to ten minutes, and to move item SB-8 to before SB-7, and to invoke Council rules to limit each councilor to the time limit to either speak for ten minutes, or to speak three times. Her motion was seconded by Vice Mayor Bennett. Upon the roll call, the vote resulted:

Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	no
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	no

**Motion passed 4-3**

Councilor Pelham moved to be allowed to make a substitute motion, which request was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Partin	-	no
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	no
Councilor Randolph	-	no
Councilor Holloway	-	yes

**Motion failed 4-3**

**SB-1 John Randolph Medical Center COVID 19 Updates** – Joe Mazzo, CEO presented an update to Council regarding John Randolph’s readiness for COVID-19, and steps taken to prevent the spread of the virus within the hospital walls and beyond.

**SB-2 Crater Heath District Updates** – Dr. Alton Hart, Public Health Director, also spoke to Council regarding the status of the virus. Sean Nicholson and Debra Whitaker also spoke on behalf of Crater Health District. Katrina Staffre (sp), an epidemiologist, attempted to speak but had difficulty joining the call.

**SB-3 Hopewell Public Schools COVID-19 Updates** – Dr. Melody Hackney, Superintendent of Hopewell Public Schools – Dr. Hackney spoke at length about the schools’ readiness and preparation, and continued steps to safeguard the children. During her presentation, Dr. Hackney went over the ten-minute allotment. Vice Mayor Bennett moved to allow Dr. Hackney, Superintendent of Hopewell Public Schools to finish her presentation and answer questions. Her motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

**Motion passed 7-0**

Dr. Hackney continued her presentation. She spoke about what was being done to help with the children and youth who, because they are out of school, would not normally be able to eat. She noted that the school has already fed and will continue to feed these children.

- SB-4 Hopewell-Prince George Chamber of Commerce COVID-19 Updates** – Becky McDonough, CEO – Daniel Jones of the HPG Chamber spoke on behalf of the Chamber. He noted the virus’ effect on various businesses and what was needed to try to save some of them.
- SB-5 Crater Workforce Investment Board COVID-19 Updates** – Sopenhia Pierce, Executive Director – Ms. Pierce had difficulty joining the call, but was able to speak and address various updates related to COVID-19.
- SB-6 Key Federal COVID-19 Updates** – Benjamin Ruppert, Coordinator, Emergency Services – Updates include Federal Legislation – Coronavirus Preparedness and Response Supplemental Appropriations Act, Families First Coronavirus Response Act (FFCRA), and the Coronavirus Aid Relief and Economic Security (CARES) Act; the IRS deadline; and the Census – Mr. Ruppert was unable to attend the meeting, so John M. Altman, Jr., City Manager, spoke in his stead. Mayor Gore advised that, so far, only 40% of Hopewell citizens had provided information to the census. She noted that the deadline had been extended August 2020, and encouraged all to complete online.
- SB-8 City of Hopewell COVID-19 Response and Planning** – John M. Altman, Jr., City Manager – Information to include the timeline of Hopewell’s Coronavirus and COVID-19 response, the status of the City’s Continuity Operations Planning documents, and inventory update, a Finance Update related to COVID-19 (Contingency fund, tracking purchases, hiring freezes, purchase suspensions), established communication tools for the public (CodeRed, Nixle, social media [Facebook, Twitter], Freedom of Information Act (FOIA) List, and COVID-19 incident management reports), City Council and Community Questions (Homeless and vulnerable community, Hopewell city parks, 5-G towers, curfew, gymnasiums, childcare, and taxes. Sandra Robinson, City Attorney, opined at length on the legalities of the quarantine and repercussions of violating same.

At 9:25 p.m., Councilor Denton moved to adjourn. Her motion was seconded by Councilor Randolph. Upon the roll call, the vote resulted:

Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	no
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes

**Motion passed 5-0**

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Jasmine E. Gore, Mayor

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Ronnieye L. Arrington, City Clerk



**MINUTES OF THE APRIL 9, 2020 CITY COUNCIL SPECIAL MEETING**

A special meeting of the Hopewell City Council was held Tuesday, April 9, 2020, at 6:30 p.m. The meeting was scheduled to be held by electronic communication only, pursuant to Va. Code § 2.2-3708(A)(3).

**PRESENT:** Jasmine Gore, Mayor, Ward 4  
Patience Bennett, Vice Mayor, Ward 7  
Deborah Randolph, Councilor, Ward 1  
John B. Partin, Jr., Councilor Ward 3  
Janice B. Denton, Councilor, Ward 5  
Brenda Pelham, Councilor, Ward 6

John M. Altman, Jr., City Manager  
Sandra R. Robinson, City Attorney  
Ronnieye L. Arrington, City Clerk

**ABSENT:** Arlene Holloway, Councilor, Ward 2

**ROLL CALL**

Mayor Gore opened the meeting at 6:31 p.m. Due to the Novel Coronavirus (COVID-19), the meeting was held via Zoom Video Communications. Council was allowed to either call in on the telephone, or were able to video in using a smart phone, computer, laptop, or tablet. Citizens were also able to call in and hear the meeting. Mayor Gore waited a couple of minutes for everyone to get logged in or to call in. At 6:33 p.m., Mayor Gore requested a roll call, as follows:

Mayor Gore	-	present
Vice Mayor Bennett	-	present
Councilor Randolph	-	present
Councilor Partin	-	present
Councilor Holloway	-	absent
Councilor Denton	-	present
Councilor Pelham	-	present

**CLOSED MEETING**

At 6:34 p.m., Vice Mayor Bennett moved to go into closed meeting pursuant to Va. Code Sections 2.2-3711 (A)(1) to discuss and consider personnel matters, including the appointment, assignment, and performance of specific appointees and employees. Councilor Denton seconded the motion. Upon the roll call, the vote resulted:

Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Partin	-	yes

**Motion passed 5-1**

**RECONVENE OPEN MEETING**

At 8:39 p.m. Councilor Randolph moved that Council come out of Closed Session. Her motion was seconded by Mayor Gore. Upon the roll call, the vote resulted:

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

**Motion passed 6-0**

**CERTIFICATION**

Immediately thereafter, Council responded to the question pursuant to Virginia Code § 2.2-3712 (D): were only public business matters (I) lawfully exempted from open-meeting requirements and (II) identified in the closed-meeting motion discussed in closed meeting? Upon the roll call, the responses resulted:

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

Vice-Mayor Bennett moved to approve and present an amended draft to the Clerk consistent with the terms discussed. Her motion was seconded by Councilor Partin. Upon the roll call, the responses resulted:

Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	no
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Partin	-	yes

**Motion passed 4-2**

**ADJOURN**

At 8:46 p.m. Councilor Randolph moved to adjourn the meeting, which was seconded by Councilor Partin. Upon the roll call, the vote resulted:

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

**Motion passed 6-0**

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Jasmine E. Gore, Mayor

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Camisha Brown, Assistant City Clerk

# **PENDING LIST**

**CITY COUNCIL PENDING LIST  
10-22-19**

<b>Request</b>	<b>Date Voted/ Requested</b>	<b>Format/Information Requested</b>	<b>Point Person</b>	<b>Status</b>
<p>Beacon Update; RFP; Marketing Plan; Beacon LLC City Manager clarified that only the RFP has been completed so far; Shornak requested copy of RFP; Mayor suggested that RFP be dispensed to council at the same time as to the public, to which City Manager agreed; Shornak requested financial information for the Beacon, as well; City Attorney explained Beacon setup and why, and advised that LLC could be dissolved 3 years after last tax payment rec'd; Walton requested specific date re when LLC can be dissolved</p>	<p>2-7-17  2-21-17</p>		<p>Date when LLC can be dissolved  Mayor requested Plan when submitted.</p>	<p><b>ONGOING</b> 2/1/2018, if notice is given on the first possible business day of the year. 2-7-17 Mr. Haley reported, Slap Productions hired, contract on year to year basis.</p> <p>1/1/2018 the LLC can proceed to purchase the interest of the State Investor Member (the "Fund"). The purchase would occur between 30 and 90 days after notice that the LLC is exercising its purchase option.</p> <p>2-13-18 – Council reviewed</p> <p>2-27-18 – to come back to Council</p> <p>2-27-18 – Discussed with Council in closed session – City Manager and City Attorney to present alternatives to Council</p>

**CITY COUNCIL PENDING LIST  
10-22-19**

Request	Date Voted/ Requested	Format/Information Requested	Point Person	Status
<p>Branding &amp; City Logo's; compile all used logos for approval. Council requested that Haley provide them with a list of the City's logos and RFP for Branding</p>	<p>5/12/15 3-15-16 2-7-17  2-21-17</p>	<p>Email/Printed logos collected used  City Manager to provide RFP for Branding during the Retreat In March 2017.</p>	<p>March Altman</p>	<p><b>PENDING</b> <b>6-23-17 email reminder sent to Haley</b></p> <p>City Manager to email council the list of City logos</p> <p>Haley will issue RFP re branding - Hopewell logo</p> <p><b>No RFP needed.</b></p> <p><b>THIS REQUIRES AN IMMEDIATE UPDATE FROM THE CITY MANAGER'S OFFICE</b></p> <p>3-19-18 – Altman will review and bring back options, proposals etc.</p> <p><b>9-19-18 City Manager to include proposal and budget request as part of FY20 budget</b></p>
<p>City Council and School Board to have additional joint meetings or to establish sub-committees</p>	<p>3-1-18</p>	<p>Vice Mayor Gore</p>	<p>School Board City Council March Altman</p>	<p><b>ONGOING</b></p> <p>8-14-18 – Council appointed two members of the School Board to the School Facilities Committee (Joyner and Cuffey).</p>

## CITY COUNCIL PENDING LIST 10-22-19

Request	Date Voted/ Requested	Format/Information Requested	Point Person	Status
Restore the National Park Service Waterfront Committee Status of planned workshop, secure new contacts	2-27-18	Councilor Luman-Bailey	Aaron Reidmiller	Appointed?
Obtain information about Workforce Initiative	2-27-18	Vice Mayor Gore	March Altman	PENDING
Who to reach out to increase the allocation to youth services (Connie Townes) – VCJJA come to present to City Council	2-27-18	Vice Mayor Gore	March Altman	PENDING
Request for program for seniors who use their dumpsters sparingly and need to pay less	1-23-18	Councilor Zevgolis	Ed Watson	COMPLETE
Council wanted to confirm that Prince George was paying their part for the HPG Chamber. Since this was an ongoing problem, they want to confirm prior to the next budget session. (NOVEMBER)	4-4-17	Council	March Altman	PENDING  3-18-18 – Altman has discussed with Prince George – they are funding for this year – will discuss at FY20 budget
Current financial assessment of fiscal year 2017	12-2017	Gore Pelham	March Altman Michael Terry	DONE  9-19-18 - FY17 Audit is ongoing
Request to review credit card policy		Pelham	March Altman	PENDING
Boards & Commissions - Dock Commission – Councilors Luman-Bailey and Zevgolis will discuss the revival of the this Commission and come back to Council with a plan	4-5-18	Council	Christina Luman-Bailey Anthony Zevgolis	COMPLETED
Boards & Commissions – How much is the Planning Commission paid?	4-5-18	Council	Tevya Griffin	PENDING
Requested a study to determine why there was so much trouble retaining Hopewell employees, especially police and fire; interested in employee retention; programs to encourage employees to live in the City	3-27-18	Anthony Zevgolis Brenda Pelham	March Altman John Keohane	PENDING

## CITY COUNCIL PENDING LIST 10-22-19

Request	Date Voted/ Requested	Format/Information Requested	Point Person	Status
Councilor Gore requested the data that was provided to Springsted prior to them creating their report. She specified the data that caused Springsted to make position and title changes. Work Session/Pay Grades	3-27-18	Jasmine Gore	March Altman Renia Coles	PENDING
Of the \$75,000 set aside by Council for constitutional officers, how much has been used? For what? How much remains?	3-27-18	Council	March Altman	COMPLETED
Request information regarding status of Fire Department collections from last year. Update Cost Recovery	5-1-18	Council	March Altman Donnie Hunter	PENDING
Springsted Comp Study	5-15-18	Jasmine Gore	March Altman Renia Coles	PENDING
City Vehicles	4-25-17	Council requests info: how many vehicles does the City own?  How many driven outside of Hopewell on daily/weekly basis?  Which departments use the vehicles? (include how many vehicles each department uses)  How are the vehicles being used?  How many vehicles does the Schools own?	Haley Watson Young	PENDING – update and send to City Council
Council request a list of how many already authorized positions remain unfilled (requested to be submitted in a week)	2-23-16 2-29-16 2-7-17 2-21-17	To ascertain how staff shortages are impacting staff ability to manage tasks	Mark Haley Department Heads	ONGOING Asst. City Mgr. reported a draft would be presented during the Budget Session  Update Org. Chart



## CITY COUNCIL PENDING LIST 10-22-19

Request	Date Voted/ Requested	Format/Information Requested	Point Person	Status
ARB & Streetscaping	2-7-17	Schedule Joint WS with City Council	Tevya Griffin Horace Wade	<p><b>6-23-17 – reminder email sent to Griffin and Wade</b></p> <p><b>City Point Plan *add to website</b></p>
Youth Commission	<p>2-7-17</p> <p>2-21-17</p> <p>3-13-17</p>	<p>Continue to Accept TBR's, hold on interviews until NEW ordinance is reviewed by Council, Legislative Committee and passed</p> <p>Final revisions were received on 2-21-17; City Attorney is rewriting and will provide DRAFT to Council &amp; Legislative Committee</p> <p>City Attorney emailed to Council &amp; Legislative Committee for review.</p>	<p>Mark Haley Charles Dane Stefan Calos City Clerk</p>	<p><b>COMPLETED</b></p> <p>Ordinance revised and emailed on 3-13-17 to City Council and the Legislative Committee for review; Legislative Committee &amp; Council now to review and report back to City Attorney and City Manager with any suggested revisions; Council then to Vote on Ordinance Then City Clerk will schedule Interviews for Committee Members &amp; provide them with copy of Ordinance during the interview process.</p> <p><b>12-2017 – Youth Commission established and had first meeting. 2<sup>nd</sup> and 3<sup>rd</sup> meetings also scheduled.</b></p>
Cultural Resource Management Plan	2-21-17	Councilor Luman-Bailey	<p>City Manager Tevya Griffin ARF DDRC Planning Commission</p>	<p><b>COMPLETED</b></p> <p>City Manager and Tevya Griffin to supply the Cultural Resource Management Plan to the ARB; DDRC &amp; Planning Commission for Financial Grants available to them and the City.</p>

**CITY COUNCIL PENDING LIST**  
**10-22-19**

<b>Request</b>	<b>Date Voted/ Requested</b>	<b>Format/Information Requested</b>	<b>Point Person</b>	<b>Status</b>
Citizen Oversight Committee – recommendation from Chief to create Citizen Oversight Committee	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Pelham		Met with Chief.
Chesapeake Bay Clean Water Blueprint-approval recommendation from staff	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Partin		COMPLETED
Small Business Procurement Policy – recommendation from staff	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Partin	March Altman	Recommend delay discussion until after completion of FY18 CAFR to allow Purchasing Agent to participate in review and development of policy.
Veteran Support-Request legislation and initiatives to make Hopewell more Veteran Friendly from staff	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore		

**CITY COUNCIL PENDING LIST  
10-22-19**

<b>Request</b>	<b>Date Voted/ Requested</b>	<b>Format/Information Requested</b>	<b>Point Person</b>	<b>Status</b>
Vendor Procurement Policy to address bulk ordering of like products, review of major expenditures by the same/frequent vendors	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore	March Altman	Work Session on Oct. 2  Recommend delay discussion until after completion of FY18 CAFR to allow Purchasing Agent to participate in review and development of policy.
Loud Music Ordinance – review from Police Chief	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Partin	March Altman	Need understanding of issue before making a recommendation. Is it citizen complaint driven? This issue has been discussed in the past. Would need City Attorney involvement, discussions of enforcement options, current capabilities, and court’s position on the issue.
Employee Day to Serve – recommendations by staff.	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Partin	Assigned to HR	COMPLETED

## CITY COUNCIL PENDING LIST 10-22-19

Request	Date Voted/ Requested	Format/Information Requested	Point Person	Status
Conflict of Interest Policy-public declaration of conflict during meeting	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Denton		Council needs to work on this issue with the City Attorney.
Breach of Confidentiality – impose sanctions for violations of public trust and release of confirmation information	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore		Council issue. Does Council need staff to assist? If so, what does Council see as staff involvement?  NOTE: Council Rules & Procedures
Police Renovation Budget – presentation from staff about construction project cost analysis, temporary street closure and plans for 300k renovation/all departments	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Pelham Gore Denton		Resend information
Boards, Commissions and Volunteer Flyer draft	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore		Waiting on Council to complete pending interviews; will incorporate requests by Council that have already been received – Mayor.

**CITY COUNCIL PENDING LIST  
10-22-19**

<b>Request</b>	<b>Date Voted/ Requested</b>	<b>Format/Information Requested</b>	<b>Point Person</b>	<b>Status</b>
Paving schedule for streets, paving formula and budget breakdown	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Council		
Revenue estimates for sewer/wastewater/trash with new service contract. Loss in previous years. Project for this current year and next year.	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore		September 25, 2019
Scheduled curb/gutter, and stormwater projects, list of neighborhood specific projects and budget breakdown.	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore		
Feral Cat Policy – recommendations by staff.	Added to Pending List after Council discussion; emailed to CM on 5-12-19	Council		

**CITY COUNCIL PENDING LIST  
10-22-19**

<b>Request</b>	<b>Date Voted/ Requested</b>	<b>Format/Information Requested</b>	<b>Point Person</b>	<b>Status</b>
Beacon Theatre Sunday Use for Community-breakdown of 100k community funds used and plans for usage.	5-14-19 Agenda	Gore		Per Council directions, Randolph/Gore/CM to speak with Beacon Management about being able to use the Beacon on Sundays first – Mayor
Hopewell “B Corp” – Use reduction in Council funds to support community programs by providing a grant to citizens/community partners that host events/workshops and/or free/low cost community programs.	5-14-19 Agenda	Gore		

**CITY COUNCIL TOP PRIORITIES LIST**  
**10-22-19**

TOP PRIORITIES				
HR MANUAL	Meeting Date	Requester	Staff Feedback	Deadline/Status
Work session with Human Resources to discuss HR Manual and employee travel policy	1-9-18	Pelham Gore	<p>3-18-18 – City Manager and HR Director to review current policy and schedule work session to make recommendations for changes</p> <p>9-19-18 – Awaiting hiring of New HR Director</p> <p>10-20-18 – City Manager and HR Director will schedule work session next calendar year.</p> <p>9-24-19 – HR Director is currently reviewing the HR Policy</p>	<b>PENDING – Council Issues/Concerns to City Manager</b>

**CITY COUNCIL TOP PRIORITIES LIST**  
**10-22-19**

**TOP PRIORITIES**

<b>CSA</b>	<b>Meeting Date</b>	<b>Requester</b>	<b>Staff Feedback</b>	<b>Deadline/Status</b>
Request for City Manager to work on policies and procedures related to CSA, CPMT and FAPT. Update Quality Improvement Plan and report to City Council	3-6-18	Council	<b>CPMT is reviewing draft policies</b>	<b>PENDING</b>



**CITY COUNCIL TOP PRIORITIES LIST**  
**10-22-19**

<b>TOP PRIORITIES</b>				
<b>RENTAL INSPECTION</b>	<b>Meeting Date</b>	<b>Requester</b>	<b>Staff Feedback</b>	<b>Deadline/Status</b>
Update Rental Inspect Program Guidelines to be citywide, more frequent and enforceable	Requested during Council meeting. Re-approved by Council emailed to CM on 5-12-19	Gore	<p>Recommend staff conduct a review of program and provide City Council a revised program for discussion and consideration at a work session.</p> <p>9-24-19 – Staff is reviewing current program to develop recommend changes</p>	<b>Schedule Worksession for December 10, 2019</b>

**CITY COUNCIL TOP PRIORITIES LIST**  
**10-22-19**

<b>TOP PRIORITIES</b>				
<b>ANTI-LITTER</b>	<b>Meeting Date</b>	<b>Requester</b>	<b>Staff Feedback</b>	<b>Deadline/Status</b>
Ant-littering plan recommendations by staff about signs, fines, waste buckets around City, CVWMA new contractor terms	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Bennett Holloway	Enforcement  9-24-19 – Staff, in conjunction with KHB, to review policies and make recommendations.	<b>Issue Referred to KHB; Report back January 14, 2020</b>

**CITY COUNCIL TOP PRIORITIES LIST**  
**10-22-19**

<b>TOP PRIORITIES</b>				
<b>DELINQUENT TAX</b>	<b>Meeting Date</b>	<b>Requester</b>	<b>Staff Feedback</b>	<b>Deadline/Status</b>
Real Estate Delinquency –List of top delinquent persons or companies, new plan to recoup funds, ideal to address vendor with delinquent payments, law to require real estate taxes to be paid prior to obtaining permits/business licenses.	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore	City Attorney is researching the real estate/tax business license issue re: same company v. different company v. owner issue. Remaining items fall under purview of Treasurer.	Treasurer’s Office to provide list.

**CITY COUNCIL TOP PRIORITIES LIST**  
**10-22-19**

<b>TOP PRIORITIES</b>				
<b>CITY COUNCIL NEIGHBORHOOD WATCH</b>	<b>Meeting Date</b>	<b>Requester</b>	<b>Staff Feedback</b>	<b>Deadline/Status</b>
Recommendation from Chief to bring back City Council's Neighborhood Watch Advisory Board. Plan to update police stats to include shootings, overdoses, and major issues in City.	Requested during Council Meeting. Re-approved by Council email to CM on 5-12-19	Gore	Need to set up meeting with Mayor and Chief to discuss. Chief is recommending a Citizen Oversight Committee, not an Anti-Shooting Taskforce. CM	Talked with Chief  Police statistics have been updated to include shots fired & overdoses  <b>Recommendation to Council November 12, 2019</b>

**PERSONNEL  
CHANGE  
REPORT**

**DATE:** April 2, 2020  
**TO:** The Honorable City Council  
**FROM:** Michelle Ingram, Human Resources Specialist  
**SUBJECT:** Personnel Change Report – April 2, 2020

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**APPOINTMENTS:**

NAME	DEPARTMENT	POSITION	DATE
HOLLOWAY, DOMINIC	VOTER REGISTRATION	ELECTORAL BOARD	03/01/2020
FOSTER, JORDAN	POLICE	POLICE OFFICER	04/02/2020

**SUSPENSIONS:** 0

(Other information excluded under Va. Code § 2.2-3705.1(1) as personnel information concerning identifiable individuals)

**REMOVALS:**

NAME	DEPARTMENT	POSITION	DATE
NICKERSON, JAMES	VOTER REGISTRATION	P/T TEMP	06/18/2019
MICKELSON, SHEILA	VOTER REGISTRATION	ELECTORAL BOARD	02/29/2020
MILLER, HARRY	SHERIFF	P/T SHERIFF DEPUTY	03/19/2020
HATTON, CHRISTINA	GEN DIST CT	ADMIN ASST	03/27/2020
JARRELL, DANNY	FIRE	FIRE TRAINING CAPTAIN	03/27/2020
LYMAN, KAY	WATER RENEWAL	WAREHOUSE SUPV	04/01/2020

CC: March Altman, City Manager  
Charles Dane, Assistant City Manager  
Jennifer Sears, HR Director  
Dave Harless, Risk & Safety Coordinator  
Debbie Pershing, Administrative Services Manager  
Michael Terry, Finance Director  
Dipo Muritala, Assistant Finance Director

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

# **UNFINISHED BUSINESS**

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

**COUNCIL AGENDA ITEM TITLE:**

Setting up a special account for the Francisco Landing project proceeds.

**ISSUE:** On January 31, 2020, the Francisco Landing LLC officially purchased the old Patrick Copeland site with the proceeds to the city amounting to \$426,214.11. City staff is requesting a special account eventually be setup for these proceeds. This money will be used as necessary with the Development Agreement signed by Mr. Altman and Mr. Bowman on December 6<sup>th</sup>, 2018. The agreement includes the City buying back improved parcels to include the Amphitheatre and Plaza areas. The Development Agreement is attached, and more information is provided in the “Background” section.

City Council is requested approve the setting up of a special account. This will reserve these funds to be used exclusively for this project, rather than revert to the General Fund. Staff is not able to expend General Fund funds without Council Action.

**RECOMMENDATION:** Approve the setting up of a special account for the Francisco Landing project proceeds.

**TIMING:** Immediate.

**BACKGROUND:** According to paragraph 8 of the Development Agreement, titled *Development and Resale of Proposed Public Features*, the city will repurchase a portion of the project back from the developers so that the spaces repurchased are for public use. From the Development Agreement: “Prior to the Phase 1 Opening Date, Developer will construct the following features as illustrated on the master plan attached as Exhibit D, and as shall be agreed upon by Hopewell, for the ultimate benefit of both parties: Plaza, Promenade, Amphitheater, Green Space/Lower Park (the old school athletic field). As soon as practical following the

**SUMMARY:**

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

completion of construction of each feature, Hopewell will repurchase the feature(s) from Developer...”

**ENCLOSED DOCUMENTS:**

- Signed Development Agreement between the City of Hopewell and Francisco Landing Holdings LLC
- Seller’s Settlement Statement with a closing date of January 31, 2020.

**STAFF:**

Charles Dane, Assistant City Manager

Stacey English, Economic Development Specialist

**FOR IN MEETING USE ONLY**

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

**Roll Call**

---

**SUMMARY:**

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

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

## DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement"), dated November 27, 2018 (the "Effective Date"), by and between THE CITY OF HOPEWELL, a Virginia municipal corporation ("Hopewell"), and FRANCISCO LANDING HOLDINGS LLC, a Virginia limited liability company (the "Developer") (collectively, the "Parties" and individually a "Party"), recites and provides as follows.

### RECITALS

W.E. Bowman Construction, Inc. ("Bowman") and Hopewell are parties to that certain Letter of Intent dated July 10, 2017 (the "LOI"), which includes terms for the evaluation of development opportunities on and for the purchase of certain property owned by Hopewell, and which now includes that identified by the following parcel numbers: 2990005 (the "Upper Copeland Site"), 2990010 (the "Lower Copeland Site"), 0110806 (old community building site), 0800922 (old library site), 0800930 (adjacent lot fronting Hopewell Street) and 0800935 (adjacent lot on corner of Appomattox and Hopewell Streets) (parcels 0800922, 0800930, and 0800935 are referred to collectively as the "Gravel Lot," and all of the foregoing parcels are referred to as the "Property"). The parcels and boundaries for the Property are outlined in the attached Exhibit A.

The Developer took assignment of Bowman's rights under the LOI.

The Developer has submitted and received Planning Commission approval of a Planned Unit Development rezoning application for improvements located on parcels 2990005, 2990010, & 0110806 (the "Project").

The real estate appraisal required by the LOI established a per acre value for the Property of \$69,962.92, which the parties have agreed to use as the land value for the parcels when conveyed in accordance with this Agreement.

The Developer desires to purchase and Hopewell desires to sell the Upper Copeland Site and the Lower Copeland Site (collectively, the "Copeland Property"), except for PID #TBD, defined below. The acreage and appraised value of the parcels is outlined in the table below:

Parcel	Acreage	Value
2990005 (Upper Copeland Site)	3.600	251,866.51
2990010 (Lower Copeland Site)	2.492	174,347.60
Less PID# TBD (Appomattox Street commercial site)	(0.50 +/-)	(34,981.46)
Total	5.592	391,232.65

The Developer desires and Hopewell agrees to put in place purchase option agreements related to the future purchase of the following parcels: the easternmost approximate one-half acre adjacent to the cemetery and Appomattox Street (parcel identification number to be determined, "PID# TBD"), 0110806, and the Gravel Lot substantially in the form of purchase option agreement that is attached as Exhibit B hereto (the "Option Agreement"). The acreage and appraised value of the parcels subject to the Option Agreement is outlined in the table below:

Parcel	Acreage	Value
0110806 (old community building site)	0.518	36,240.79
0800922, 0800930, 0800935 (Gravel Lot)	1.48	103,545.12
Plus PID# TBD (Appomattox Street commercial site)	0.50 +/-	34,981.46
<b>Total</b>	<b>2.498</b>	<b>174,767.37</b>

The Developer and Hopewell desire to use this Agreement to document certain other requirements and agreements of the Parties related to the Project.

### AGREEMENT

Now therefore in consideration of the Property, the mutual benefits to the Parties, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Conveyance. Hopewell shall convey the Copeland Property to Developer, by General Warranty Deed, for the sum of Three Hundred Ninety-One Thousand Two Hundred Thirty-Two and 65/100 Dollars (\$391,232.65), using a purchase agreement substantially in the form of purchase agreement attached as Exhibit C hereto (the "Purchase Agreement"), which form of purchase agreement will be modified prior to execution to address potential post-conveyance issues such as reversion to the City as set forth in paragraph 4 below.

2. Closing. Closing on the Copeland Property shall occur on or before March 9, 2019 (the "Closing Date").

3. Phasing of development. Using reference to the master plan attached as Exhibit D hereto, the Project is to be built in the following phases:

Phase	Improvements Planned	Notes
1	Buildings G-1 & G-2, Plaza, Promenade, and storm water management features required for the development on the Green Space, and discovery by Developer	To be completed within 2.5 years of the Initial Construction Date, defined below. Hopewell must approve prior to construction the

	of the historic amphitheater	cost of all improvements on land that is to be repurchased pursuant to paragraph 8 below.
2	Building F	Subject to adequate absorption of previous phase.
3	Building J, to be merged with Building H, as high on the hill as practicable, if Developer purchases that adjoining property	Subject to adequate absorption of previous phase, and parking proffers by Developer to be approved by Hopewell's development director.
4	Amphitheater	Scope to be determined by Hopewell after discovery by Developer (discovery efforts will be at no cost to Hopewell) in area of old amphitheater. Upon mutual agreement of the Parties related to scope and costs, this feature can be built as soon as practicable following Phase 1 completion subject to construction feasibility and timing of the remaining phases.
5	Buildings E and I	May be built out of sequence.

4. Development Timing. Developer shall begin construction of Phase 1 of the Project by February 28, 2020 (the "Initial Construction Date"). If Developer fails to complete Phase 1 within two and a half years of the Initial Construction Date or is failing to make ongoing progress, as determined by Hopewell in its reasonable discretion, towards completion of Phase 1, then the Copeland Property will revert to Hopewell at a cost to Hopewell equal to the higher of the purchase price or the assessed value of the land plus the actual cost of improvements made to that portion of the Property and actually paid by Developer as of the time of reversion, provided that the costs of such improvements were within a budget which the City had approved in writing or are otherwise agreed to by the City (the "Reversion Price"). At the time of reversion, Developer hereby agrees that it will execute forthwith all documents necessary for such reversion and re-conveyance to Hopewell upon payment of the Reversion Price, net of any amounts necessary to convey the reverting property free and clear of all deeds of trust, and of other liens and other encumbrances objectionable to Hopewell at that time. The other phases of the Project will be fully completed within seven (7) years of the Initial Construction Date (the "Phase 1 Opening Date"). If it exercises an option, Developer must timely complete the planned improvement. If Developer fails to timely complete the improvement or is failing to make ongoing progress, as determined by Hopewell in its reasonable discretion, towards completion of the planned improvements, then the portion of the Property on which the improvement was to be constructed will revert to Hopewell at the Reversion Price (as

calculated for that portion of the Property). At the time of reversion, Developer hereby agrees that it will execute forthwith all documents necessary for such reversion and re-conveyance to Hopewell upon payment of the Reversion Price, net of any amounts necessary to convey the reverting property free and clear of all deeds of trust, and of other liens and other encumbrances objectionable to Hopewell at that time. The "portion of the Property" to be re-conveyed means the entire parcel or parcels that were subject to the option agreement on which the improvement was to be constructed, not just the footprint of the planned improvement. Notwithstanding, in the event Hopewell determines that Developer is failing to make ongoing progress pursuant to this paragraph, Hopewell shall give Developer written notice and Developer shall have 30-days to cure. The provisions of this paragraph, and any other provisions of this Agreement that address post-closing issues, will survive all closings on any properties. Any deed from the City will include the terms, conditions, and other provisions set forth in this paragraph and anywhere else in this Agreement as to reversion of the property to the City.

5. Permits and Development Fees. Hopewell will waive the following related to the Project: rezoning application fees, permit fees (building, plumbing, electrical, and mechanical), all utility tap fees, and wastewater connection fee (if and as permitted under requirements pertaining to Hopewell Water Renewal).

6. Utility Hookups. At no charge to Developer, Hopewell will bring all city-controlled utilities to within 5 feet of each parcel on which Developer is actively constructing improvements. The utilities supplied will be adequate to accommodate the Project.

7. Property Taxes. From the Closing Date until the Phase 1 Opening Date, Developer will pay real estate taxes to Hopewell based on the value of the land when it was purchased plus an annual escalation based on the lesser of the Consumer Price Index or five percent per year. Effective on the Phase 1 Opening Date, Developer will begin paying real estate taxes to Hopewell based on the then-assessed value of the land plus any increase in total assessed value resulting from improvements constructed on the Project site. Any increase in assessed value resulting in taxes greater than those calculated under the initial sentence of this paragraph will be rebated each year, for a period of 10 years, as with the rolling rebate incentives offered in Hopewell's Enterprise Zone for existing construction: 100 percent rebate for year one, 90 percent rebate for year two, 80 percent rebate for year three, and continuing in such 10-percent increments until year 10, when full taxation on the land and all improvements will begin.

8. Development and Resale of Proposed Public Features. Prior to the Phase 1 Opening Date, Developer will construct the following features as illustrated on the master plan attached as Exhibit D, and as shall be agreed upon by Hopewell, for the ultimate benefit of the Parties: Plaza, Promenade, Amphitheater, Green Space/Lower Park (the old school athletic field). As soon as practical following completion of construction of each feature, Hopewell will repurchase the feature(s) from Developer based on the following sale price methodology: Developer's pro-rata (based on acreage) land purchase costs plus Developer's cost of improvements, provided that the costs of such improvements were

within a budget which the City had approved in writing or are otherwise agreed to by the City. Notwithstanding the previous sentence, Hopewell will not pay any of Developer's costs related to improvements of the Green Space/Lower Park, which improvements are necessary for stormwater management; however, Hopewell will assume the ownership and management of the stormwater features upon repurchase. In the event Hopewell repurchases any of the Property pursuant to the reversion provisions of this Agreement, including paragraph 4, Hopewell will be credited for any prior payment of Developer's land purchase costs, so that Developer is reimbursed only once for such costs.

9. Easements and Deed Restrictions. Hopewell will grant Developer a perpetual easement to allow access to the improvements from City Park for the purposes of construction and maintenance. The public features will be covered by deed restrictions reasonable to establish and maintain peaceful enjoyment of the residences of the Project (for example: noise ordinances covering after hour activities, maintenance and upkeep, and restrictions on future improvements).

10. Parking. Residences of the Project shall have the shared use of the Gravel Lot, other Hopewell owned surface lots, and any publicly available street parking.

11. Insurance.

a. Performance by Developer and General Contractor. The Developer and any general contractor for the Project shall maintain during construction, a builder's risk insurance policy in an amount and underwritten by sureties and insurance companies acceptable to Hopewell. Developer shall be the obligee and the insured on the policy.

b. Liability. During the period of design and construction, Developer shall maintain non-cancellable comprehensive general liability insurance, from insurers reasonably acceptable to Hopewell, insuring Hopewell and Developer against any and all liability for injury to or death of persons and for damage to property arising out of the activities of Developer or Hopewell and their respective agents in connection with the design and construction of the Project, in the amount of five million Dollars (\$5,000,000.00). Each policy shall contain a clause whereby the insurer waives all rights of subrogation against Hopewell. Developer shall deliver to Hopewell policies or certificates of insurance, and all renewals thereof, evidencing such coverage before Hopewell will issue any building permits for the Project and otherwise permit the Project to continue.

12. Indemnification. Developer shall be in exclusive control of the Project, and shall indemnify and hold harmless Hopewell and its agents from all claims and damages arising from the Project and the Property unless caused solely by the negligence or intentional misconduct of Hopewell or its agents.

13. Equal Opportunity Employer. Developer and its contractors and other agents are Equal Opportunity Employers as required by law.

14. Termination. Each of the following shall constitute an Event of Termination of this Agreement:

a. Breach. Breach of any material covenant, obligation, or other requirement of a Party under this Agreement, and the continuation of the breach for thirty (30) days after written notice from the other Party specifying the breach, or, if the breach cannot reasonably be cured within the thirty (30) day period, the failure of the party to commence to cure the breach within the thirty (30) day period and to diligently pursue a cure to completion.

b. Bankruptcy. The filing by Developer of a voluntary proceeding or the consent by Developer to an involuntary proceeding under present or future bankruptcy, insolvency, or other laws respecting debtor's rights.

Upon an Event of Termination, a Party may, by written notice to the other Party, terminate this Agreement. In addition to or in lieu of termination, a Party may exercise any remedies available to it at law or in equity, including specific performance.

15. Notice. A notice under this Agreement shall be sufficient and deemed to be delivered (a) three (3) days after being sent by certified mail, postage prepaid, return receipt requested, (b) the next business day if sent by nationally-recognized overnight-delivery service (next business day service), or (c) upon receipt after being sent by hand delivery (if receipt is evidenced by a signature of the addressee or authorized agent), and addressed to the applicable Party as follows:

If to Developer: Charles R. Bowman  
Member  
Francisco Landing Holdings LLC  
3715 Belt Boulevard  
Richmond, VA 23234  
Email: [chipbowman@webowman.com](mailto:chipbowman@webowman.com)

With a copy to: S. Spencer Katona  
Spotts Fain PC  
411 E. Franklin Street, Suite 600  
Richmond, VA 23219  
Email: [skatona@spottsfain.com](mailto:skatona@spottsfain.com)

If to Hopewell: Charles E. Dane  
Assistant City manager  
City of Hopewell, Virginia  
300 North Main Street, Suite 216  
Hopewell, VA 23860  
Email: [cdane@hopewellva.gov](mailto:cdane@hopewellva.gov)



With a copy to: Stefan M. Calos, Esquire  
Sands Anderson PC  
P.O. Box 1998  
Richmond, VA 23218-1998  
Email: [scalos@sandsanderson.com](mailto:scalos@sandsanderson.com)

Either Party or other recipient may change its address for notice purposes by giving notice thereof to the others.

16. Miscellaneous. This Agreement (a) may be executed in counterparts, whether facsimile, electronic signature, PDF or original, each of which shall be deemed an original, (b) does not create a joint venture or other agency relationship between the Parties, (c) may not be assigned without the prior written approval of the other Party, (d) may be modified only by written instrument executed by the Parties, and (e) shall be governed by the laws of the Commonwealth of Virginia. Any lawsuit, action, or proceeding arising under this Agreement shall be brought exclusively in a court located in the City of Hopewell, Virginia.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

**SIGNATURE PAGE FOLLOWS**

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Development Agreement  
Execution Page

THE CITY OF HOPEWELL

By: [Signature]  
John M. Altman, Jr.  
City Manager

COMMONWEALTH OF VIRGINIA  
CITY OF Hopewell

The foregoing was acknowledged before me this 6th day of December, 2018, by John M. Altman, Jr., City Manager of and on behalf of the City of Hopewell.

[Signature]  
Notary Public  
My Commission Expires: 12/31/2019  
Registration # 203979

DEBRA W. PERSHING  
NOTARY PUBLIC  
REG. #203979  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES DEC. 31, 2019

FRANCISCO LANDING HOLDINGS LLC

By: [Signature]  
Charles R. Bowman  
Member

COMMONWEALTH OF VIRGINIA  
CITY OF Hopewell

The foregoing was acknowledged before me this 6th day of December, 2018, by Charles R. Bowman, Member of and on behalf of Francisco Landing Holdings LLC.

[Signature]  
Notary Public  
My Commission Expires: 12/31/2019  
Registration # 203979

DEBRA W. PERSHING  
NOTARY PUBLIC  
REG. #203979  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES DEC. 31, 2019

**EXHIBIT "A"**

Description of Real Estate

Property situated in the City of Hopewell, Virginia, and identified as parcel numbers 2990005, 2990010, 0110806, 0800922, 0800930, and 0800935.

EXHIBIT B

**OPTION AGREEMENT**

This option agreement (this "Option Agreement"), effective the 27th day of November, 2018 (the "Effective Date"), by and between Francisco Landing Holdings LLC, a Virginia limited liability company (the "Grantee") and the City of Hopewell (the "Grantor"), a Virginia municipal corporation.

WHEREAS, Grantor and Grantee are parties to that certain Development Agreement dated November 27, 2018 (the "Development Agreement"). Words not otherwise defined in this Option Agreement shall have the meaning given to them in the Development Agreement;

WHEREAS, the parties wish to enter into this Agreement for the potential sale and purchase of certain real property;

WHEREAS, this Agreement shall be in effect from the Effective Date through and including the seventh (7<sup>th</sup>) anniversary of the Effective Date (the "Option Period"), and as may be extended as set forth herein;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor and the Grantee covenant and agree as follows:

1. **Option.** For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor, the Grantor hereby grants and conveys to the Grantee, its successors and assigns, the exclusive right, privilege, and option to purchase certain real property (the "Option") owned by the Grantor, including all improvements thereto and appurtenances thereunto, belonging, located, and being in the City of Hopewell, Virginia, bearing parcel identification number 0110806, 0800922, 0800930, 0800935 & PID# TBD (the "Property" or "Properties").
2. **Option Extension.** The Option Period will automatically extend by three years upon the completion of construction of no less than two residential buildings on the Copeland Property pursuant to the Planned Unit Development dated June 22, 2018 (the "PUD") (the "Auto Extension"). The Option Period and any extension thereof may be extended at any time prior to their termination, upon written agreement of the Grantor and Grantee (together with the Auto Extension, the "Extension").
3. **Property Purchase Price.** The Purchase Price for the Property upon the exercise of the Option is \$174,767.37. The exercise of the Option on the Property may occur by parcel ID with the purchase price pro-rated based on the acreage of each parcel as related to the total acreage of the Property.

4. **Closing.** Closing shall occur as soon after the exercise of the Option as documents can be prepared and any defects reported by the title examiner are corrected to the Grantee's satisfaction. Closing shall occur at the offices of Grantee's attorney (or such other place as may be agreed upon by the parties, or if possible by means of wire, courier and other agreeable means of communication). At Closing, the Grantor shall deliver to the Grantee a General Warranty Deed or General Warranty Deeds, with English Covenants of Title, and the Grantee shall deliver the Purchase Price to the closing agent to be held in escrow and paid to the Grantor upon recordation of the deed.
5. **Use and Possession of Property.** The Grantor shall have the right to use and, subject to this Agreement, lease to others the Property for any lawful purpose prior to exercise of the Option and Closing. The Grantor hereby warrants and covenants that no leases or other encumbrances affecting the Property exist which (i) will survive Closing or (ii) cannot be terminated by the Grantor upon 30-days' notice. The Grantor further warrants and covenants that the Grantor will not enter into any leases or other such agreements without the written consent of the Grantee. Possession of the Property shall be given to the Grantee at Closing. The parties agree, however, that any leaseholder or tenant in possession of any portion of the Property at the time of Closing shall have 30 days from the date of Closing to enter into a lease with the new owner of the Property. In the event that no such lease is entered into, the Grantor hereby warrants and covenants that, immediately upon expiration of the 30-day period, the Grantee shall also have possession of the Property. The Grantor shall not initiate during the Option Period and any extension thereof any development of the Property or any proceeding to change the zoning category of the Property without the Grantee's written consent. In addition, the Grantor shall not encumber or sell, convey, or enter into a contract for the sale or conveyance of the Property to any party other than the Grantee, without providing written notice to the Grantee and an opportunity to exercise the Option or the right of first refusal provided for hereafter. The warranties and covenants in this paragraph shall survive Closing.
6. **Duty to Maintain Property.** The Grantor shall maintain the Property in a condition that meets or exceeds the condition of the Property on the Effective Date.
7. **Title to Property.** The Grantor agrees that the conveyance of the Property to the Grantee or its successors or assigns shall be of good and marketable title and free and clear of all liens and other encumbrances. The Grantor warrants that the Grantor is the only owner of the Property and has the full power and authority to enter into this Agreement, to

perform the Grantor's obligations hereunder, and to convey the Property to the Grantee.

8. **No Brokers.** The parties represent and warrant that no real estate broker, Realtor, or other agent is or has been involved in this Agreement or in the procurement of the Option, and any commission or other fees or costs shall be the responsibility of the party that employed the person or entity claiming the commission or other fees or costs.
9. **Closing Costs.** The Grantor shall pay the cost of preparation of the deed and the Grantor's tax on recording the deed, if any. Real estate taxes and rental income, if any, shall be prorated between the Grantor and the Grantee as of the date of Closing. Each party shall pay its own attorneys' fees and costs.
10. **Recording of a Memo of Option in the Property Records.** Grantor hereby grants Grantee the right to record of memo of option in the public records of the Properties, evidencing that the Properties are subject to this Agreement.
11. **Liability.** All risk of loss and liability related to the Property shall be borne by the Grantor until Closing and possession of the Property by the Grantee.
12. **Binding Effect.** Notwithstanding any sale or other conveyance of the Property to any person or entity other than the Grantee, this Agreement, including the Option and the right of first refusal, shall remain in full force and effect, and shall be binding upon any subsequent owner of the Property.
13. **Notices.** Any notice under this Agreement shall be given in writing delivered either in person, by overnight courier service, or by certified mail, postage prepaid and return receipt requested, to the parties as follows:

TO THE GRANTEE:

Charles R. Bowman  
Member  
Francisco Landing Holdings LLC  
3715 Belt Boulevard  
Richmond, VA 23234  
Email: [chipbowman@webowman.com](mailto:chipbowman@webowman.com)

WITH A COPY TO:

S. Spencer Katona  
Spotts Fain PC  
411 E. Franklin Street, Suite 600  
Richmond, VA 23219

Email: [skatona@spottsfain.com](mailto:skatona@spottsfain.com)

TO THE GRANTOR:

Charles E. Dane  
Assistant City manager  
City of Hopewell, Virginia  
300 North Main Street, Suite 216  
Hopewell, VA 23860  
Email: [cdane@hopewellva.gov](mailto:cdane@hopewellva.gov)

WITH A COPY TO:

Stefan M. Calos, Esquire  
Sands Anderson PC  
P.O. Box 1998  
Richmond, VA 23218-1998  
Email: [scalos@sandsanderson.com](mailto:scalos@sandsanderson.com)

Notice given as required above shall be effective immediately if personally delivered, one business day after being deposited with an overnight courier service, and three days after mailing if mailed by certified mail.

14. **Right to Enter.** During the Option Period and any extension thereof, following reasonable notice to the Grantor and subject to the rights of any tenants, the Grantee and its employees, contractors, servants, representatives, and other agents shall have the right to enter upon the Property to have appraisals performed and to perform any environmental assessments, soil analysis, surveys, or other analyses, inspections, or studies which the Grantee desires to perform.
15. **Entire Agreement.** This Agreement contains the entire agreement between the parties and may not be modified or amended except in writing executed by both parties. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, executors, successors, and assigns.
16. **Assignability.** This Agreement and the Grantee's rights hereunder, including without limitation its right to exercise the Option and purchase the Property, may not be assigned by the Grantee without the express written consent of the Grantor.
17. **Miscellaneous.** This Agreement (a) may be executed in counterparts, whether facsimile, electronic signature, PDF or original, each of which shall be deemed an original, (b) does not create a joint venture or other agency relationship between the parties, (c) may not be assigned without the prior written approval of the other party, (d) may be modified only by written instrument executed by the parties, and shall be governed by the laws of the Commonwealth of Virginia. Any lawsuit, action, or proceeding arising under this Agreement shall be brought exclusively in a court located in the City of Hopewell, Virginia.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

**SIGNATURE PAGES FOLLOW**

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**OPTION AGREEMENT  
CITY OF HOPEWELL  
FRANCISCO LANDING HOLDINGS LLC  
Grantees' Execution Page**

**GRANTEE:**

**FRANCISCO LANDING HOLDINGS LLC**

By: \_\_\_\_\_  
Charles R. Bowman  
Member

COMMONWEALTH OF VIRGINIA  
CITY OF \_\_\_\_\_

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018, by  
Charles R. Bowman, Member of and on behalf of Francisco Landing Holdings LLC.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_  
Registration # \_\_\_\_\_

**OPTION AGREEMENT  
CITY OF HOPEWELL  
FRANCISCO LANDING HOLDINGS LLC  
Grantor's Execution Page**

**GRANTOR:**

**THE CITY OF HOPEWELL**

By: \_\_\_\_\_  
John M. Altman, Jr.  
City Manager

COMMONWEALTH OF VIRGINIA  
CITY OF \_\_\_\_\_

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018, by  
John M. Altman, Jr., City Manager of and on behalf of the City of Hopewell.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_  
Registration # \_\_\_\_\_

EXHIBIT C

**AGREEMENT OF SALE AND PURCHASE**

**THIS AGREEMENT OF SALE AND PURCHASE** (this “**Agreement**”) made this 27th day of November, 2018 (the “**Effective Date**”) by and between **FRANCISCO LANDING HOLDINGS LLC**, a Virginia Limited Liability Corporation (“**Purchaser**”), and the **CITY OF HOPEWELL, VIRGINIA**, a Virginia municipal corporation (“**Seller**”).

**RECITALS**

**WHEREAS**, Seller and Purchaser are party to that certain Letter of Intent dated July 10, 2017 for Purchase and Sale of Parcels including parcels known by the following Parcel ID #: 2990005 (upper Copeland site), 2990010 (lower Copeland site) (the “**LOI**”); and

**WHEREAS**, the Seller and Purchaser representatives worked together during the Inspection Period (as defined in the LOI) to further refine and adjust the boundaries of the proposed development site as a result of findings from the inspection period activities called for in the LOI; and

**WHEREAS**, the resulting final development site subject to sale and purchase pursuant to this Agreement is approximately 5.592 acres (the “**Real Estate**”); and

**WHEREAS**, the Seller is the fee simple owner of the Real Estate; and

**WHEREAS**, the Purchaser obtained an appraisal of the Real Estate dated December 28, 2017 pursuant to terms of the LOI that established the Purchase Price for the Real Estate at \$391,232.65; and

**WHEREAS**, the Seller and Purchaser have performed all of the obligations required by the LOI and other development activities required by the Seller and now desire to consummate the Sale of the Property (as hereinafter defined) on the terms and conditions set forth herein; and

**NOW, THEREFORE**, for and in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Agreement to Sell and Purchase. Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, subject to the terms and conditions of this Agreement, the Real Estate, together with the following, to the extent owned by Seller (collectively, the “**Property**”): all buildings, improvements, structures, easements, rights of way, privileges, appurtenances, and rights to the same belonging to and inuring to the benefit of the Real Estate.

2. Purchase Price. The purchase price for the Property is Three Hundred Ninety-One Thousand Two Hundred Thirty-Two and 65/100 Dollars (\$391,232.65) (“**Purchase Price**”). The Purchase Price shall be paid by Purchaser at Closing by wire transfer of immediately available funds to an account designated by Seller.

3. Closing. Closing shall take place on March 9, 2019 (“**Closing**” or the “**Closing Date**”), or sooner if mutually agreed to by the parties. Closing shall be made at a mutually acceptable time at the offices of Purchaser’s attorney (or such other place as may be agreed upon by the parties, or if possible by means of wire, courier and other agreeable means of communication).

4. Condition of Title.

a. At Closing, title to the Property shall be good and marketable fee simple and free and clear of all liens and encumbrances and shall be insurable by the Title Company (as defined below) at standard promulgated rates. Any liens and encumbrances of a certain and ascertainable amount up to the Purchase Price not cleared of record prior to Closing shall be paid or escrowed from Seller’s proceeds by the Title Company at Closing.

b. In the event Seller is unable to give good and marketable title, such as will be insured by Title Company at the standard promulgated rates, as specified in Section 4(a) above, Purchaser will have the option of: (i) taking such title as Seller can give, with no change to the Purchase Price or (ii) terminating this Agreement, and upon such termination, this Agreement shall be null and void and of no further force or effect and neither party shall have any further liability or obligation under this Agreement.

5. Due Diligence Period.

a. Following the Effective Date, the Seller will deliver to Purchaser all documents in Seller’s possession or control related to the Property that have not been previously delivered (if any), including but not limited to all notices of violation of any federal, state, or municipal law or ordinance, tax bills for the current year, title policies, title exceptions and any evidence of title, plans, specifications, soil reports, appraisals, maps, surveys, site plans, any environmental reports, any wetlands reports, engineering plans and reports, utility company reports, architectural plans, structural plans and related reports, permits, governmental notices regarding the Property, disclosure or notice of any pending litigation affecting the Property, proffers and zoning conditions, copies of insurance policies (including flood insurance), and any other documents that may assist Purchaser in its due diligence inspections of the Property (collectively, the “**Due Diligence Materials**”). If any of the Due Diligence Materials do not exist or are not in Seller’s possession or control, Seller shall certify same to Buyer in writing within ten (10) business days after the Effective Date. Purchaser may also review any books, files and records applicable to the Property in Seller’s possession and control during normal business hours at the Seller’s offices.

b. Purchaser shall have from the Effective Date until December 31, 2018 (the "**Due Diligence Period**") to conduct all such due diligence inspections, investigations, appraisals, searches of, and examinations at, on and for, the Property as Purchaser, in its sole discretion desires, including without limitation, environmental testing, physical surveys, title examinations, appraisals, zoning and permitting review, site evaluations, soils and geotechnical testing, drainage, access, parking, and other utility studies. In the event a Phase I environmental assessment obtained by Purchaser during the Due Diligence Period recommends that a Phase II environmental assessment be conducted on the Property, the Purchaser shall have the right to conduct same. Purchaser, its employees and agents shall have the right to go upon the Property from time to time for the purpose of performing such investigations and inspections. Purchaser shall repair any damage to the Property caused by Purchaser's investigations.

c. During the Due Diligence Period, Purchaser shall obtain a commitment for the issuance of title insurance (the "**Title Commitment**"), issued by a title insurance company acceptable to Purchaser (the "**Title Company**"). The Title Commitment shall describe the Property, list Purchaser as the prospective named insured, show as the policy amount the Purchase Price, contain the commitment of the Title Company to insure Purchaser's fee simple interest in the Property on the Closing, have a date subsequent to the Effective Date, and show that title to the Property is good and marketable and insurable, subject only to title exceptions that do not materially and adversely affect the Purchaser's intended use of the Property (the "**Permitted Exceptions**").

d. During the Due Diligence Period, Purchaser shall have the right to obtain an ALTA/NSPS survey of the Property (the "**Survey**") by a surveyor licensed in the Commonwealth of Virginia, together with a surveyor's report and certificate which shall confirm that there are no encroachments of buildings or improvements onto adjacent property, streets, rights of way, or easements and no encroachments on the Property of buildings or improvements from adjoining property.

e. During the Due Diligence Period, Seller shall apply for any necessary change to the zoning for the Property (to include adjacent parcels that are part of the Purchaser's proposed development site that are not owned by the Seller or part of the Property) to allow mix of use and any other changes necessary to permit the construction of the project as currently contemplated by Purchaser without needing to obtain any special or conditional use permits or zoning variances to pursue construction of the project.

f. Prior to the expiration date of the Due Diligence Period (the "**Due Diligence Expiration Date**"), Purchaser shall, by written notice to Seller, (a) accept or waive any objections to its reviews and inspections, in which event the parties shall proceed to Closing in accordance with the terms of this Agreement (such notice, a "**Continuation Notice**"), or (b) advise Seller in writing of its objections, and request that Seller remedy such objections prior to the Closing Date

(an "**Objection Notice**"). Failure by Purchaser to give an Objection Notice by the expiration of the Due Diligence Period shall be considered to constitute Purchaser's election to proceed to Closing and the parties shall proceed as if a Continuation Notice had been timely given. In the event the Purchaser gives an Objection Notice, Seller shall, by written notice to Purchaser within five (5) days following receipt of the Objection Notice, elect to remedy at Seller's cost all, some or none of Purchaser's objections described in the Objection Notice ("**Seller's Election Notice**"). Within five (5) days following receipt of Seller's Election Notice, Purchaser shall give to Seller a Continuation Notice. If Seller elects to remedy any of Purchaser's objections, then Seller shall use reasonable diligence in doing so. In the event that Seller is unable to remedy all of Purchaser's objections, as provided in the Seller's Election Notice, to Purchaser's reasonable satisfaction, prior to Closing, Purchaser may elect to proceed to Closing or terminate this Agreement and each party shall be relieved of all obligations hereunder as otherwise expressly set forth herein.

g. In the event that the Property is not suitable for the project, then Purchaser may on or before the end of the Due Diligence Period, terminate this Agreement, and neither party shall have any further liability hereunder, except as specifically set forth herein.

6. Representations and Warranties. Seller represents and warrants to Purchaser that as of the date of the execution of this Agreement and as of the Closing Date:

a. To the best of Seller's knowledge: (1) no part of the Property is subject to any building or use restrictions, public or private, which restrict or prevent the present use of the Property; (2) the Property is properly and duly zoned for its current use, and Seller is possessed of all licenses and permits necessary to operate the Property and all businesses located therein which licenses are transferable to Purchaser without limitation, restriction or cost, and there are no other rights, licenses, or authorities of any kind necessary to its current use; (3) there are no violations of any rule, regulation, code, resolution, ordinance, statute or law of any government, governmental agency or Insurance Board of Underwriters involving the use, maintenance, operation or condition of the Property or any of the improvements or personal property located thereon; (4) there is no outstanding notice or order of any governmental authority having jurisdiction over the Property not fully and duly complied with, affecting the use or operation of any part of the Property or requiring as of the date of this Agreement or as of a specified date in the future, any repairs, alterations, additions or improvements thereto; (5) there are no condemnation or eminent domain proceedings pending or contemplated against the Property, or any part thereof, and the Seller has received no notice, oral or written, of the desire of any public authority or other entity to take or use the Property or any part thereof; and (6) all roadways upon the Property connect to adjacent public streets or to private streets created by valid public or private easements.

b. To the best of Seller's knowledge, no underground storage tanks, asbestos containing materials, items or equipment containing polychlorinated

biphenyls (PCBs) in excess of fifty (50) parts per million, accumulation of tires, batteries, mining spoil, dry cleaning solutions or solvents, or other hazardous substances (as defined by any federal, state and local law) ("**Hazardous Substances**") are present on the Property. To the best of Seller's knowledge: (1) there has been no release, discharge or treatment of any Hazardous Substances on the Property; (2) there has been no storage, generation, or disposal of any hazardous waste (as defined by federal, state and local law) or dangerous waste on the Property; (3) no petroleum products have been spilled or leached upon in the Property; (4) no radon gas has been detected at the Property; (5) the Property has not been the subject of any federal, state or local governmental action or third party claim because of the release, threat of release, discharge, storage, treatment, generation, emission or disposal of any substance on, in or from the Property.

c. Seller has not entered into any contracts, leases, subcontracts or agreements affecting the Property which will be binding upon Purchaser after the Closing. Seller will not enter into any contracts, leases, subcontracts or agreements affecting the Property after the Effective Date without the prior written consent of Purchaser.

d. There are no occupancy rights, leases, licenses, subleases, or tenancies affecting the Property.

e. Seller has the full and lawful unrestricted right and power to execute, deliver and perform its obligations under this Agreement and to complete all transactions contemplated hereunder. Seller has obtained all consents, approvals, and authorizations from all persons, entities, and governmental authorities required to enter into this Agreement and prior to Closing shall obtain all others required of Seller necessary to consummate the transactions contemplated hereby.

f. Neither Seller nor the Property is the subject of any insolvency or bankruptcy proceedings, nor the subject of any suit or proceeding at law or in equity or otherwise the result of which might affect Seller's ability to convey the Property, or which might impose a lien or encumbrance on the Property following the date hereof.

g. There are no rights, options, or other agreements of any kind to purchase or otherwise acquire or sell or otherwise dispose of any of the Property, or any interest therein, nor any claims to such rights, options, or other agreements

h. Seller is an independent city, duly organized, validly existing and in good standing under the laws of the Commonwealth of Virginia. No proceedings have been instituted or authorized for the purpose of revoking or terminating any governing agreement or certificate of formation of Seller; the execution and delivery of this Agreement and the compliance with the terms and conditions of this Agreement by the Seller will not, with or without the giving of

notice or passage of time, or both, violate, conflict with or result in the breach of any terms or provisions of, or require any notice, filing or consent under the governing documents of Seller; and the Seller's execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby will be duly authorized by Closing by the Seller, and no other action is required by law, Seller's governing documents, or otherwise, for such authorization. The person signing this Agreement on behalf of Seller has the authority to do so.

i. To the best of Seller's knowledge, there is no lien for environmental investigation or remediation, citizen's suit or other litigation, administrative order or proceeding, investigation or Closing that is in existence, proposed or anticipated, concerning any environmental matter related to the Property.

j. Seller is not a "foreign person" within the meaning of Section 1445 of the Internal Revenue Code of 1986, as amended.

Each of the representations and warranties of Seller set forth in this Section 6 shall be deemed to be made again on the Closing Date and shall survive Closing.

7. Documents at Closing. At Closing, the parties shall deliver to each other the following as applicable:

a. A general warranty deed duly executed by the Seller and acknowledged in form sufficient for recording, good and marketable fee simple title to the Property, free and clear of all liens, restrictions and encumbrances, other than the Permitted Exceptions, in a form approved by the Title Company.

b. A Bill of Sale and Assignment Agreement, with full covenants of title, duly executed by Seller and conveying to the Purchaser: (a) good and marketable title to all of the personal property owned by the Seller and located upon the Property; and (b) all trade names, trademarks, and logos used in connection with the operation of the Property.

c. Certificates of occupancy, licenses, permits and authorizations required by law and issued by governmental authorities and all bills for current real estate and personal property taxes and assessments, together with proof of payment if due and payable at time of Closing.

d. A customary owner's affidavit as to mechanic's liens and possession as required by the Title Company.

e. A certificate given under penalty of perjury and on a form approved under regulations promulgated under Section 1445 of the Internal Revenue Code of 1986, as amended, that Seller is not a foreign person.



f. A closing statement, duly executed by Seller and any funds required to be delivered by Seller thereunder.

g. A reaffirmation and certification of Seller's representations and warranties as of the Closing Date.

h. Instruments satisfactory to Purchaser's attorney and the Title Company reflecting the proper authority of Seller to consummate the transaction contemplated by this Agreement.

i. Such other documents, instruments (of conveyance or otherwise), affidavits or resolutions as reasonably requested by the Title Company.

8. Prorations and Closing Costs. Payment of all real estate taxes and the water and sewer assessments, if any, for the current year in which Closing takes place, assessed or imposed upon the Property, shall be apportioned as of midnight on the date of Closing. Seller and Purchaser shall each pay their portion as dictated by statute and custom of any applicable realty transfer taxes at Closing. Seller shall cause any and all public utilities serving the Property to issue final bills to Seller on the basis of readings made as of Closing and all such bills shall be paid by Seller.

9. Risk of Loss. Seller will bear the risk of loss from fire or other causes until time of Closing. If prior to closing the Property is damaged by fire or other casualty, in whole or in part, Seller shall give prompt notice thereof to Purchaser, and Purchaser shall have the right to terminate this Agreement and thereupon the parties shall be released and discharged from any further obligations to each other, other than any obligations that expressly survive termination. If Purchaser does not elect to so terminate this Agreement, the Closing shall proceed and the Seller shall credit Purchaser at Closing for the reasonable cost to complete the repair, in which case Seller shall retain all insurance proceeds and Purchaser shall assume full responsibility for all needed repairs, as the case may be, without any change in the Purchase Price.

10. Condemnation. Seller covenants and warrants that Seller has not received any notice of any condemnation proceeding or other proceeding in the nature of eminent domain in connection with the Property. If prior to Closing any such proceeding is commenced or proposed to be made then Seller agrees to notify Purchaser thereof. Purchaser then shall have the right, at Purchaser's option, to terminate this Agreement by giving written notice to Seller within five (5) business days after receipt of such notice. If Purchaser does not so terminate this Agreement, Purchaser shall proceed to Closing hereunder as if no such proceeding had commenced.

11. Remedies Upon Default.

a. Purchaser's Default. If Purchaser defaults under its obligations under this Agreement or fails to consummate Closing in accordance with the terms of this Agreement, this Agreement shall be null and void and of no further force or effect and neither party shall have any further liability or obligations under this Agreement.

b. Seller's Default. If Seller defaults under its obligations under this Agreement or fails to consummate Closing in accordance with the terms of this Agreement, Purchaser at its discretion may: (i) purchase the Property notwithstanding such default, in which event such default shall be deemed to be waived; (ii) terminate this Agreement and the parties shall have no further obligations hereunder, except as otherwise provided herein; or (iii) bring suit to compel specific performance of this Agreement.

c. Notice and opportunity to cure. Notwithstanding anything in this Agreement to the contrary, if either party defaults under the terms of this Agreement, the non-defaulting party must give written notice of the default to the defaulting party. If the defaulting party fails to cure such default to the reasonable satisfaction of the non-defaulting party within seven (7) business days, then the non-defaulting party may exercise its remedies as provided for in this Agreement and under applicable law.

12. Brokerage. Seller and Purchaser each represent and warrant to the other that, they have dealt with no real estate brokers or other intermediaries in connection with this transaction. Seller and Purchaser shall defend, indemnify and hold each other harmless from any cost or liability for any compensation, commission or charges claimed by any other brokers, realtors, finders or agents claiming by, through or on behalf of the respective indemnitor. This covenant shall survive any termination of this Agreement and shall survive Closing and the delivery of the general warranty deed at Closing.

13. Notices. All notices, requests and other communications under this Agreement shall be in writing and shall be delivered (i) in person, (ii) by recognized overnight delivery service providing positive tracking of items (for example, Federal Express), or (iii) by email provided a copy is sent concurrently by one of the methods described in (i) or (ii) above, addressed as follows or at such other address of which Seller or Buyer shall have given notice as herein provided:

To Seller:                      City of Hopewell, Virginia  
   100 East Broadway  
   Hopewell, VA 23860  
   Attn: Mr. Charles E. Dane, Assistant City Manager

To Purchaser:                  Francisco Landing Holdings LLC  
   3715 Belt Boulevard  
   Richmond, VA 23234  
   Attn: Chip Bowman, Member

or to any other address that any party provides pursuant to this section. Notice given as required above shall be effective immediately if personally delivered, one business day after being deposited with an overnight courier service, and three days after mailing if mailed by certified mail.

14. Integration; Binding Effect. This Agreement contains the whole agreement between Seller and Purchaser. This Agreement shall extend to and bind the successors and assigns of the respective parties hereto. This Agreement shall NOT be recorded in any jurisdiction or for any reason whatsoever.

15. Governing Law; Waiver of Jury Trial. The execution, interpretation and performance of this Agreement shall be governed, construed and enforced in accordance with the laws of the Commonwealth of Virginia. This Agreement shall be interpreted without regards to any presumption or rule requiring construction against the party who caused it to be drafted. **PURCHASER AND SELLER EACH HEREBY WAIVE TRIAL BY JURY IN ANY ACTION, PROCEEDING OR COUNTERCLAIM (WHETHER ARISING IN TORT OR CONTRACT) BROUGHT BY EITHER PARTY AGAINST THE OTHER ON ANY MATTER ARISING OUT OF OR IN ANY MANNER CONNECTED WITH THIS AGREEMENT.**

16. Severability. Each provision or paragraph of this Agreement is severable and the invalidity of any one or more of such provisions or paragraphs of this Agreement does not affect or limit the enforceability of the remaining provisions or paragraphs of this Agreement if a viable contract remains. In this regard, in the event that any provision of this Agreement becomes or is declared by a court of competent jurisdiction to be illegal, unenforceable or void, this Agreement shall continue in full force and effect without such provision if a viable contract remains.

17. Partial Exercise; Waiver. Neither the failure nor any delay on the part of either party to exercise any right, remedy, power, or privilege under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power, or privilege preclude any other or further exercise of the same or of any other right, remedy, power, or privilege, nor shall any waiver of any right, remedy, power, or privilege with respect to any occurrence be construed as a waiver of such right, remedy, power, or privilege with respect to any other occurrence. No waiver shall be effective unless it is in writing and is signed by the party asserted to have granted such waiver.

18. Counterparts and Facsimile / Electronic Email Signature. This Agreement may be executed in two or more counterparts (whether facsimile, electronic email signature or original), each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.

19. Governmental Notices; Reversion. Seller shall deliver to Purchaser, within five (5) days after the Effective Date, a certification from the appropriate Governmental department disclosing notices of any uncorrected violation of housing, building, zoning, safety, fire ordinances and/or any other violations. And whereas the parties hereto are also parties to that certain Development Agreement dated November 27, 2018, which mandates an Initial Construction Date (as that term and other capitalized terms herein are defined in the Development Agreement) of February 28, 2020, and provides for reversion to the City of Hopewell and establishes a Reversion Price if that deadline and others are not met, paragraph 4 (Development Timing) of the Development Agreement is hereby incorporated

by reference and made a part of this Agreement of Sale and Purchase as if fully set forth herein.

20. Assignment. Purchaser may not assign or transfer its rights and interest in this Agreement, without the express written consent of Seller.

21. Miscellaneous. This Agreement (a) may be executed in counterparts, (b) does not create a joint venture or other agency relationship between the parties, (c) may not be assigned without the prior written approval of the other party, (d) may be modified only by written instrument executed by the parties, and shall be governed by the laws of the Commonwealth of Virginia. Any lawsuit, action, or proceeding arising under this Agreement shall be brought exclusively in a court located in the City of Hopewell, Virginia.

**IN WITNESS WHEREOF**, the parties hereto have set their hands to this Agreement of Sale and Purchase as of the day and year first above written.

**PURCHASER:**

**FRANCISCO LANDING HOLDINGS LLC**  
a Virginia Limited Liability Corporation

By: \_\_\_\_\_

Name:

Title:

**SELLER:**





**CITY OF HOPEWELL, VIRGINIA**  
a Virginia municipal corporation

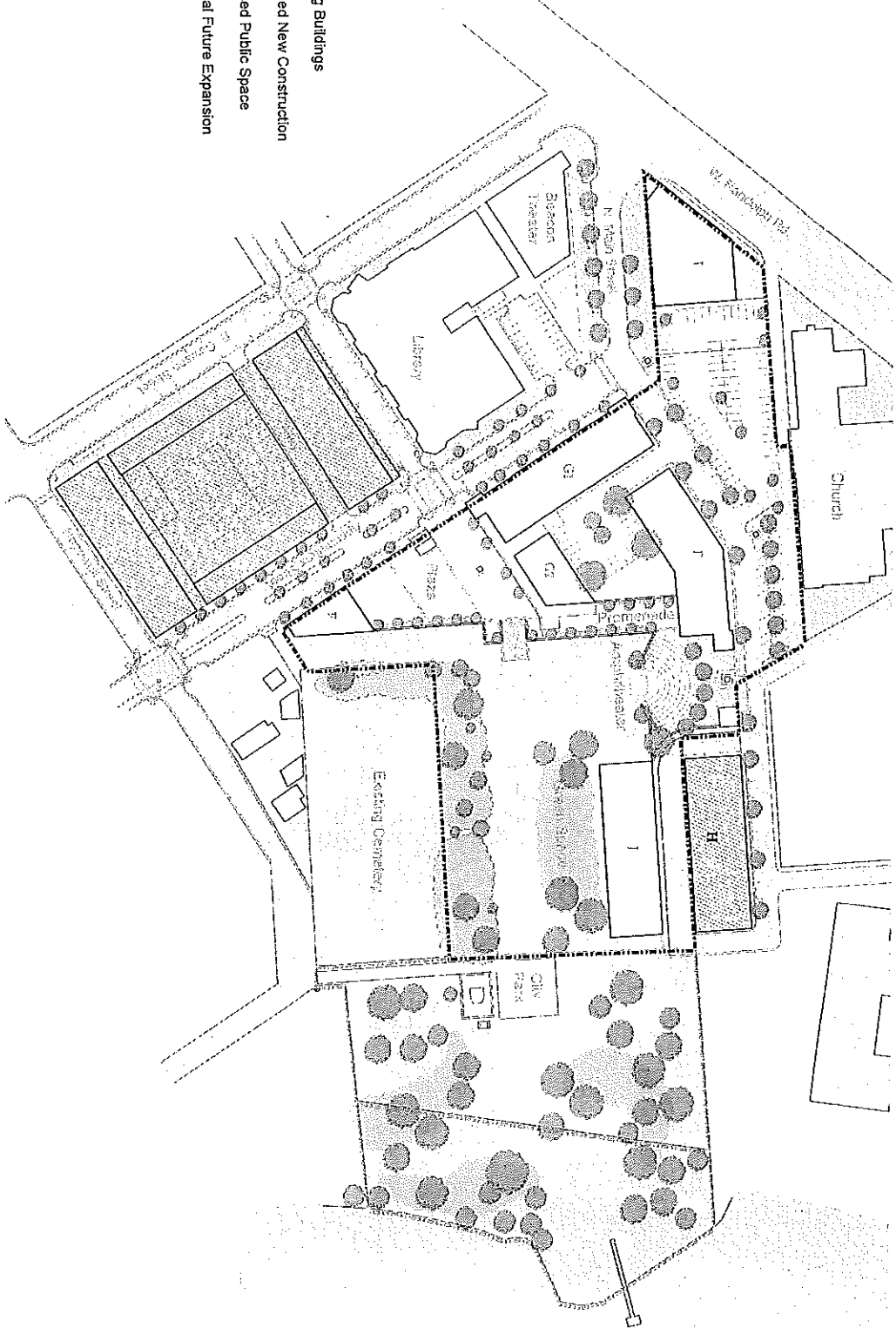
By: \_\_\_\_\_

Name:

Title:

*Exhibit D*

- Key**
-  Existing Buildings
  -  Proposed New Construction
  -  Proposed Public Space
  -  Potential Future Expansion



Master Plan  
06/22/2018

Francisco Landing  
W. E. Bowman Construction

**w.e.bowman**  
P R O P E R T I E S



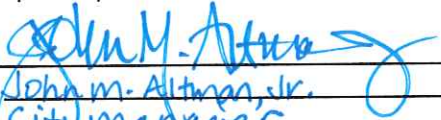
SELLER'S SETTLEMENT STATEMENT

Purchaser: Francisco Landing LLC  
Seller: City of Hopewell, Virginia  
Property: Appomattox St, Hopewell, VA - Parcels 2990005 and 2990010  
Closing Date: January 31, 2020  
Escrow Agent: Safe Harbor Title Company SHTC19-603

	DEBIT	CREDIT
Purchase Price		\$426,214.11
Balance Due to Seller	\$426,214.11	
	<hr/>	<hr/>
TOTAL:	\$426,214.11	\$426,214.11

Seller understands that the Escrow Agent has assembled this information representing the transaction from the best information available from sources and cannot guarantee the accuracy thereof. Any Real Estate Agent or lender involved may be furnished a copy of this Statement. The Undersigned hereby authorizes SAFE HARBOR TITLE COMPANY to make expenditures and disbursements as shown and approves same for payment. The Undersigned also acknowledges receipt of Funds, if any, in the amount shown above and a copy of this Statement.

City of Hopewell, Virginia  
a municipal corporation

By:   
Name: John M. Altman, Jr.  
Title: City Manager

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

**COUNCIL AGENDA ITEM TITLE:****DHR Historical Marker – Kippax Plantation Archaeological Site**

**ISSUE:** Application to place a historic highway marker to recognize the Kippax Plantation Archaeological Site and the graves of Jane Rolfe Bolling and Thomas Rolfe.

**RECOMMENDATION:** Staff recommends that City Council approve the request to submit the historical marker application and authorize the City Manager to sign the application.

**TIMING:** Action is requested at the March 17, 2020 Council meeting

**BACKGROUND:** The request is to approve the application for a historic highway marker to the Virginia Department of Historic Resources to recognize the Kippax Plantation Archaeological Site and the graves of Jane Rolfe Bolling and Thomas Rolfe. The Kippax Plantation Archaeological Site is listed on the National Register of Historic Places (116-5021). The site is best known for its colonial-period occupants, the Bolling and Bland families, and its connection to Jane Rolfe, the granddaughter of Pocahontas, who may be buried on the site. Archaeologists have found the remains of at least four colonial-period structures: a late 17th-century house; a late 17th- or early 18th-century slave quarter; an 18th-century brick house, and another 18th-century outbuilding. Thomas Rolfe, the son of Pocahontas and John Rolfe, Jane Rolfe Bolling, the daughter of Thomas and Jane Rolfe and the granddaughter of Pocahontas, are believed to be buried on the site.

**ENCLOSED DOCUMENTS:**

- Department of Historic Resources Historical Marker Application; Support Documentation

**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			



**STAFF:**

John M. Altman, Jr., City Manager

**FOR IN MEETING USE ONLY**

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

**Roll Call**

---

**SUMMARY:**

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

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

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

**COUNCIL AGENDA ITEM TITLE:**

Request to transfer funds

**ISSUE:** Each councilor is allotted a certain amount of funding. This funding is broken into categories (e.g., travel, lodging, ward improvement, communications, etc.). Council is allowed to use their funding as they see fit within the parameters of the fund. However, if a councilor wishes to use these funds outside of the allotted funding (i.e., use travel funds to pay for something other than travel), the councilor must seek permission from Council. Since I don't travel, I wish to use my travel, lodging, mileage funds, etc. for a curb and gutter project for Princess Anne, as well as to purchase a Blue Devils bank uniform for a needy child. I am asking Council's permission to transfer funds from these other sources into my ward improvement fund so that I can better assist my constituents.

**RECOMMENDATION:**

**TIMING:** March 31, 2020

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

- Ward Improvement Fund application
- List of Council funding

**STAFF:**

John B. Partin, Jr., Councilor, Ward 3

**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			

**FOR IN MEETING USE ONLY**

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

\_\_\_\_\_

**Roll Call**

---

**SUMMARY:**

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

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



# City of Hopewell, Virginia Ward Improvement Fund Funding Request Application

## FY19 Application

### Applicant Information

Full Name: Partin John B Date: 11 Feb 20  
Last First M.I.

Address: 207 Fairview Ave  
Street Address Apartment/Unit #

Hopewell VA 23860  
City State ZIP Code

Phone: 804-909-2492 Email: john.partin@hopewellva.gov

Ward: 3 Date Funds Needed: ASAP Funding Amount: \$ 6285.12

Have you ever worked for this city? YES  NO  If yes, when? \_\_\_\_\_

Do you have a relative that has worked for the city? YES  NO  If yes, when? \_\_\_\_\_

Have you ever been convicted of a felony? YES  NO

If yes, explain: \_\_\_\_\_

### Organization Information

Although the City Council receives many requests for donations that seem worthy of funding, the City Councilor(s) are only legally authorized to expend District Improvement Funds for requests that fall into one of the following five categories:

1. Public improvements to public land.
2. Purchase of property and equipment which the City will own.
3. Public events or programs sponsored by the City or by organizations to which the City has specific statutory authority to make donations.
4. Public school programs which the School Board has specific authority to support, or requests from Virginia public universities which the City is specifically authorized by law to fund.
5. Donations to organizations to which the City is specifically authorized to make donations by state statute.

Organization: Hopewell High School / Hopewell Public School System Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Mobile: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email: \_\_\_\_\_ W9 Attached: Yes:  No:

Website: \_\_\_\_\_ Facebook: \_\_\_\_\_

Twitter: \_\_\_\_\_ Instagram: \_\_\_\_\_

**Event Information**

Event Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Supervisor: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Event Purpose: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If approved, would you like the check presented at the event?      YES       NO

**Special Notes:**

\$6,000 Princess Anne Curb + Gutter Project - City Engineering

\$285.12 Hopewell High School Marching Blue Devils Band Uniforms

\*Please use the Communications & Marketing <sup>money</sup> ~~fund~~ first. Please leave \$1,000 in the ward improvement fund.

**Disclaimer and Signature**

I certify that my answers are true and complete to the best of my knowledge.

I understand that false or misleading information in my application or interview may result in my release.

Signature: \_\_\_\_\_ Date: 11 Feb 20

Written Name: John B Partin Jr

**Clerk – Internal Only**

Date Received: \_\_\_\_\_ PO #: \_\_\_\_\_

Date Processed: \_\_\_\_\_

Application Status:    Approved:     Denied:

**COMMUNICATIONS**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 1,464.29	\$ -	\$ 1,464.29
Holloway	\$ 1,464.29	\$ 1,458.40	\$ 5.89
<b>Partin</b>	<b>\$ 1,464.29</b>	<b>\$ -</b>	<b>\$ 1,464.29</b>
Gore	\$ 1,464.29	\$ 679.80	\$ 784.49
Denton	\$ 1,464.29	\$ -	\$ 1,464.29
Pelham	\$ 1,464.29	\$ 1,458.40	\$ 5.89
Bennett	\$ 1,464.29	\$ -	\$ 1,464.29

**MARKETING**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 2,857.15	\$ -	\$ 2,857.15
Holloway	\$ 2,857.15	\$ 730.63	\$ 2,126.52
<b>Partin</b>	<b>\$ 2,857.15</b>	<b>\$ 36.32</b>	<b>\$ 2,820.83</b>
Gore	\$ 2,857.15	\$ 2,858.03	\$ (0.88)
Denton	\$ 2,857.15	\$ -	\$ 2,857.15
Pelham	\$ 2,857.15	\$ 730.63	\$ 2,126.52
Bennett	\$ 2,857.15	\$ 730.63	\$ 2,126.52
	<b>\$ 20,000.05</b>		<b>\$ 14,913.81</b>

**WARD IMPROVEMENT**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 3,000.00	\$ -	\$ 3,000.00
Holloway	\$ 3,000.00	\$ 1,573.62	\$ 1,426.38
<b>Partin</b>	<b>\$ 3,000.00</b>	<b>\$ -</b>	<b>\$ 3,000.00</b>
Gore	\$ 3,000.00	\$ 289.14	\$ 2,710.86
Denton	\$ 3,000.00	\$ 2,000.00	\$ 1,000.00
Pelham	\$ 3,000.00	\$ 669.31	\$ 2,330.69
Bennett	\$ 3,000.00	\$ 350.00	\$ 2,650.00
	<b>\$ 21,000.00</b>		<b>\$ 16,117.93</b>
			\$ -

**MILEAGE**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 357.15	\$ -	\$ 357.15

Holloway	\$	357.15	\$	-	\$	357.15
Partin	\$	357.15	\$	-	\$	357.15
Gore	\$	357.15	\$	88.00	\$	269.15
Denton	\$	357.15	\$	-	\$	357.15
Pelham	\$	357.15	\$	260.19	\$	96.96
Bennett	\$	357.15	\$	-	\$	357.15
	\$	<b>2,500.05</b>			\$	<b>2,151.86</b>

#### TRAVEL - PUBLIC TRANSPORT

Councilor	Orig Amount	Expenditures	Remaining
Randolph	\$ 2,000.00	\$ -	\$ 2,000.00
Holloway	\$ 2,000.00	\$ -	\$ 2,000.00
Partin	\$ 2,000.00	\$ -	\$ 2,000.00
Gore	\$ 2,000.00	\$ 666.50	\$ 1,333.50
Denton	\$ 2,000.00	\$ -	\$ 2,000.00
Pelham	\$ 2,000.00	\$ 530.96	\$ 1,469.04
Bennett	\$ 2,000.00	\$ -	\$ 2,000.00
	\$ <b>14,000.00</b>		\$ <b>12,802.54</b>

#### LODGING

Councilor	Orig Amount	Expenditures	Remaining
Randolph	\$ 5,000.00	\$ -	\$ 5,000.00
Holloway	\$ 5,000.00	\$ -	\$ 5,000.00
Partin	\$ 5,000.00	\$ -	\$ 5,000.00
Gore	\$ 5,000.00	\$ 4,079.72	\$ 920.28
Denton	\$ 5,000.00	\$ -	\$ 5,000.00
Pelham	\$ 5,000.00	\$ 1,773.28	\$ 3,226.72
Bennett	\$ 5,000.00	\$ 524.32	\$ 4,475.68
	\$ <b>35,000.00</b>		\$ <b>28,622.68</b>

#### CONVENTION & CONFERENCES

Councilor	Orig Amount	Expenditures	Remaining
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Randolph	\$	2,000.00	\$	35.00	\$	1,965.00
Holloway	\$	2,000.00	\$	-	\$	2,000.00
Partin	\$	2,000.00	\$	-	\$	2,000.00
Gore	\$	2,000.00	\$	2,695.00	\$	(695.00)
Denton	\$	2,000.00	\$	420.00	\$	1,580.00
Pelham	\$	2,000.00	\$	1,285.00	\$	715.00
Bennett	\$	2,000.00	\$	435.00	\$	1,565.00
	\$	<b>14,000.00</b>			\$	<b>9,130.00</b>

**TOTAL PARTIN - ALL FUNDS: \$ 16,642.27**

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

**COUNCIL AGENDA ITEM TITLE:**

Request to transfer funds

**ISSUE:** Each councilor is allotted a certain amount of funding. This funding is broken into categories (e.g., travel, lodging, ward improvement, communications, etc.). Council is allowed to use their funding as they see fit within the parameters of the fund. However, if a councilor exceeds the amount within the allotted fund, they are allowed to use another councilor’s funding with permission from the councilor and Council. Recently, Mayor Gore attended NLC Congressional City meeting in DC. She was slightly over her allotted funding, so I am offering her \$695 from my Conventions and Conferences line item. I am seeking Council’s agreement to this request.

**RECOMMENDATION:**

**TIMING:** March 31, 2020

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

- List of Council funding

**STAFF:**

Brenda Pelham, Councilor, Ward 6

**FOR IN MEETING USE ONLY**

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

**SUMMARY:**

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

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**Roll Call**

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**SUMMARY:**

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

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

**COMMUNICATIONS**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 1,464.29	\$ -	\$ 1,464.29
Holloway	\$ 1,464.29	\$ 1,458.40	\$ 5.89
Partin	\$ 1,464.29	\$ -	\$ 1,464.29
Gore	\$ 1,464.29	\$ 679.80	\$ 784.49
Denton	\$ 1,464.29	\$ -	\$ 1,464.29
Pelham	\$ 1,464.29	\$ 1,458.40	\$ 5.89
Bennett	\$ 1,464.29	\$ -	\$ 1,464.29

**MARKETING**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 2,857.15	\$ -	\$ 2,857.15
Holloway	\$ 2,857.15	\$ 730.63	\$ 2,126.52
Partin	\$ 2,857.15	\$ 36.32	\$ 2,820.83
Gore	\$ 2,857.15	\$ 2,858.03	\$ (0.88)
Denton	\$ 2,857.15	\$ -	\$ 2,857.15
Pelham	\$ 2,857.15	\$ 730.63	\$ 2,126.52
Bennett	\$ 2,857.15	\$ 730.63	\$ 2,126.52
	<b>\$ 20,000.05</b>		<b>\$ 14,913.81</b>

**WARD IMPROVEMENT**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 3,000.00	\$ -	\$ 3,000.00
Holloway	\$ 3,000.00	\$ 1,573.62	\$ 1,426.38
Partin	\$ 3,000.00	\$ -	\$ 3,000.00
Gore	\$ 3,000.00	\$ 289.14	\$ 2,710.86
Denton	\$ 3,000.00	\$ 2,000.00	\$ 1,000.00
Pelham	\$ 3,000.00	\$ 669.31	\$ 2,330.69
Bennett	\$ 3,000.00	\$ 350.00	\$ 2,650.00
	<b>\$ 21,000.00</b>		<b>\$ 16,117.93</b>
			\$ -

**MILEAGE**

<b>Councilor</b>	<b>Orig Amount</b>	<b>Expenditures</b>	<b>Remaining</b>
Randolph	\$ 357.15	\$ -	\$ 357.15

Holloway	\$	357.15	\$	-	\$	357.15
Partin	\$	357.15	\$	-	\$	357.15
Gore	\$	357.15	\$	88.00	\$	269.15
Denton	\$	357.15	\$	-	\$	357.15
Pelham	\$	357.15	\$	260.19	\$	96.96
Bennett	\$	357.15	\$	-	\$	357.15
	\$	<b>2,500.05</b>			\$	<b>2,151.86</b>

**TRAVEL - PUBLIC TRANSPORT**

Councilor		Orig Amount		Expenditures		Remaining
Randolph	\$	2,000.00	\$	-	\$	2,000.00
Holloway	\$	2,000.00	\$	-	\$	2,000.00
Partin	\$	2,000.00	\$	-	\$	2,000.00
Gore	\$	2,000.00	\$	666.50	\$	1,333.50
Denton	\$	2,000.00	\$	-	\$	2,000.00
Pelham	\$	2,000.00	\$	530.96	\$	1,469.04
Bennett	\$	2,000.00	\$	-	\$	2,000.00
	\$	<b>14,000.00</b>			\$	<b>12,802.54</b>

**LODGING**

Councilor		Orig Amount		Expenditures		Remaining
Randolph	\$	5,000.00	\$	-	\$	5,000.00
Holloway	\$	5,000.00	\$	-	\$	5,000.00
Partin	\$	5,000.00	\$	-	\$	5,000.00
Gore	\$	5,000.00	\$	4,079.72	\$	920.28
Denton	\$	5,000.00	\$	-	\$	5,000.00
Pelham	\$	5,000.00	\$	1,773.28	\$	3,226.72
Bennett	\$	5,000.00	\$	524.32	\$	4,475.68
	\$	<b>35,000.00</b>			\$	<b>28,622.68</b>

**CONVENTION & CONFERENCES**

Councilor		Orig Amount		Expenditures		Remaining
-----------	--	-------------	--	--------------	--	-----------

Randolph	\$	2,000.00	\$	35.00	\$	1,965.00
Holloway	\$	2,000.00	\$	-	\$	2,000.00
Partin	\$	2,000.00	\$	-	\$	2,000.00
Gore	\$	2,000.00	\$	2,695.00	\$	(695.00)
Denton	\$	2,000.00	\$	420.00	\$	1,580.00
Pelham	\$	2,000.00	\$	1,285.00	\$	715.00
Bennett	\$	2,000.00	\$	435.00	\$	1,565.00
	\$	<b>14,000.00</b>			\$	<b>9,130.00</b>

**UB-5**





# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

Request for Council to take action for the Vice Mayor to continue as the point of contact for the Clerk's Office

**ISSUE:** Council decided by consensus in a previous Closed Session that the Vice Mayor would act as the point of contact for the Clerk's Office. However, Council failed to vote publicly. The Vice Mayor has, based on the consensus of Council, been acting as the POC for the Clerk's office, and is asking that she be allowed to continue as such.

**RECOMMENDATION:**

**TIMING:** Action is requested April 14, 2020

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

Patience Bennett, Vice Mayor

**FOR IN MEETING USE ONLY**

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

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

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

---

**SUMMARY:**

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

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

**UB-6**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

Request for Council to take action for the Vice Mayor to continue her supervision of the agenda and its processes.

**ISSUE:** The agenda is historically prepared by the City Clerk and the City Manager, with input from the City Attorney. Generally, a representative of Council reviews the agenda prior to its issuance, and asks questions, as needed. By consensus of Council during a previous Closed Session, the Vice Mayor has acted in that role. Since Council did not vote on this item in Open Session, the item is being added to this agenda.

**RECOMMENDATION:**

**TIMING:** Action is requested April 14, 2020

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

Patience Bennett, Vice Mayor

**FOR IN MEETING USE ONLY**

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

**SUMMARY:**

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

# Roll Call

---

**SUMMARY:**

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

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

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

**COUNCIL AGENDA ITEM TITLE:**

CAFR Update

**ISSUE:** Update on status of CAFRs

**RECOMMENDATION:** No action is required

**TIMING:**

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

- None

**STAFF:**

John M. Altman, Jr., City Manager

**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			



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

**COUNCIL AGENDA ITEM TITLE:****The Local Choice (TLC) Annual Insurance Renewal**

**ISSUE:** Council to approve the 2020-2021 The Local Choice (TLC) health care rates as proposed by OneDigital, the City’s benefit consultant, during the April 14, 2020 meeting.

**RECOMMENDATION:** City Administration recommends approving our recommendation to keep employee premiums the same for the 2020-2021 plan year.

**TIMING:** Action is required at this meeting to meet TLC’s May 1, 2020 renewal submission deadline, and to move forward with our annual open enrollment period.

**BACKGROUND:** Last year (2019-2020), our annual TLC renewal reflected a slight decrease. In an effort to recover some of the premium increase the City fully absorbed the previous year (2018-2019), the City absorbed the slight decrease. This year (2020-2021), our annual TLC renewal reflects an increase of approximately 6.3%. In an effort to reduce an already overwhelming time for our employees, the City would like to fully absorb the overall increase of 6.3% (approximately \$273,504 for the City based on current enrollment elections).

**ENCLOSED DOCUMENTS:**

- Current, Proposed and Early Retiree (Pre-Medicare) Rate Comparison Information

**STAFF:**

Jennifer Sears, Director of Human Resources

**FOR IN MEETING USE ONLY**

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

**SUMMARY:**

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

---

**Roll Call**

---

**SUMMARY:**

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

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

# Current Rates (FY 2019/2020)



Plan Description	HDHP \$2800/20%	Key Advantage 250	Key Advantage Expanded
<b>Total Monthly Premium</b>			
Premium: EE-Only	\$463.00	\$634.00	\$685.00
Premium: EE+Sp	\$857.00	\$1,173.00	\$1,267.00
Premium: EE+1C	\$857.00	\$1,173.00	\$1,267.00
Premium: EE+Cn	\$1,250.00	\$1,712.00	\$1,850.00
Premium: EE+Fam	\$1,250.00	\$1,712.00	\$1,850.00
<b>City's Monthly Contribution</b>			
ER Ctrb: EE-Only	\$391.73	\$533.00	\$527.60
ER Ctrb: EE+Sp	\$655.11	\$870.38	\$858.38
ER Ctrb: EE+1C	\$690.20	\$930.92	\$918.92
ER Ctrb: EE+Cn	\$1,083.07	\$1,470.05	\$1,454.05
ER Ctrb: EE+Fam	\$916.41	\$1,199.78	\$1,183.78
<b>Employees Monthly Contribution</b>			
EE Ctrb: EE-Only	\$71.27	\$101.00	\$157.40
EE Ctrb: EE+Sp	\$201.89	\$302.62	\$408.62
EE Ctrb: EE+1C	\$166.80	\$242.08	\$348.08
EE Ctrb: EE+Cn	\$166.93	\$241.95	\$395.95
EE Ctrb: EE+Fam	\$333.59	\$512.22	\$666.22
<b>Employee Contribution Per Pay Period 2X per Month (24-Pay)</b>			
EE Ctrb: EE-Only	\$35.63	\$50.50	\$78.70
EE Ctrb: EE+Sp	\$100.95	\$151.31	\$204.31
EE Ctrb: EE+1C	\$83.40	\$121.04	\$174.04
EE Ctrb: EE+Cn	\$83.46	\$120.98	\$197.98
EE Ctrb: EE+Fam	\$166.80	\$256.11	\$333.11

# Proposed Rates (FY 2020/2021)



Plan Description	HDHP \$2800/20%	Key Advantage 250	Key Advantage Expanded
<b>Total Monthly Premium</b>			
Premium: EE-Only	\$492.00	\$674.00	\$728.00
Premium: EE+Sp	\$911.00	\$1,246.00	\$1,346.00
Premium: EE+1C	\$911.00	\$1,246.00	\$1,346.00
Premium: EE+Cn	\$1,328.00	\$1,819.00	\$1,966.00
Premium: EE+Fam	\$1,328.00	\$1,819.00	\$1,966.00
<b>City's Monthly Contribution</b>			
ER Ctrb: EE-Only	\$420.73	\$573.00	\$570.60
ER Ctrb: EE+Sp	\$709.11	\$943.38	\$937.38
ER Ctrb: EE+1C	\$744.20	\$1,003.92	\$997.92
ER Ctrb: EE+Cn	\$1,161.07	\$1,577.05	\$1,570.05
ER Ctrb: EE+Fam	\$994.41	\$1,306.78	\$1,299.78
<b>Employees Monthly Contribution</b>			
EE Ctrb: EE-Only	\$71.27	\$101.00	\$157.40
EE Ctrb: EE+Sp	\$201.89	\$302.62	\$408.62
EE Ctrb: EE+1C	\$166.80	\$242.08	\$348.08
EE Ctrb: EE+Cn	\$166.93	\$241.95	\$395.95
EE Ctrb: EE+Fam	\$333.59	\$512.22	\$666.22
<b>Employee Contribution Per Pay Period 2X per Month (24-Pay)</b>			
EE Ctrb: EE-Only	\$35.63	\$50.50	\$78.70
EE Ctrb: EE+Sp	\$100.95	\$151.31	\$204.31
EE Ctrb: EE+1C	\$83.40	\$121.04	\$174.04
EE Ctrb: EE+Cn	\$83.46	\$120.98	\$197.98
EE Ctrb: EE+Fam	\$166.80	\$256.11	\$333.11

# Early Retiree (Pre-Medicare) Rates (FY 2020/2021)



## Monthly Health Insurance Rates for Retirees NOT Eligible for Medicare

*Effective July 1, 2020 - June 30, 2021*

20+ Years of Service (City Pays 30% of the total premium)			
Plan	Retiree Share	City Share	Total Premium
TLC Key Advantage Expanded	\$509.60	\$218.40	\$728.00
TLC Key Advantage 250	\$471.80	\$202.20	\$674.00
TLC HDHP	\$344.40	\$147.60	\$492.00

15-19 Years of Service (City Pays 20% of the total premium)			
Plan	Retiree Share	City Share	Total Premium
TLC Key Advantage Expanded	\$582.40	\$145.60	\$728.00
TLC Key Advantage 250	\$539.20	\$134.80	\$674.00
TLC HDHP	\$393.60	\$98.40	\$492.00

**REGULAR  
BUSINESS  
REPORTS OF  
THE CITY  
ATTORNEY**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

Place Freedom of Information Act (FOIA) Requests and Liens with the City Attorney

**ISSUE:** FOIA requests and Code Enforcement and demolition liens are currently handled by the City Clerk’s office. Both of these are legal matters which are best handled by the City Attorney. Accordingly, it is requested that Council move both FOIA and liens to the office of the City Attorney.

**RECOMMENDATION:**

**TIMING:** Action is requested April 14, 2020

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

Patience Bennett, Vice Mayor

**FOR IN MEETING USE ONLY**

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

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

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



**REPORTS  
OF THE  
CITY CLERK**

<b>Board, Commission, Committee</b>	<b>Current members</b>	<b>Vacancies</b>
Ashford Civic Plaza	3	6
Board of Building Code and Fire Prevention Code Appeals	2	4
Central Virginia Waste Management Authority	1	1
Community Policy and Management Team	10	1
Dock Commission	4	1
Economic Development Authority	6	1
Historic Preservation Committee	8	4
Keep Hopewell Beautiful	7	3
Recreation Commission	1	5 plus 2 students
Social Services Advisory Board	2	5
Transportation Safety Board	4	1
Youth Services Commission	11	3 plus 1 student
Water Renewal Commission	5	2
Virginia Gateway Region	1	1

# **REPORTS OF THE CITY COUNCIL**

- **COMMITTEES**
- **INDIVIDUAL REQUEST**
- **ANY OTHER COUNCILOR**

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

**COUNCIL AGENDA ITEM TITLE:**

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

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

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

**TIMING:** Immediately

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

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

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

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

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

**Roll Call**

---

**SUMMARY:**

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

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

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

**COUNCIL AGENDA ITEM TITLE:**

**Request City Council create a system for members of staff and public to report suspected incidents of fraud, waste or abuse**

**ISSUE:** The City currently does not have any means for anyone to report concerns or suspicions of fraud, waste or abuse. A system needs to be created in which information goes directly to the City Attorney and disseminated to City Council for review.

**RECOMMENDATION:** City Council approve purchasing a drop box for City Council to college hard copy submissions. In addition, request the City to create an online report form that ensures animosity. All submissions for the online form should also be submitted to the City Attorney for review.

**TIMING:** Immediately

**BACKGROUND:** n/a

**ENCLOSED DOCUMENTS:**

- None

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

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

**SUMMARY:**

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



# Roll Call

---

**SUMMARY:**

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

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

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

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

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

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

**TIMING:** Immediately

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

### FOR IN MEETING USE ONLY

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

**SUMMARY:**

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

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

---

**Roll Call**

---

**SUMMARY:**

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

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

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

**COUNCIL AGENDA ITEM TITLE:****City of Hopewell Open Government Policy**

**ISSUE:** Request City Council to adopt an open government policy to ensure that citizens have access to meeting and planning documents of Council, Administration, and all boards and commissions.

**RECOMMENDATION:** To allow the City Attorney to draft and format a policy with input from City Council

**TIMING:** Immediate

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

- Draft policy

**STAFF:**

Jasmine E. Gore, Mayor

**FOR IN MEETING USE ONLY**

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

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

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



## **City of Hopewell Open Government Policy -Draft**

The City of Hopewell is committed to transparent on open government by providing Hopewell residents with online access to documents and plans that directly affect the operations of the City of Hopewell.

### **CITY PLANS**

The City Manager will upload all currently approved City Plans on the City's Website for public inspection. A progress report on the Administration's actions to complete the goals established by City Council in the City Wide Strategic Plan will also be uploaded at minimum on a quarterly basis with a report for City Council.

### **CITY COUNCIL MEETING MINUTES**

Draft City Council Meeting Minutes will be posted online using the Municode Meeting Management Software no later than 10 days after the public meeting to mirror state law § 2.2-3707.1.

The draft minutes shall be placed on the preceding Regular Meeting Agenda for Council deliberation and approval.

### **CITY COUNCIL ONLINE NEWSLETTER**

City Council will disseminate the "Council Connections" Bi-Weekly Newsletter for public consumption. The City Clerk will disseminate the newsletter the Friday of each Regular Meeting. It will include a "Legislative Recap" after each Regular Meeting. The recap will include only action items (final vote) made by City Council. The newsletter will also include updates from each City Councilor as it pertains to their ward and engagement activities. Each City Councilor is responsible for submitting their literature to the City Clerk for the newsletter by 5:00 p.m. the Thursday proceeding each Regular Meeting. The Clerk will proceed with publishing the newsletter with the submission received by the designated time above.

If a Special Meeting or Work Session of City Council is called between Regular Meeting, the recap for that meeting will be included in the following Regular Meeting Newsletter.

### **CITY OF HOPEWELL ORDINANCES AND RESOLUTIONS**

All draft public hearing, ordinances and resolutions will be posted on the City Attorney's page for public inspection prior to City Council deliberation. Public Hearing information will be posted in unison with the newspaper ad requirement. Ordinances and resolutions will be posted at the same time the City Council Agenda Packet is publically disseminated.

Approved legal documents will be supplied to Municode (the City's public document vendor) within two weeks of passage for official record by the City Attorney's Office.

# City of Hopewell

## 2019 Town Halls



Join City Council for a community discussion and planning session to shape the future of the City of Hopewell. Residents will have an opportunity to voice concerns, share ideas and participate hands on to revamp the City's Strategic Plan.

### TOWN HALL #1

March 19, 2019

Carter G. Woodson Middle School  
1000 Winston Churchill Drive  
Hopewell, VA 23860  
Located - Multi-purpose Room  
6:00 p.m. - 8:00 p.m.

### TOWN HALL #2

March 21, 2019

Hopewell High School  
400 S Mesa Drive  
Hopewell, VA 23860  
Located - Cafeteria  
6:00 p.m. - 8:00 p.m.

### TOWN HALL #3

March 28, 2019

Hopewell Community Center  
100 W City Point Road  
Hopewell, VA 23860  
Located - Gym  
6:00 p.m. - 8:00 p.m.

City Council and staff will discuss the feedback and projects from all Town Halls during City Council's Advance. City Council will unveil the new City-Wide Strategic Plan at the inaugural

*2019 State of the City Address.*



VIEW THE NEW  
CITY WEBSITE  
[WWW.HOPEWELLVA.GOV](http://WWW.HOPEWELLVA.GOV)



DOWNLOAD THE NEW  
CITY APP  
\*LOCATED IN MOBILE APP STORES



DOWNLOAD THE NEW  
CLICK2REPORT APP  
\*LOCATED IN MOBILE APP STORES





Mayor Gore



Vice Mayor Bennett



Councilor Randolph  
Ward 1



Councilor Holloway  
Ward 2



Councilor Partin  
Ward 3



Councilor Denton  
Ward 5



Councilor Pelham  
Ward 6

# Resident Connections

## HOW TO STAY UPDATED

- Contact the City Clerk's Office to sign up for the City's Freedom of Information Act (FOIA) List to receive all city press releases and meeting notifications
- Visit the City's website to view the Weekly City Manager News Briefs
- Visit [hopewellva.gov](http://hopewellva.gov) to view the City's online calendar for City and community events
- Visit [hopewellva.gov](http://hopewellva.gov) to watch City Council Meeting recordings, Agenda Packets & Minutes

## HOW TO STAY NOTIFIED

- Visit [hopewellva.gov](http://hopewellva.gov) or call (804) 541-2288 to sign up for  emergency alerts
- Visit [hopewellva.gov](http://hopewellva.gov) to sign up for  Public Safety alerts
- Visit [hopewellva.gov](http://hopewellva.gov) to sign up for Notify Me text notifications for City alerts
- Download the *NEW* City of Hopewell App to have direct access to City Hall

## HOW TO STAY CONNECTED

- Visit the [hopewellva.gov](http://hopewellva.gov) to view the complete list of City Resources for residents
  - Prescription Discount Program
  - Real Estate Tax Abatement Program
  - DMV Select
  - Adopt-A-Neighbor Outreach Program
  - Trash Collection/Recycling Services
  - Citizens Academy
  - Smoke Detector Testing
  - Car Seat and Child/Parenting Resources
  - Online Tax Portal
  - Wellness Checks



*Get Social* - FOLLOW, LIKE & SHARE  
@Hopewellva.gov & City Departments Online!

**IR-5**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE**

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

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

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

**TIMING:** Immediately

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

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

**SUMMARY:**

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

---

**Roll Call**

---

**SUMMARY:**

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

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

**IR-6**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

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

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

**RECOMMENDATION:** City Council direct the City Manager to delegate to his staff accomplish the directive to be determined by City Council.

**TIMING:** Immediately

**BACKGROUND:** None

**ENCLOSED DOCUMENTS:**

- Town Hall Flyer

**STAFF:**

Jasmine E. Gore, Mayor

**FOR IN MEETING USE ONLY**

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

**SUMMARY:**

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			

---

**Roll Call**

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**SUMMARY:**

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

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

**IR-7**





# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE: Request for City Council to direct the City Manager** provide City Council with the status of uncollected funds within the City of Hopewell prior to providing City Council with any recommendation to raise taxes or fees within the City for the upcoming budget cycle. In addition, final determination if the City and require all vendors the City has contracts with to have all of their taxes/fees paid in full prior to be eligible to do business with City; to include rental/real estate companies – require taxes/fees paid in full prior to receiving permits.

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

**ISSUE:** The Mayor requested the following information on December 19, 2019 and was unable to obtain the data.

1. Wastwater (Water Renewal) uncollected bill amounts (write offs) (individual/business)
2. Data Integrators uncollected bill amounts (individual/business)
3. Uncollected taxes (real estate/personal property)
4. Trash uncollected bill amounts (write offs) (individual/business)
5. Audit reports/schedules with write-offs
6. Industry payments for Wastewater (Water Renewal) for the last 3 years
7. Total value of funding that could not be reconciled for the audit - City Funds/Accounts
8. Total value of funding that did not have backup docs/not approved - City Funds/Accounts
9. Status of money approached to support Wastewater Grant when DEQ required the City to have a reserve of funding approx.. of \$575,000. \*new

Prior to the City Council supporting any recommendation to increase taxes or fees, we must know how much funds has not been collected as projected. Additionally, we must identify why

**SUMMARY:**

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

funds are not being collected such as contract amendments, staffing, etc. and address those issues immediately before placing the burden on residents to pay to fix errors.

**RECOMMENDATION:** City Council direct the City Manager to complete task by a specific date.

**TIMING:** Immediately

**BACKGROUND:**

**ENCLOSED DOCUMENTS:**

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

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

**Roll Call**

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**SUMMARY:**

**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

## Chapter 20 - LICENSES<sup>11</sup>

### Footnotes:

--- (1) ---

**Charter reference**— Authority of city to raise revenue by annual licenses, Ch. II, § 2.

**Cross reference**— Dog licenses, § 6-46 et seq.; license for closing-out sales of certain goods, § 30-36 et seq.; license for fire, etc., sales, § 30-96 et seq.; taxation, Ch. 34.

**State Law reference**— Licenses generally, Code of Virginia, § 58.1-3700 et seq.; city license taxes, §§ 58.1-3702—58.1-3706.

### ARTICLE I. - IN GENERAL

#### Sec. 20-1. - Definitions.

For the purposes of this chapter, unless otherwise required by the context:

*Affiliated group* means:

- (1) One (1) or more chains of corporations subject to inclusion connected through stock ownership with a common parent corporation which is a corporation subject to inclusion if:
  - a. Stock possessing at least eighty (80) percent of the voting power of all classes of stock and at least eighty (80) percent of each class of the nonvoting stock of each of the corporations subject to inclusion, except the common parent corporation, is owned directly by one (1) or more of the other corporations subject to inclusion; and
  - b. The common parent corporation directly owns stock possessing at least eighty (80) percent of the voting power of all classes of stock and at least eighty (80) percent of each class of the nonvoting stock of at least one (1) of the other corporations subject to inclusion. As used in this subdivision, the term "stock" does not include nonvoting stock which is limited and preferred as to dividends. The phrase "corporation subject to inclusion" means any corporation within the affiliated group irrespective of the state or country of its incorporation; and the term "receipts" includes gross receipts and gross income.
- (2) Two (2) or more corporations if five (5) or fewer persons who are individuals, estates or trusts own stock possessing:
  - a. At least eighty (80) percent of the total combined voting power of all classes of stock entitled to vote or at least eighty (80) percent of the total value of shares of all classes of the stock of each corporation; and
  - b. More than fifty (50) percent of the total combined voting power of all classes of stock entitled to vote or more than fifty (50) percent of the total value of shares of all classes of stock of each corporation, taking into account the stock ownership of each such person only to the extent such stock ownership is identical with respect to each such corporation.

When one (1) or more of the corporations subject to inclusion, including the common parent corporation, is a nonstock corporation, the term "stock" as used in this subdivision shall refer to the nonstock corporation membership or membership voting rights, as is appropriate to the context.

*Assessment* means a determination as to the proper rate of tax, the measure to which the tax rate is applied, and ultimately the amount of tax, including additional or omitted tax, that is due. An assessment shall include a written assessment made pursuant to notice by the assessing official or a self-assessment made by a taxpayer upon the filing of a return or otherwise not pursuant to notice. Assessments shall be deemed made by an assessing official when a written notice of assessment is delivered to the taxpayer

by the assessing official or an employee of the assessing official, or mailed to the taxpayer at his last known address. Self-assessments shall be deemed made when a return is filed, or if no return is required, when the tax is paid. A return filed or tax paid before the last day prescribed by ordinance for the filing or payment thereof shall be deemed to be filed or paid on the last day specified for the filing of a return or the payment of tax, as the case may be.

*Assessor or assessing official* means the commissioner of the revenue of the city.

*Base year* means the calendar year preceding the license year, except for contractors subject to the provisions of section 58.1-3715 of the Code of Virginia.

*Business* means a course of dealing which requires the time, attention and labor of the person so engaged for the purpose of earning a livelihood or profit. It implies a continuous and regular course of dealing, rather than an irregular or isolated transaction. A person may be engaged in more than one (1) business. The following acts shall create a rebuttable presumption that a person is engaged in a business: (i) advertising or otherwise holding oneself out to the public as being engaged in a particular business; or (ii) filing tax returns, schedules and documents that are required only of persons engaged in a trade or business.

*Contractor* shall have the meaning prescribed in section 58.1-3714 (B) of the Code of Virginia, as amended, whether such work is done or offered to be done by day labor, general contract or subcontract.

*Definite place of business* means an office or a location at which occurs a regular and continuous course of dealing for thirty (30) consecutive days or more. A definite place of business for a person engaged in business may include a location leased or otherwise obtained from another person on a temporary or seasonal basis and real property leased to another. A person's residence shall be deemed to be a definite place of business if there is no definite place of business maintained elsewhere and the person is not subject to licensure as a peddler or itinerant merchant.

*Direct seller* means any person who: (i) engages in the trade or business of selling or soliciting the sale of consumer products primarily in private residences and maintains no public location for the conduct of such business; and (ii) receives remuneration for such activities, with substantially all of such remuneration being directly related to sales or other sales-oriented services, rather than to the number of hours worked; and (iii) performs such activities pursuant to a written contract between such person and the person for whom the activities are performed and such contract provides that such person will not be treated as an employee with respect to such activities for federal tax purposes.

*Financial services* means the buying, selling, handling, managing, investing, and providing of advice regarding money, credit, securities, or other investments and shall include the service for compensation by a credit agency, an investment company, a broker or dealer in securities and commodities or a security or commodity exchange, unless such service is otherwise provided for in this chapter.

*Broker* means an agent of a buyer or a seller who buys or sells stocks, bonds, commodities, or services, usually on a commission basis.

*Commodity* means staples such as wool, cotton, etc. which are traded on a commodity exchange and on which there is trading in futures.

*Dealer* for purposes of this chapter means any person engaged in the business of buying and selling securities for his own account, but does not include a bank, or any person insofar as he buys or sells securities for his own account, either individually or in some fiduciary capacity, but not as part of a regular business.

*Security* for purposes of this chapter shall have the same meaning as in the Code of Virginia, Securities Act (§ 13.1-501 et seq.) or in similar laws of the United States regulating the sale of securities.

Those engaged in rendering financial services include, but without limitation, the following:

Buying installment receivables

Chattel mortgage financing

Consumer financing  
Credit card services  
Credit unions  
Factors  
Financing accounts receivable  
Industrial loan companies  
Installment financing  
Inventory financing  
Loan or mortgage brokers  
Loan or mortgage companies  
Safety deposit box companies  
Security and commodity brokers and services  
Stockbroker  
Working capital financing

*Gross receipts* means the whole, entire, total receipts attributable to the licensed privilege, without deduction, except as may be limited by the provisions of Code of Virginia, chapter 37 of title 58.1.

*Itinerant merchant* means a person who engages in, does, or transacts any temporary or transient business and who, for the purpose of carrying on such business, occupies any location for a period of less than one (1) year.

*License year* means the calendar year for which a license is issued for the privilege of engaging in business.

*Peddler* means a person who carries from place to place any goods, wares or merchandise and sells or offers to sell or barter the same.

*Peddler at wholesale* means a person, firm or corporation who or which sells or offers to sell goods, wares or merchandise to licensed dealers, other than at a definite place of business operated by the seller, and at the time of such sale or exposure for sale delivers, or offers to deliver, the goods, wares or merchandise to the buyer. Any delivery made on the day of sale shall be construed as delivery at the time of sale.

*Personal services* means rendering for compensation any repair, personal, business or other services not specifically classified as "financial, real estate or professional service" under this chapter, or rendered in any other business or occupation not specifically classified in this chapter unless exempted from local license tax by Code of Virginia, title 58.1.

*Professional services* means services performed by architects, attorneys-at-law, certified public accountants, dentists, engineers, land surveyors, surgeons, veterinarians, and practitioners of the healing arts (the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities) and such occupations, and no others, as the Virginia Department of Taxation may list in the BPOL guidelines promulgated pursuant to Code of Virginia, § 58.1-3701. The department shall identify and list each occupation or vocation in which a professed knowledge of some department of science or learning, gained by a prolonged course of specialized instruction and study is used by its practical application to the affairs of others, either advising, guiding, or teaching them, and in serving their interests or welfare in the practice of an art or

science founded on it. The word "profession" implies attainments in professional knowledge as distinguished from mere skill, and the application of knowledge to uses for others rather than for personal profit.

*Purchases* means all goods, wares and merchandise received for sale at each definite place of business of a wholesale merchant. The term shall also include the cost of manufacture of all goods, wares and merchandise manufactured by any wholesaler or wholesale merchant and sold or offered for sale. A wholesaler or wholesale merchant may elect to report the gross receipts from the sale of manufactured goods, wares and merchandise if it cannot determine the cost of manufacture or chooses not to disclose the cost of manufacture.

*Real estate services* means rendering a service for compensation with respect to the purchase, sale, lease, rental, or appraisal of real property, unless the service is otherwise specifically provided for in this chapter, and such services include, but are not limited to, the following:

Appraisers of real estate

Escrow agents, real estate

Fiduciaries, real estate

Lessors of real property

Real estate agents, brokers and managers

Real estate selling agents

Rental agents for real estate

*Retailer or retail merchant* means any person or merchant who sells goods, wares and merchandise for use or consumption by the purchaser or for any purpose other than resale by the purchaser, but does not include sales at wholesale to institutional, commercial and industrial users.

*Services* means things purchased by a customer which do not have physical characteristics, or which are not goods, wares, or merchandise.

*Wholesaler or wholesale merchant* shall mean any person or merchant who sells wares and merchandise for resale by the purchaser, including sales when the goods, wares and merchandise will be incorporated into goods and services for sale, and also includes sales to institutional, commercial and industrial users which because of the quantity, price, or other terms indicate that they are consistent with sales at wholesale.

(Ord. No. 96-33, § C, 11-12-96)

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title, repealed former § 20-1 which defined "gross receipts". Such section bore no history note. Provisions designated herein as § 20-1 were derived from Ord. No. 96-33, C.

Sec. 20-2. - Adoption of state law.

- (a) As to all questions in regard to the duty and conduct of the officers of the city in collecting and enforcing the taxes imposed under this chapter, and in regard to questions of construction and for definition of terms used in this chapter, and the rules and regulations applicable to putting same in operation, reference is hereby made to the provisions of title 58.1, Code of Virginia, for the assessment, levy and collection of taxes for the current year, or to so much thereof as is applicable to this chapter and is not inconsistent with it and the other ordinances of the city. For the conduct and guidance of the officers of the city and other parties affected by this chapter and for fixing their

powers, rights, duties and obligations, the provisions of title 58.1, Code of Virginia, so far as applicable, are hereby adopted without being specifically herein quoted.

- (b) The definition of the various businesses, occupations, trades or professions provided for in this chapter shall be and hereby are defined to be the same as the definitions given in Code of Virginia, title 58.1, unless otherwise defined herein, and all constructions of same by the state tax commissioner shall have equal force to this chapter.

(Code 1963, § 21-21; Ord. No. 96-31, 11-12-96)

Sec. 20-3. - Enforcement of chapter generally.

- (a) The city manager shall require the chief of police and every member of the police department of the city to enforce this chapter. It shall be the duty of the chief of police and of every member of the police department to check whether all new business or professional men commencing any business, employment or profession in the city have complied with the provisions of this chapter.
- (b) It shall be the duty of the commissioner of revenue to report every person, known to him, who shall commence to prosecute any licensable business, employment or profession without a license or who shall unlawfully fail for a longer period than one month to obtain a new license, to the city attorney, who shall cause warrants to be issued for such persons and shall prosecute them.

(Code 1963, §§ 21-19, 21-20)

Sec. 20-4. - Construction of chapter; interstate commerce; obstruction of public ways; nuisances.

- (a) Nothing in this chapter shall be construed as imposing a license tax on or otherwise regulating or restricting interstate commerce. Any business or portion thereof embraced in the term "interstate commerce" is not made subject to a license by this chapter.
- (b) Nothing in this chapter shall be construed as giving the right to any person to obstruct sidewalks, streets or other public places or to commit or maintain a nuisance.

(Code 1963, §§ 21-17, 21-18)

Sec. 20-4.5. - Overriding conflicting ordinances.

Except as may be otherwise provided by the laws of the Commonwealth of Virginia, and notwithstanding any other current ordinances or resolutions enacted by this council, whether or not compiled in the Code of this city, to the extent of any conflict, the provisions of this chapter shall be applicable to the levy, assessment, and collection of licenses required and taxes imposed on businesses, trades, professions and callings and upon the persons, firms and corporations engaged therein within the city.

(Ord. No. 96-33, § A, 11-12-96)

**Editor's note**— Ord. No. 96-33, § A, did not specify manner of codification, but has been designated by the editor as § 20-4.5.

Sec. 20-5. - Engaging in business without license; penalty.

- (a) Whenever a license is required by this chapter, and whenever this Code imposes a license fee or levies a license tax on a business, employment or profession, it shall be unlawful to engage in such

business, employment or profession without first obtaining the required license. Any person who engages in a business without obtaining a license required by this chapter, or after being refused such license, shall not be relieved of the tax imposed by this chapter.

(b) If any person shall:

- (1) Commence to prosecute any business, trade, occupation, employment or profession in the city without obtaining a license required by this chapter; or
- (2) Continue a business, trade, occupation, employment or profession in the city after the expiration of a license previously issued under this chapter without obtaining a new license or a renewal of the expired license,

he shall be guilty of a Class 3 misdemeanor.

(Code 1963, § 21-1; Ord. No. 96-33, § B, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title repealed § 20-5(a). Sec. B of such ordinance has been codified as § 20-5(a) by the editor.

Sec. 20-6. - License requirement.

- (a) Every person engaging in this city in any business, trade, profession, occupation or calling (collectively hereinafter "a business") as defined in this chapter, unless otherwise exempted by law, shall apply for a license for each such business if (i) the person has a definite place of business in this city; (ii) there is no definite place of business anywhere and the person resides in this city; or (iii) there is no definite place of business in this city but the person operates amusement machines or is classified as a peddler or itinerant merchant, carnival or circus as specified in Code of Virginia, §§ 58.1-3717, 3718, or 3728, respectively, or is a contractor subject to Code of Virginia, § 58.1-3715, or is a public service corporation subject to Code of Virginia, § 58.1-3731. A separate license shall be required for each definite place of business and for each business. A person engaged in two (2) or more businesses or professions carried on at the same place of business may elect to obtain one (1) license for all such businesses and professions if all of the following criteria are satisfied: (i) each business or profession is subject to licensure at the location and has satisfied any requirements imposed by state law or other provisions of the ordinances of this city; (ii) all of the businesses or professions are subject to the same tax rate, or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest rate; and (iii) the taxpayer agrees to supply such information as the assessor may require concerning the nature of the several businesses and their gross receipts.
- (b) Reserved.
- (c) Reserved.
- (d) In computing the amount of license tax due, the commissioner of the revenue shall round all amounts to the nearest dollar; that is, all amounts of forty-nine cents (\$0.49) or less shall be rounded down and all amounts of fifty cents (\$0.50) or more shall be rounded up.

(Ord. No. 87-17, 6-23-87; Ord. No. 94-36, 11-2-94; Ord. No. 96-33, § D, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title repealed § 20-6(a)—(c). Sec. D of such ordinance was designated by the editor as § 20-6(a). See also the editor's note following § 20-7.

Sec. 20-7. - Due dates; late payment penalties and interest.



- (a) Each person subject to a license tax under this chapter shall apply for a license prior to beginning business if he was not subject to licensure in this city on or before January 1 of the license year, or no later than March 1 of the current license year if he had been issued a license for the preceding license year. The application shall be on forms prescribed by the assessing official.
- (b) The tax shall be paid with the application in the case of any license not based on gross receipts. If the tax is measured by the gross receipts of the business, the tax shall be paid on or before March 31. Semiannual payments for license taxes shall be authorized pursuant to section 20-19.
- (c) The assessing official may grant an extension of time, not to exceed ninety (90) days, in which to file an application for a license, for reasonable cause. The extension may be conditioned upon the timely payment of a reasonable estimate of the appropriate tax, subject to adjustment to the correct tax at the end of the extension together with interest from the due date until the date paid and, if the estimate submitted with the extension is found to be unreasonable under the circumstances, a penalty of ten (10) percent of the portion paid after the due date.
- (d) A penalty of ten (10) percent of the tax may be imposed upon the failure to file an application or the failure to pay the tax by the appropriate due date. Only the late filing penalty shall be imposed by the assessing official if both the application and payment are late; however, both penalties may be assessed if the assessing official determines that the taxpayer has a history of noncompliance. In the case of an assessment of additional tax made by the assessing official, if the application and, if applicable, the return were made in good faith and the understatement of the tax was not due to any fraud or reckless or intentional disregard of the law by the taxpayer, there shall be no late payment penalty assessed with the additional tax. If any assessment of tax by the assessing official is not paid within thirty (30) days, the treasurer may impose a ten (10) percent late payment penalty. The penalties shall not be imposed, or if imposed, shall be abated by the official who assessed them, if the failure to file or pay was not the fault of the taxpayer. In order to demonstrate lack of fault, the taxpayer must show that he acted responsibly and that the failure was due to events beyond his control.

"Acted responsibly" means that: (i) the taxpayer exercised the level of reasonable care that a prudent person would exercise under the circumstances in determining the filing obligations for the business, and (ii) the taxpayer undertook significant steps to avoid or mitigate the failure, such as requesting appropriate extensions (where applicable), attempting to prevent a foreseeable impediment, acting to remove an impediment once it occurred, and promptly rectifying a failure once the impediment was removed or the failure discovered.

"Events beyond the taxpayer's control" include, but are not limited to, the unavailability of records due to fire or other casualty; the unavoidable absence (e.g., due to death or serious illness) of the person with the sole responsibility for tax compliance; or the taxpayer's reasonable reliance in good faith upon erroneous written information from the assessing official, who was aware of the relevant facts relating to the taxpayer's business when he provided the erroneous information.

- (e) Any person failing to make the application required by this section shall be guilty of a Class 4 misdemeanor.
- (f) It shall be the duty of the commissioner of the revenue to keep a record of all applications filed under this section.
- (g) Interest shall be charged on the late payment of the tax from the due date until the date paid without regard to fault or other reason for the late payment. Whenever an assessment of additional or omitted tax by the assessing official is found to be erroneous, all interest and penalty charged and collected on the amount of the assessment found to be erroneous shall be refunded together with interest on the refund from the date of payment or the due date, whichever is later. Interest shall be paid on the refund of any tax paid under this chapter from the date of payment or due date, whichever is later, whether attributable to an amended return or other reason. Interest on any refund shall be paid at the same rate charged under Code of Virginia, § 58.1-3916.

No interest shall accrue on an adjustment of estimated tax liability to actual liability at the conclusion of a base year. No interest shall be paid on a refund or charged on a late payment in event of such

adjustment, provided the refund or the late payment is made not more than thirty (30) days from (i) the date of the payment that created the refund, or (ii) the due date of the tax, whichever is later.

(Ord. No. 96-33, § E, 11-12-96)

**Editor's note**— At the request of the city, provisions formerly designated as § 20-6(d) and (e) were redesignated as § 20-7(e) and (f), and § 20-7(e) was redesignated as (g). See also the editor's note following § 20-10.

Sec. 20-8. - Situs of gross receipts.

- (a) *General rule.* Whenever the tax imposed by this chapter is measured by gross receipts, the gross receipts included in the taxable measure shall be only those gross receipts attributed to the exercise of a privilege subject to licensure at a definite place of business within this city. In the case of activities conducted outside of a definite place of business, such as during a visit to a customer location, the gross receipts shall be attributed to the definite place of business from which such activities are initiated, directed, or controlled. The situs of gross receipts for different classifications of business shall be attributed to one (1) or more definite places of business or offices as follows:
- (1) The gross receipts of a contractor shall be attributed to the definite place of business at which his services are performed, or if his services are not performed at any definite place of business, then the definite place of business from which his services are directed or controlled, unless the contractor is subject to the provisions of Code of Virginia, § 58.1-3715.
  - (2) The gross receipts of a retailer or wholesaler shall be attributed to the definite place of business at which sales solicitation activities occur, or if sales solicitation activities do not occur at any definite place of business, then the definite place of business from which sales solicitation activities are directed or controlled; however, a wholesaler or distribution house subject to a license tax measured by purchases shall determine the situs of its purchases by the definite place of business at which or from which deliveries of the purchased goods, wares and merchandise are made to customers. Any wholesaler who is subject to license tax in two or more localities and who is subject to multiple taxation because the localities use different measures, may apply to the department of taxation for a determination as to the proper measure of purchases and gross receipts subject to license tax in each locality.
  - (3) The gross receipts of a business renting tangible personal property shall be attributed to the definite place of business from which the tangible personal property is rented or, if the property is not rented from any definite place of business, then the definite place of business at which the rental of such property is managed.
  - (4) The gross receipts from the performance of services shall be attributed to the definite place of business at which the services are performed or, if not performed at any definite place of business, then the definite place of business from which the services are directed or controlled.
- (b) *Apportionment.* If the licensee has more than one definite place of business and it is impractical or impossible to determine to which definite place of business gross receipts should be attributed under the general rule and the affected jurisdictions are unable to reach an apportionment agreement, except as to circumstances set forth in § 58.1-3709 of the Code of Virginia, the gross receipts of the business shall be apportioned between the definite places of businesses on the basis of payroll. Gross receipts shall not be apportioned to a definite place of business unless some activities under the applicable general rule occurred at, or were controlled from, such definite place of business. Gross receipts attributable to a definite place of business in another jurisdiction shall not be attributed to this city solely because the other jurisdiction does not impose a tax on the gross receipts attributable to the definite place of business in such other jurisdiction.
- (c) *Agreements.* The assessor may enter into agreements with any other political subdivision of Virginia concerning the manner in which gross receipts shall be apportioned among definite places of

business. However, the sum of the gross receipts apportioned by the agreement shall not exceed the total gross receipts attributable to all of the definite places of business affected by the agreement. Upon being notified by a taxpayer that its method of attributing gross receipts is fundamentally inconsistent with the method of one (1) or more political subdivisions in which the taxpayer is licensed to engage in business and that the difference has resulted in, or is likely to result in, taxes on more than one hundred (100) percent of its gross receipts from all locations in the affected jurisdictions, the assessor shall make a good faith effort to reach an apportionment agreement with the other political subdivisions involved.

(Ord. No. 96-33, § F, 11-12-96)

**Note**— See the editor's note following § 20-10.

Sec. 20-9. - Limitations and extensions.

- (a) Where, before the expiration of the time prescribed for the assessment of any license tax imposed pursuant to this chapter, both the assessing official and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.
- (b) Notwithstanding Code of Virginia, § 58.1-3903, the assessing official shall assess the local license tax omitted because of fraud or failure to apply for a license for the current license year and the six (6) preceding license years.
- (c) The period for collecting any local license tax shall not expire prior to the period specified in Code of Virginia, § 58.1-3940, two (2) years after the date of assessment if the period for assessment has been extended pursuant to this subdivision of this chapter, two (2) years after the final determination of an appeal for which collection has been stayed pursuant to section 20-10(b) or (d) of this chapter, or two (2) years after the final decision in a court application pursuant to Code of Virginia, § 58.1-3984 or similar law for which collection has been stayed, whichever is later.

(Ord. No. 96-33, § G, 11-12-96)

Sec. 20-10. - Appeals and rulings.

- (a) Any person assessed with a local license tax as a result of an audit may apply within ninety (90) days from the date of such assessment to the assessor for a correction of the assessment. The application must be filed in good faith and sufficiently identify the taxpayer, audit period, remedy sought, each alleged error in the assessment, the grounds upon which the taxpayer relies, and any other facts relevant to the taxpayer's contention. The assessor may hold a conference with the taxpayer if requested by the taxpayer, or require submission of additional information and documents, a further audit, or other evidence deemed necessary for a proper and equitable determination of the application. The assessment shall be deemed prima facie correct. The assessor shall undertake a full review of the taxpayer's claims and issue a determination to the taxpayer setting forth its position. Every assessment pursuant to an audit shall be accompanied by a written explanation of the taxpayer's right to seek correction and the specific procedure to be followed in this city (e.g., the name and address to which an application should be directed).
- (b) Provided a timely and complete application is made, collection activity shall be suspended until a final determination is issued by the assessor, unless the assessor determines that collection would be jeopardized by delay or that the taxpayer has not responded to a request for relevant information after a reasonable time. Interest shall accrue in accordance with the provisions of section 20-7(g) of this chapter, but no further penalty shall be imposed while collection action is suspended. The term "jeopardized by delay" includes a finding that the application is frivolous, or that a taxpayer desires to

- (i) depart quickly from the locality, (ii) remove his property therefrom, (iii) conceal himself or his property therein, or (iv) do any other act tending to prejudice, or to render wholly or partially ineffectual, proceedings to collect the tax for the period in question.
- (c) Any person assessed with a local license tax as a result of an audit may apply within ninety (90) days of the determination by the assessing official on an application pursuant to subsection (a) of this section for a correction of such assessment. The tax commissioner shall issue a determination to the taxpayer within ninety (90) days of receipt of the taxpayer's application, unless the taxpayer and the assessing official are notified that a longer period will be required. The application shall be treated as an application pursuant to Code of Virginia, § 58.1-1821, and the tax commissioner may issue an order correcting such assessment pursuant to Code of Virginia, § 58.1-1822. Following such an order, either the taxpayer or the assessing official may apply to the appropriate circuit court pursuant to Code of Virginia, § 58.1-3984. However, the burden shall be on the party making the application to show that the ruling of the tax commissioner is erroneous. Neither the tax commissioner nor the department of taxation shall be made a party to an application to correct an assessment merely because the tax commissioner has ruled on it.
- (d) On receipt of a notice of intent to file an appeal to the tax commissioner under subsection (c) of this section, the assessing official shall further suspend collection activity until a final determination is issued by the tax commissioner, unless the assessor determines that collection would be jeopardized by delay or that the taxpayer has not responded to a request for relevant information after a reasonable time. Interest shall accrue in accordance with the provisions of subsection (g) of section 20-7, but no further penalty shall be imposed while collection action is suspended. The term "jeopardized by delay" shall have the same meaning as set forth in subsection (b) of this section.
- (e) Any taxpayer may request a written ruling regarding the application of the tax to a specific situation from the assessor. Any person requesting such a ruling must provide all the relevant facts for the situation and may present a rationale for the basis of an interpretation of the law most favorable to the taxpayer. Any misrepresentation or change in the applicable law or the factual situation as presented in the ruling request shall invalidate any such ruling issued. A written ruling may be revoked or amended prospectively if (i) there is a change in the law, a court decision, or the guidelines issued by the department of taxation upon which the ruling was based, or (ii) the assessor notifies the taxpayer of a change in the policy or interpretation upon which the ruling was based. However, any person who acts on a written ruling which later becomes invalid shall be deemed to have acted in good faith during the period in which such ruling was in effect.

(Ord. No. 96-33, § H, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title repealed former §§ 20-7—20-10, state forms, penalty and interest for late payment of tax, advertising of business and separate license for each place and class of business. Secs. E—H of such ordinance have been designated as §§ 20-7—20-10, by the editor.

Sec. 20-11. - Failure to file statements.

If any person subject to the payment of a license tax required under this chapter shall fail or refuse to file the statements required by this chapter, he shall be guilty of a Class 3 misdemeanor.

(Code 1963, § 21-5)

Sec. 20-12. - False statements in affidavits.

If any person subject to the payment of a license tax required under this chapter shall make any false statement in the affidavit required by this chapter, he shall be guilty of a Class 3 misdemeanor.

(Code 1963, § 21-6)

Sec. 20-13. - Propounding interrogatories to applicant.

As one of the means of ascertaining the amount of any license tax, the commissioner of the revenue may propound interrogatories to each applicant under the provisions of this chapter and use such other evidence as he may procure. Such interrogatories shall be answered under oath. Any applicant refusing to answer such interrogatories under oath shall be guilty of a Class 4 misdemeanor.

(Code 1963, § 21-7)

Sec. 20-14. - Estimates to determine tax for beginners, etc.

- (a) For the purpose of ascertaining the license tax to be paid by any person beginning a new business, employment or profession, and whose license tax is based on gross receipts, gross sales, gross purchases, gross commissions, gross contracts or orders, the licensee shall estimate the basis for measuring the license tax between the date of issuance of the license and the thirty-first of December following.
- (b) The license tax of every person who was licensed at a definite place of business within the city for only a part of the next preceding license year shall be computed for the then current license year on the basis of an estimate of the amount of gross receipts, gross sales or gross purchases which the licensee will make throughout the then current license year, except that any commission merchant or wholesale merchandise broker shall be licensed on the basis of gross commissions of the next preceding license year or any parts thereof.
- (c) Every underestimate under this section shall be subject to correction by the commissioner of the revenue, whose duty it shall be to assess such licensee with such additional taxes as may be found to be due after the close of the license year on the basis of gross receipts, gross sales, gross purchases, gross commissions or gross contracts or orders. In case of overestimate, the commissioner of the revenue shall order a refund in the amount of the overpaid tax.

Sec. 20-14.5. - Exclusions and deductions from "gross receipts".

- (a) General rule. Gross receipts for license tax purposes shall not include any amount not derived from the exercise of the licensed privilege to engage in a business or profession in the ordinary course of business.
- (b) The following items shall be excluded from gross receipts:
  - (1) Amounts received and paid to the United States, the commonwealth or any county, city or town for the Virginia retail sales or use tax, for any local sales tax or any local excise tax on cigarettes, or for any federal or state excise taxes on motor fuels.
  - (2) Any amount representing the liquidation of a debt or conversion of another asset to the extent that the amount is attributable to a transaction previously taxed (e.g., the factoring of accounts receivable created by sales which have been included in taxable receipts even though the creation of such debt and factoring are a regular part of its business).
  - (3) Any amount representing returns and allowances granted by the business to its customer.
  - (4) Receipts which are the proceeds of a loan transaction in which the licensee is the obligor.
  - (5) Receipts representing the return of principal of a loan transaction in which the licensee is the creditor, or the return of principal or basis upon the sale of a capital asset.
  - (6) Rebates and discounts taken or received on account of purchases by the licensee. A rebate or other incentive offered to induce the recipient to purchase certain goods or services from a person other than the offeror, and which the recipient assigns to the licensee in consideration of

the sale of goods and services shall not be considered a rebate or discount to the licensee, but shall be included in the licensee's gross receipts together with any handling or other fees related to the incentive.

- (7) Withdrawals from inventory for purposes other than sale or distribution and for which no consideration is received and the occasional sale or exchange of assets other than inventory, whether or not a gain or loss is recognized for federal income tax purposes.
  - (8) Investment income not directly related to the privilege exercised by a business subject to licensure not classified as rendering financial services. This exclusion shall apply to interest on bank accounts of the business, and to interest, dividends and other income derived from the investment of its own funds in securities and other types of investments unrelated to the licensed privilege. This exclusion shall not apply to interest, late fees and similar income attributable to an installment sale or other transaction that occurred in the regular course of business.
  - (9) Any trade-in accepted by a motor vehicle dealer as part of the sale of a motor vehicle.
  - (10) License and admission taxes established under Code of Virginia, §§ 59.1-392 and 59.1-393, respectively, or pari-mutuel wagering pools as established under Code of Virginia, § 59.1-392.
  - (11) Amounts received by any real estate broker which arise from real estate sales transactions to the extent such amounts are paid to a real estate agent as a commission on any real estate sales transaction and the agent is subject to the business license tax on such receipts. The broker claiming the exclusion shall identify on its license application each agent to whom the excluded receipts have been paid, and the jurisdiction in the Commonwealth of Virginia to which the agent is subject to business license taxes.
- (c) The following shall be deducted from gross receipts or gross purchases that would otherwise be taxable:
- (1) Any amount paid for computer hardware and software that are sold to a United States federal or state government entity provided that such property was purchased within two (2) years of the sale to said entity by the original purchaser who shall have been contractually obligated at the time of purchase to resell such property to a state or federal government entity. This deduction shall not occur until the time of resale and shall apply to only the original cost of the property and not to its resale price, and the deduction shall not apply to any of the tangible personal property which was the subject of the original resale contract if it is not resold to a state or federal government entity in accordance with the original contract obligation.
  - (2) Any receipts attributable to business conducted in another state or foreign country in which the taxpayer is liable for an income or other tax based upon income.

(Ord. No. 96-33, § J, 11-12-96)

**Editor's note**— Sec. J of Ord. No. 96-33, was codified by the editor as § 20-14.5.

Sec. 20-15. - Allowances for freight and other deductible items in computing tax.

In computing license taxes on merchants and others under this chapter, an allowance for freight and other deductible items shall be made in all cases where the state tax code provides that the same shall be allowed in computing state license taxes on merchants and others, and such allowance shall be on the same basis as that provided by the state tax code for state license taxes. No such deductions shall be allowed, unless gross receipts or other basis is reported and deductions itemized.

Sec. 20-16. - Assessment of tax and issuance of license generally.

The commissioner of revenue shall assess each applicant for a license or other person of whom a license is required by this chapter with the license tax required by this chapter, and shall issue a license,

signed by the commissioner, to prosecute the business, employment, profession or thing to be done therein named, which license shall not be valid or effective unless and until the tax required shall be paid to the city treasurer, as collector of city taxes and levies, and such payment shall be shown on the license.

Sec. 20-17. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-17, assessment of additional tax.

Sec. 20-18. - Proration of license taxes.

No license tax based upon gross receipts shall be imposed upon any business, trade, profession, occupation or calling, or upon any person, firm or corporation for any fraction of a year during which such person, firm or corporation has permanently ceased to engage in such business, trade, profession, occupation or calling within the city. In the event a person, firm or corporation ceases to engage in a business, trade, profession or calling within the city during a year for which a license tax based on gross receipts has already been paid, the taxpayer shall be entitled, upon application, to a refund for that portion of the license tax already paid, prorated on a monthly basis so as to ensure that the licensed privilege is taxed only for that fraction of the year during which it is exercised within the city. Any refund due under this section shall be offset against any amount of past-due taxes owed by the same taxpayer. No flat fee or flat tax shall be subject to refund.

(Ord. No. 96-33, § L, 11-12-96)

**Editor's note**— Ord. No. 96-33, by title, repealed former § 20-18, Proration of tax, generally. Sec. L of such ordinance has been designated by the editor as § 20-18.

Sec. 20-19. - Semiannual payment of tax; retention of written license document; issuance of receipt; display of receipt; etc.

The requirements relative to the semiannual payment of license taxes shall be as follows:

- (1) The city treasurer shall accept semiannual payments from any person to whom a city license has been or may be issued by the commissioner of the revenue, where the total amount of the license tax in question aggregates five hundred dollars (\$500.00) or more. The provisions of this section shall not apply to any person who did not procure a city license for the entire immediately preceding year nor where an individual license is required for each person engaged in a business, occupation, or profession.
- (2) Such semiannual payments shall become due and payable on the first days of January and July of each year, and if not paid within thirty (30) days from such due date, the city treasurer shall collect a penalty of ten (10) percent on such sums and interest on said sum and penalty at the rate of ten (10) percent per annum, and the remaining unpaid installments shall immediately become due and payable and such delinquent person may immediately be prosecuted for failure to obtain a license to engage in business in the city as provided by law.
- (3) The city treasurer shall retain all licenses issued by the commissioner of the revenue for the current year until fully paid, together with all penalties, interest, and costs, and in lieu of delivery of such license to the licensee, the treasurer shall issue his receipts for each semiannual payment made to him, which such receipt shall be posted in a conspicuous place in the room or place where the business for which such license is issued is transacted.
- (4) This section shall not be construed as permission to issue semiannual licenses, but the foregoing provisions of this section are adopted as a convenient method of payment, and this

chapter shall not be construed to release any person from the unpaid installments for such license by the discontinuance of business or for any other reason.

(Code 1963, § 21-9; Ord. No. 81-12, 9-15-81; Ord. No. 87-17, 6-23-87)

Sec. 20-20. - Display of license or receipt for semiannual payment.

Every person required to pay a license tax under the provisions of this chapter shall keep the license in question or the receipt for semiannual payment issued under section 20-19 in a convenient place and, whenever requested to do so, shall exhibit such license or receipt to any member of the police department or any officer or his deputy, who is charged with the duty of enforcing the provisions of this Code and other ordinances of the city relative to revenue taxes, when so requested.

(Code 1963, § 21-12)

Sec. 20-21. - Transfer of license.

- (a) Licenses issued under this chapter shall be transferable, except where otherwise provided. In no case, however, shall any transfer of the license be legal or valid until notice in writing of such transfer has been given to the commissioner of revenue and until the transfer has been approved by such commissioner in writing on the license. Such notice shall state the time of the transfer and the place of the business and the name of the person to whom transferred.
- (b) No license otherwise transferable shall be transferred until the total amount of the annual license tax in question has been fully paid to the city treasurer. The commissioner of revenue shall not approve any assignment or the making of any transfer of a license until the provisions of this section have been fully complied with.
- (c) Only that part of a license based on gross receipts that is in excess of the gross receipts of the transferer for that part of the year during which the transferer has prosecuted business under such license shall be transferable. The person to whom such license is being transferred shall pay the additional estimated license tax to the end of the license year, or an amount sufficient to make the minimum cost of the license as provided in this chapter, whichever is the greater.
- (d) The commissioner of revenue shall keep a record of all license transfers.
- (e) The attempted assignment or attempted transfer of any license in violation of the provisions of this section shall be void, and, of no effect, and any such purported assignee or transferee may be prosecuted for engaging in such business without a license. In addition thereto he shall be liable to the city for the amount of the proper license tax together with penalties, interest and costs.
- (f) Any person transferring or attempting to transfer any license contrary to the provisions of this section shall be guilty of a Class 3 misdemeanor.

(Code 1963, §§ 21-13—21-15)

Sec. 20-22. - Term and expiration date of licenses.

All licenses granted under the provisions of this chapter shall be issued for a period of twelve (12) months beginning the first day of January and expiring on the thirty-first day of December, unless otherwise provided.

(Code 1963, § 21-8; Ord. No. 81-12, 9-15-81)

**State Law reference**— Similar provisions, Code of Virginia, § 58-247.



Sec. 20-23. - Tax not imposed contrary to federal or state law.

Nothing in this chapter contained shall be construed as imposing any license tax on any business, occupation or professional employment, or on any part thereof, on which the city is prohibited, by federal or state law, from imposing the same.

Sec. 20-24. - Licensee's records generally.

- (a) Every person liable for a license tax under this chapter which is based on actual or probable purchases or sales, actual or probable commissions, gross receipts from a business or profession or contracts or orders accepted, or which is graded in any other way, shall, where such tax is based on actual or probable purchases or sales, keep all invoices and a record of all purchases and from whom made, a record of all sales, and where otherwise based, keep a record of all commissions, gross receipts, and contracts or orders accepted, from whom received and with whom made, and the report of such purchases, sales, commissions, receipts, contracts or orders accepted, required to be made for the computation of the license tax, shall be taken from such invoices and records and general books of account.
- (b) All such invoices and record and general books of account shall be open to inspection and examination, on the premises of the business, employment or profession, by the director of finance, commissioner of revenue or any other officer of the city charged in any manner with the duty of assessing or collecting license taxes.
- (c) Any person who shall fail or refuse to keep the records required by this section shall be guilty of a Class 4 misdemeanor.

Sec. 20-24.1. - Recordkeeping and audits.

Every person who is assessable with a license tax shall keep sufficient records to enable the assessor to verify the correctness of the tax paid for the license years assessable and to enable the assessor to ascertain what is the correct amount of tax that was assessable for each of those years. All such records, books of accounts and other information shall be open to inspection and examination by the assessor in order to allow the assessor to establish whether a particular receipt is directly attributable to the taxable privilege exercised within this city. The assessor shall provide the taxpayer with the option to conduct the audit in the taxpayer's local business office, if the records are maintained there. In the event the records are maintained outside this city, copies of the appropriate books and records shall be sent to the assessor's office upon demand.

(Ord. No. 96-33, § I, 11-12-96)

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, did not specify manner of codification; hence, inclusion as § 20-24.1 was at the discretion of the editor.

Sec. 20-25. - Examination and audit of licensee's records.

- (a) Should any officer of the city charged in any manner with the duty of assessing or collecting license taxes have reason to believe, in any case, that the amount of actual or probable purchases or sales, or actual or probable commissions, or the gross or net receipts from any business or profession, or any other matters that may be pertinent to the assessment of such license tax, have been incorrectly reported or returned, such officer shall make a report thereof to the commissioner of revenue. Upon receipt of such report, or upon the commissioner's own motion, the commissioner of revenue is authorized and empowered to summon such person before him and require the production of any and all of such person's records, books and papers likely to throw any light upon the matter under investigation. The commissioner of revenue is also authorized and empowered to make or cause to be made such other and further investigations, examinations and audits of the records, books and

papers of such person as the commissioner shall deem proper, in order to accurately determine the proper return to be made by such person.

- (b) If, after an investigation, examination or audit pursuant to this section, it shall appear that purchases, sales, commissions, receipts or other matters pertinent to the assessment have been incorrectly reported or returned, the commissioner of revenue shall assess such person with the proper city license tax. If it shall appear that such purchases, sales, commissions, receipts or other matters pertinent to the assessment have been willfully incorrectly reported or returned, such person shall pay, in addition to such increased license tax assessed, a penalty of fifty (50) percent of such increased assessment. Any incorrect report or return shall be deemed prima facie willful.
- (c) Any person who shall fail to appear before the commissioner of revenue and produce such records, books and papers, when duly summoned, or who shall refuse to permit the commissioner of revenue to make or cause to be made such other and further investigation and audit of such books and papers, shall be deemed guilty of a Class 3 misdemeanor.

Sec. 20-26. - Authority of commissioner of revenue to require information concerning subcontracts.

The commissioner of revenue, in performing the duties of such office, shall have authority to require any person having a contractor's license in the city to furnish a list of subcontractors to whom any part of the original contract is sublet, and the amount of such subcontract. Any person refusing to furnish such information shall be guilty of a Class 4 misdemeanor and each day's failure to furnish such information shall constitute a separate offense.

Sec. 20-27. - Business license not to be issued until taxes paid.

No business license authorized to be issued under Code of Virginia, chapter 37, title 58.1, and Chapter 20 of the Hopewell City Code shall be issued unless all outstanding business license taxes, personal property taxes, and meals and lodging taxes owed by said business have been paid, and until satisfactory proof of payment of said taxes has been produced by the applicant for the business license.

(Ord. No. 93-25, 9-14-93)

Sec. 20-28. - Exemption/reduction of business and professional occupational license fees for new firms locating in the enterprise zone and existing firms relocating in the enterprise zone.

New firms locating in the enterprise zone qualify for the following exemption of business and professional occupational license fees:

Year of Operation	Percentage of Exemption
1st Year	100%
2nd Year	75%
3rd Year	50%
4th Year	25%
5th Year	0%

Existing firms relocating in the enterprise zone qualify for the following exemption of business and professional occupational license fees:

Year of Operation	Percentage of Exemption
1st Year	100%
2nd Year	75%
3rd Year	50%
4th Year	25%
5th Year	0%

( [Ord. No. 2014-04](#), 3-11-14)

Secs. 20-29—20-39. - Reserved.

## ARTICLE II. - LICENSE TAX SCHEDULE

Sec. 20-40. - License fee and tax.

Every person or business subject to licensure under this chapter shall be assessed and required to pay annually:

- (1) A fee for the issuance of such license in the amount of thirty dollars (\$30.00) for persons or businesses with gross receipts of (\$12,000.00) or less, except that first-time filers in the first year of business operation which anticipate gross receipts of (\$12,000.00) or less are excused from paying the fee; or
- (2) Except as may be otherwise provided in §§ 58.1-3712, 58.1-3712.1 and 58.1-3713 of the Code of Virginia, every such person or business with annual gross receipts of more than twelve thousand dollars (\$12,000.00) shall be assessed and required to pay annually a license tax on all the gross receipts of such persons includable as provided in this chapter at a rate set forth below for the class of enterprise listed:
  - a. For contracting and persons constructing for their own account for sale sixteen cents (\$0.16) per one hundred dollars (\$100.00) of gross receipts;
  - b. For retailers and short-term rental businesses as defined in Code of Virginia, 58.1-3510, twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts;
  - c. For financial, real estate and professional services, fifty-eight cents (\$0.58) per one hundred dollars (\$100.00) of gross receipts;

- d. For repair, personal and business services and all other businesses and occupations not specifically listed or excepted in this section or otherwise by law, thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of gross receipts;
- e. For wholesalers, twenty-five cents (\$0.25) per one hundred dollars (\$100.00) of purchases;
- f. For carnivals, circuses and speedways, five hundred dollars (\$500.00) for each performance held in this city;
- g. For fortunetellers, clairvoyants and practitioners of palmistry or phrenology, one thousand dollars (\$1,000.00) per year;
- h. For massage parlors, five hundred dollars (\$500.00) per year;
- i. For photographers as defined under Code of Virginia, § 58.1-3727, thirty dollars (\$30.00) per year;
- j. For permanent coliseums, arenas or auditoriums having a maximum capacity in excess of ten thousand (10,000) persons, open to the public, one thousand dollars (\$1,000.00) per year;
- k. For savings institutions and state-chartered credit unions, fifty dollars (\$50.00) per year;
- l. For direct sellers as defined in Code of Virginia, § 58.1-3719.1 with total annual sales in excess of four thousand dollars (\$4,000.00), twenty cents (\$0.20) per one hundred dollars (\$100.00) of total annual retail sales or twenty-five cents (\$0.25) per one hundred dollars (\$100.00) of total annual wholesale sales, whichever is applicable; and
- m. For commission merchants as defined under Code of Virginia, § 58.1-3733, thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of commission income.

(Ord. No. 96-33, § K, 11-12-96; Ord. No. 97-14, 9-13-97)

**Editor's note**— Ord. No. 96-33, provided by title for the repeal of § 20-40, Class I, contracting and persons contracting for their own account for sale, and § 20-41, Class II, retail merchants. Sec. K of such ordinance was designated by the editor as § 20-40.

Sec. 20-41. - Reserved.

**Note**— See the editor's note following § 20-40.

Sec. 20-42. - Alcoholic beverages.

- (a) The annual license tax on any person licensed by the state alcoholic beverage control commission to manufacture, bottle, or sell alcoholic beverages in the city shall be as follows:
  - (1) Manufacturers' licenses:
    - a. Distiller's license ..... \$500.00
    - b. Winery license ..... 250.00
    - c. Brewery license ..... 250.00
  - (2) Bottlers' license ..... 200.00
  - (3) Wholesalers' licenses:
    - a. Wholesale beer license ..... 75.00
    - b. Wholesale wine distributor's license ..... 50.00

- c. Wholesale druggist's license ..... 10.00
- (4) Retailers' licenses:
  - a. Beer on-premises ..... 40.00
  - b. Beer off-premises ..... 40.00
  - c. Beer on- and off-premises ..... 45.00
  - d. Wine and beer on-premises ..... 45.00
  - e. Wine and beer off-premises ..... 45.00
  - f. Wine and beer on- and off-premises ..... 55.00
  - g. Wine and beer on-premises and beer off-premises ..... 50.00
  - h. Wine and beer off-premises and beer on-premises ..... 50.00
  - i. Wine off-premises ..... 40.00
  - j. Banquet (for each banquet) ..... 5.00
- (5) Retailers of mixed beverage or liquor by the drink:
  - a. Two hundred dollars (\$200.00) per annum for each restaurant with a seating capacity at tables for fifty (50) to one hundred (100) persons.
  - b. Three hundred fifty dollars (\$350.00) per annum for each restaurant with a seating capacity at tables for more than one hundred (100) but not more than one hundred fifty (150) persons.
  - c. Five hundred dollars (\$500.00) per annum for each restaurant with a seating capacity at tables for more than one hundred fifty (150) persons.
  - d. Three hundred fifty dollars (\$350.00) per annum for a private, nonprofit club operating a restaurant located on the premises of such club.
- (b) The licenses referred to in subsection (a) above shall be as respectively defined by the act of the General Assembly of Virginia, known as "The Alcoholic Beverage Control Act" and the terms "alcoholic beverage," "beer," "club," "sell," "wine," and "wholesale druggist," wherever used in this section, shall have the meanings respectively prescribed to them by said act.
- (c) No license shall be issued under this section to any person, unless such person shall hold or shall secure simultaneously therewith the proper state license required by the Alcoholic Beverage Control Act, which state license shall be exhibited to the commissioner of revenue.
- (d) Retailers' licenses, enumerated in subsection (a)(4) above shall not be prorated.
- (e) All wine and beer licenses shall be issued for twelve-month periods beginning on July first of each calendar year and expiring on June thirtieth of the following calendar year.
- (f) No license, the tax for which is designated in this section shall be assigned or transferred, but such license may be amended to show a change in the place of business.

(Ord. No. 82-34, 12-21-82)

**Cross reference**— Sale of beer and wine on Sunday, § 25-5.

**State Law reference**— Alcoholic Beverage Control Act, Code of Virginia, § 4.1-100 et seq.; authority for above tax, §§ 4.1-205, 4.1-233.

Secs. 20-43—20-47. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed §§ 20-43—20-47, which pertained to specific types and kinds of licenses. Such sections were derived from Ord. No. 82-34, adopted Dec. 21, 1982. Current provisions relative to such subject matter are contained in § 20-40.

Sec. 20-48. - Coin-operated machines.

- (a) For the purposes of this section, an "operator" is defined as any person selling, leasing, renting, or otherwise furnishing or providing a coin-operated machine or device operated on the coin in the slot principle, which machine or device is located within the city, whether or not such operator has a fixed place of business within the city; provided, however, that the term "operator" shall not include a person owning less than three (3) coin machines and operating such machines on property owned or leased by such person.
- (b) Every operator operating ten (10) or more coin machines shall pay for the privilege an annual license tax of two hundred dollars (\$200.00). Every operator operating more than two (2) and less than ten (10) coin machines shall pay for the privilege an annual license tax of one hundred seventy-five dollars (\$175.00). Such tax shall not apply to operators of weighing machines, automatic baggage or parcel checking machines or receptacles, nor to operators of vending machines, which machines are so constructed as to do nothing but vend goods, wares, and merchandise, or postage stamps, or provide service only, nor to operators of viewing machines or photomat machines, nor operators of devices or machines affording rides to children, or for the delivery of newspapers. The license tax on an operator shall not be prorated, and an operator's license shall not be transferred.
- (c) In addition to the operator's license tax imposed by subsection (b) above, there shall be a gross receipts tax on the gross receipts actually received from coin machines or devices operated within this city, as follows:
  - (1) Gross receipts from machines vending merchandise or postage stamps shall be deemed gross receipts from retail sales and taxed at the rate of twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts.
  - (2) Gross receipts from coin-operated laundries shall be deemed gross receipts from a business service and taxed at the rate of thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of gross receipts.
  - (3) Gross receipts from all other machines operated on the coin in the slot principle shall be taxed at the rate of twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts.
- (d) Every operator shall furnish to the commissioner of revenue a complete list of all machines on location in the city and the address of each location on or before the thirty-first day of January of each year. Each machine shall have conspicuously located thereon a decal, sticker, or other adhesive label, no less than one by two (1 x 2) inches in size, clearly denoting the operator's name and address.
- (e) Any person providing any coin-operated machines or other devices and failing to procure a license under this section or otherwise violating this section shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense and the machine or other device shall become forfeited to the city.
- (f) Gross receipts from coin-machines in a business not classified as an "operator" under paragraph (a) above shall be deemed gross receipts from retail sales and taxed at the rate of twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts.
- (g) Nothing contained in this section shall be construed as permitting any person to keep, maintain, exhibit, or operate any coin-operated machine or other device, the operation of which is prohibited by law.

(Ord. No. 82-34, 12-21-82; Ord. No. 88-2, 2-23-88; Ord. No. 96-32, 11-12-96)

**Cross reference**— Fraudulent use of coin-operated machines, § 25-28.

Sec. 20-49. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-49, fortune-tellers, clairvoyants, etc., derived from Ord. No. 82-34, adopted Dec. 21, 1982. Current provisions concerning such subject matter are included in § 20-40.

Sec. 20-50. - Liquidators—Stocks of goods purchased in bulk at court sales outside of city.

- (a) Any person who shall bring into this city from any place beyond its limits, a stock of goods or merchandise which has been purchased in bulk at any trustee, receiver, or bankrupt sale with the intention of selling the same at retail, either at public auction or privately, shall pay a specific license tax of one thousand dollars (\$1,000.00). Such license tax shall not be prorated and the license upon which such tax is paid shall not be transferable.
- (b) This section shall not be construed to apply to regularly licensed retail merchants of the city having an established place of business in the city for a period of six (6) months prior to such sales.

(Ord. No. 82-34, 12-21-82)

**Cross reference**— License for going-out-of-business, etc., sales, § 30-96 et seq.

Sec. 20-51. - Same—Secondhand motor vehicles, major appliances, etc.

- (a) Any person bringing into the city a stock of secondhand automobiles, motorcycles, refrigerators, or similar commodities for sale shall, in addition to the regular city merchant's license, pay a license tax of three hundred dollars (\$300.00) per calendar year. Such license tax shall not be prorated. The license for which such license tax is paid shall not be transferrable.
- (b) For the purpose of this section, the word "stock" shall mean two (2) or more such commodities at any one time.
- (c) This section shall not apply to a regularly established merchant who has operated a business in the city and paid all city and state license taxes for not less than six (6) months immediately preceding. The license for which the license tax is indicated in this section does not permit the sale of bankrupt stock.

(Ord. No. 82-34, 12-21-82)

Sec. 20-52. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, provided by title for the repeal of § 20-52, massage, etc., businesses, derived from Ord. No. 82-34, adopted Dec. 21, 1982. For current provisions concerning such subject matter, see § 20-40.

Sec. 20-53. - Merchandise exhibitions, etc.

The license tax for merchandise exhibitions, food shows, or automobile shows, for advertising purposes or for which an admission fee is charged, shall be one hundred dollars (\$100.00).

(Ord. No. 82-34, 12-21-82)

Sec. 20-54. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-54, merchants, wholesale, derived from Ord. No. 82-34, adopted Dec. 21, 1982. See § 20-40.

Sec. 20-55. - Museums, historical and educational exhibitions.

The license tax for museums, historical, and educational exhibitions shall be at the rate of five dollars (\$5.00) per day. Such museums, historical, and educational exhibitions shall be under such rules and regulations as may be prescribed by the city council and the license shall be revocable at the pleasure of the council.

(Ord. No. 82-34, 12-21-82)

Sec. 20-56. - Patent medicine salesmen.

Any person who shall sell any patent, proprietary, or domestic medicines, salves, liniments, or compounds of a like kind, or any spices, extracts, toilet articles, or other articles of a like kind, except a licensed merchant at his regular place of business, whether he be the manufacturer thereof or not, shall pay a license tax of one hundred dollars (\$100.00) per week for each person so engaged, which shall be the only license required of such person for such privilege.

(Ord. No. 82-34, 12-21-82)

Sec. 20-57. - Peddlers.

- (a) Except as otherwise provided, any peddler or itinerant merchant as defined in Code of Virginia, § 58.1-3717 shall pay an annual license tax of five hundred dollars (\$500.00), which may not be paid in semiannual payments, except that:
- (1) The license tax on peddlers of seafood who buy the seafood they peddle directly from persons who catch or take the same shall be ten dollars (\$10.00).
  - (2) Any person who peddles coal, oil, or wood from wagons or other vehicles, in small quantities, to consumers shall pay a license tax of ten dollars (\$10.00) per year for each vehicle used in such business, which shall be in addition to any other license required by law. Such license shall be issued for a specified vehicle and shall be in the possession of the person in charge of such vehicle at all times when business is being transacted.
- (b) (1)  
No city license shall be required of persons who sell or offer for sale in person or by their employees, ice, wood, charcoal, meats, milk, butter, eggs, poultry, fish, oysters, game, vegetables, fruits, or other family supplies of a perishable nature, or farm products grown or produced by them and not purchased by them for sale.
- (2) The license tax on peddlers of meat, milk, butter, eggs, poultry, fish, oysters, game, vegetables, fruit, or other family supplies of a perishable nature not grown or produced by them shall be fifty dollars (\$50.00) for each vehicle used in such peddling in the city. Such license shall be issued for a separate vehicle and shall be in the possession of such person in charge of such vehicle at all times when business is being transacted.
- (c) Every person claiming to be exempted from having to secure a license required by subsection (a) of this section because of the provisions of subsection (b) of this section shall on or before January first



of each year, file with the commissioner of revenue, a certificate under oath, on a form to be prepared by the commissioner of revenue, in which shall be given the name and post office address of the person filing the certificate, the location of the land on which the family supplies of a perishable nature are produced, whether the person filing the certificate is owner thereof, or renter, and in the latter case, the name of the landlord or owner and the time from which and to which the lease is to run.

- (d) Upon receipt of a certificate, as provided for in subsection (c) above, and such other evidence under oath as may be sufficient to establish the fact that the person filing such certificate is entitled to an exemption under subsection (b) above, the commissioner of revenue shall furnish to such person a tag suitable to be displayed on his vehicle on which shall be printed, "City of Hopewell, Producer No. \_\_\_\_\_," together with the year for which issued. Such producer or grower shall display such tag conspicuously on his vehicle in a prominent position so that it can be easily read at all times while such producer is engaged in selling or offering for sale any family supplies mentioned within subsection (b) above, within this city.
- (e) The commissioner of revenue may administer the oaths required by subsections (c), (d), and (e) of this section.

(Ord. No. 82-34, 12-21-82; Ord. No. 83-9, 6-28-83; Ord. No. 84-28, 10-9-84; Ord. No. 88-21, 6-28-88)

**Cross reference**— Application of ordinance regulating solicitors to peddlers licensed under this chapter, § 32-1.

Sec. 20-58. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, repealed § 20-58, savings and loan associations, derived from Ord. No. 82-34, adopted Dec. 21, 1982. See § 20-40.

Sec. 20-59. - Telegraph, telephone, water, heat, light, or power companies.

- (a) Any company engaging in the business of furnishing telegraph or telephone service shall pay one-half of one percent of the gross receipts of such company accruing from business in the city for the fiscal year ending the thirty-first day of December immediately next preceding; provided, however, that charges for long distance telephone calls shall not be considered receipts of business in the city.
- (b) Any company engaging in the business of furnishing water, heat, light, or power, whether by means of electricity or gas, shall pay one-half of one percent of the gross receipts of such company accruing from business in the city for the fiscal year ending the thirty-first day of December immediately next preceding.
- (c) Each such company applying for a license under this chapter shall submit to the commissioner of revenue a statement of such receipts, which statement shall be verified by the commissioner on an examination of the books of such company, and a certificate as to its correctness shall be filed with the commissioner of revenue.

(Ord. No. 82-34, 12-21-82)

**Cross reference**— Tax on purchasers of utility services, § 34-96 et seq.

Sec. 20-60. - Reserved.

**Editor's note**— Ord. No. 96-33, adopted Nov. 12, 1996, by title repealed § 20-60, exclusions from gross tax receipts for license tax purposes, derived from Ord. No. 82-34, adopted Dec. 21, 1982. For current provisions pertaining to such subject matter, the user's attention is directed to § 20-14.5.

Sec. 20-61. - Tattooing.

- (a) Every person, firm, or corporation engaged in the business of tattooing in the City of Hopewell shall pay a license tax of one thousand dollars (\$1,000.00) which license shall not be proratable.
- (b) No license shall be issued hereunder unless and until there is presented to the commissioner of the revenue a certificate from the director of public health and the chief of police permitting the operation of this business.

(Ord. No. 84-21, 8-14-84)

**Cross reference**— Tattoo parlors generally, § 9-41 et seq.

**IR-8**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

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

**ISSUE:** he City needs to address the status of the Beacon Theater’s management and finances. In the past, the City provided the Beacon Theater with approximately \$100,000 to provide community programs. City Council has not established guidelines for that money and support. Since the Beacon Theater is open on Sundays for the Beacon Church, members of the public that want to offer community services can utilize the space – as opposed to pay the high rental fees.

The City Council needs to also discuss management of the theater to fully take advantage of the renovation and to provide cultural opportunities for the community. Currently concerts is the primary event type offered by the Beacon. The Theater can also be a space to routinely offer plays, dance, spoke word, classes etc. to the community.

**RECOMMENDATION:** City Council direct the City Manager to complete task by a specific date.

**TIMING:** Timing

**BACKGROUND:**

**SUMMARY:**

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

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

**ENCLOSED DOCUMENTS:**

- None

**STAFF:**

Mayor Jasmine E Gore

**FOR IN MEETING USE ONLY**

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

**Roll Call**

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**SUMMARY:**

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

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

**IR-9**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

The Charge Challenge

**ISSUE:** Several residents have voiced concerns about the lack of progress in issues that affect residents.

**RECOMMENDATION:** Discussion from City Council

**TIMING:** Immediate

**BACKGROUND:** Online Link Presentation.

**ENCLOSED DOCUMENTS:**

- None

**STAFF:**

None

**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			

**IR-10**





# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:****City of Hopewell Finance Policies**

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

**RECOMMENDATION:** For Council to decide dollar thresholds for current policy, to give to the City Manager to address any oversights in work flow (e.g., paper submissions vs. electronic submissions).

**TIMING:** Immediately

**BACKGROUND:** None

**ENCLOSED DOCUMENTS:**

- October 16, 2019 minutes
- Small Purchase Local Comparisons
- Procurement Contract

**STAFF:**

Jasmine E. Gore, Mayor

**FOR IN MEETING USE ONLY**

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

**SUMMARY:**

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

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# Roll Call

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**SUMMARY:**

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

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

**SPECIAL MEETING WORK SESSION**

**WS-1 Review and approval of financial policies, resolutions, etc. Contract**

**Motion:** Councilor Partin moved to have the City Manager and the City Attorney work together to create a policy that reflects Hopewell’s needs, and to bring back a copy for action at the November 12 meeting (All three policies). Councilor Denton seconded the motion. Discussion ensued.

**Substitute Motion:** Councilor Randolph made a motion to make an amended motion. Upon the roll call, the vote resulted:

Mayor Gore	-	No
Councilor Denton	-	yes
Councilor Pelham	-	No
Vice Mayor Bennett	-	No
Councilor Randolph	-	yes
Councilor Holloway	-	No
Councilor Partin	-	yes

**Motion failed 4-3**

Council then voted on the original motion: to have the City Manager and the City Attorney to work together to create a policy that reflects Hopewell’s needs and to bring back a copy for action at our November meeting. (All three policies) Councilor Denton seconded the motion. Upon the roll call, the vote resulted:

Mayor Gore	-	No
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	No
Councilor Randolph	-	yes
Councilor Holloway	-	No
Councilor Partin	-	yes

**Motion passed 4-3**

<b>VIRGINIA BEACH – CITY</b>	
Sec. 2-224.4. - Same— Contracts for provision of goods and services.	<a href="https://library.municode.com/va/virginia_beach/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTVIFI_DIV2.5PR_S2-224.4SAONPRGOSE">https://library.municode.com/va/virginia_beach/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTVIFI_DIV2.5PR_S2-224.4SAONPRGOSE</a>
Solicitations for goods and services contracts of more than fifty thousand dollars ( <b>\$50,000.00</b> ) shall include at least three (3) SWAM-certified small businesses, including minority-owned businesses, service disabled veteran-owned businesses or woman-owned businesses that are included on the list maintained pursuant to <a href="#">section 2-224.1</a> and are in the business of supplying goods or services of the kind to be procured, unless the list of available SWAM-certified vendors contains less than three (3) such businesses. In addition, the purchasing agent shall forward such solicitations, upon request, to any minority organization or other interested party.	
<b>Norfolk City</b>	
Sec. 33.1-39. - Small purchases.	<a href="https://library.municode.com/va/norfolk/codes/code_of_ordinances?nodeId=COCI_CH33.1PR_ARTIVSOSECOFO_S33.1-39SMPU">https://library.municode.com/va/norfolk/codes/code_of_ordinances?nodeId=COCI_CH33.1PR_ARTIVSOSECOFO_S33.1-39SMPU</a>
Any procurement for goods and services other than professional services not exceeding one hundred thousand dollars (\$100,000.00) and any procurement for professional services not exceeding sixty thousand dollars ( <b>\$60,000.00</b> ) may be made in accordance with small purchase procedures which shall be specified in the rules and regulations promulgated to implement this provision; provided, however, that contract requirements shall not be artificially divided so as to constitute a small purchase under this provision; provided also that any procurement of goods or services under five thousand dollars ( <b>\$5,000.00</b> ) may be made directly under the decentralized purchasing system. To the extent practicable, no less than three (3) businesses shall be solicited. Names of businesses solicited for procurement under this section shall be recorded with dates and amounts and such entries shall be maintained as public records. For the purchase of goods in an amount not exceeding one hundred thousand dollars (\$100,000.00) or the procurement of services in an amount not exceeding twenty-five thousand dollars ( <b>\$25,000.00</b> ), the purchasing agent may issue a purchase order using a form prepared by the city attorney, without following the requirements set forth in section 2-7 of the City Code.	
<b>City of Chesapeake</b>	
Sec. 54-5. - Purchase orders totaling \$5,000.00 or more.	<a href="https://library.municode.com/va/chesapeake/codes/code_of_ordinances?nodeId=PTIICOOR_CH54PUPR_ARTIIIMEPRAD_S54-61ENPRME">https://library.municode.com/va/chesapeake/codes/code_of_ordinances?nodeId=PTIICOOR_CH54PUPR_ARTIIIMEPRAD_S54-61ENPRME</a>
(a)Approval of purchase orders totaling <b>\$5,000.00</b> or more. The procurement administrator or designee shall approve a purchase order totaling \$5,000.00 or more if it is properly charged to the correct appropriation account, and if there exists an unencumbered appropriation sufficient to pay for all such materials, supplies, equipment, and other things. After approval of the purchase order within the city's accounting system, the procurement administrator's or designee's signature shall be applied, and the purchase order shall be dispatched to the vendor.	
(b)Disapproval of purchase orders totaling <b>\$5,000.00</b> or more. If the procurement administrator or designee is of the opinion that a purchase order submitted for approval is not correct or is incomplete in any respect, the procurement administrator or designee shall return the purchase order to the department or agency head with a written memorandum stating the reasons for refusal to approve it.	
Sec. 54-35. - Approval of procurement administrator and department head required.	It shall be unlawful for any officer, employee or agent of the city to purchase any supplies, services or equipment or to incur any obligation on the part of the city without first having obtained the approval of the procurement administrator or designee and the head of the department or agency for which the supplies, services or equipment are to be used, except that the city manager may delegate authority for the purchase of supplies, services or equipment totaling <b>\$4,999.99</b> or less to department directors or agency heads under such terms and conditions as the city manager may deem appropriate.
Procurements under \$100,000.00 in value.	Procurements under \$100,000.00 in value. The specific terms and requirements of this chapter shall not be applicable to the following contracts, provided, however, that the procurement administrator, or designee, under the direction of the city manager or designee shall promulgate policies and procedures for contracts of this size which shall provide for competition wherever practicable. Such policies and procedures shall be approved as to form by the city attorney or designee prior to implementation:(1)Goods or services other than

	<p>professional services and non-transportation-related construction, if the aggregate or sum of all phases is not expected to exceed \$100,000.00; and(2)Transportation-related construction, if the aggregate or sum of all phases is not to exceed \$25,000.00; and(3)Single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed \$80,000.00.(4)If small purchase procedures are adopted for construction, the procedures shall not waive compliance with the Uniform State Building Code.(5)All purchases under this subsection that are expected to exceed \$30,000.00 shall require the (a) written informal solicitation of a minimum of four bidders or offerors, and (b) posting of a public notice on the city's website, and may additionally be posted on electronic procurement websites, and any other appropriate websites as may be determined at the discretion of the procurement administrator of designee.</p>
Newport News	
	Nothing Online?
Alexandria	
Sec. 3-3-69 - Contracting for professional services by competitive negotiation.	<a href="https://library.municode.com/va/alexandria/codes/code_of_ordinances?nodeId=PTIITHCOGEOR_TIT3FITAPR_CH3PUCOSE_ARTDCOFOMESOSE_DIV2CONE_S3-3-69COPRSECONE">https://library.municode.com/va/alexandria/codes/code_of_ordinances?nodeId=PTIITHCOGEOR_TIT3FITAPR_CH3PUCOSE_ARTDCOFOMESOSE_DIV2CONE_S3-3-69COPRSECONE</a>
	<p>Professional services shall be procured by competitive negotiation. The purchasing agent may establish purchase procedures, if adopted in writing, not requiring competitive negotiation for single or term contracts for professional services if the aggregate or the sum of all phases is not expected to exceed \$50,000; however, such small purchase procedures shall provide for competition wherever practicable.</p> <p>The purchasing agent shall engage in individual discussions with two or more offerors deemed fully qualified, responsible and suitable on the basis of initial responses and with emphasis on professional competence to provide the required services. Repetitive informal interviews shall be permissible. Such offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project and to explore alternative concepts of performance of the contract. In addition, offerors informed of any ranking criteria that will be used by the purchasing agent in addition to the review of professional competence of the offeror. The request for proposals shall not seek estimates of person hours or costs for services However, these discussions may encompass nonbinding estimates of total project costs, including, but not limited to, where appropriate design, construction, life cycle costs and nonbinding estimates of price for services. Proprietary information from competitive offerors shall not be disclosed to the public or to competitors. At the conclusion of the discussions and on the basis of evaluation factors published in the request for proposals and all information developed in the selection process to this point, the purchasing agent shall select in the order of preference two or more offerors whose professional qualifications and proposed services are deemed most meritorious. Negotiations shall then be conducted, beginning with the offeror ranked first. If a contract satisfactory and advantageous to the city can be negotiated at a price considered fair and reasonable, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations shall be conducted with the offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price. Notwithstanding the foregoing, if the terms and conditions for multiple awards are included in the request for proposal, the city may award contracts to more than one offeror. If, at the conclusion of the discussions, the purchasing agent determines in writing and in his sole discretion that only one offeror is fully qualified or that one offeror is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that offeror. Once formally terminated, negotiations may not be reopened with any offeror.</p> <p>(c)With respect to the procurement of legal services , the duties and responsibilities imposed upon the purchasing agent in subsection (b) above shall devolve upon the city attorney.</p>

	<p>(d)A contract for architectural or professional engineering services relating to multiple construction projects may be awarded by the purchasing agent, provided (i) the projects require similar experience and expertise, (ii) the nature of the projects is clearly identified in the request for proposal, and (iii) the contract is limited to a term of one year or when the cumulative total project fees reach the maximum cost authorized in this subsection, whichever occurs first.</p> <p>(1)Such contracts may be renewable for four additional one-year terms at the option of the purchasing agent. The fair and reasonable prices as negotiated shall be used in determining the cost of each project performed.</p> <p>(2)The sum of all projects performed in a one-year contract term shall not exceed \$6 million.</p> <p>(3)Competitive negotiations for such contracts may result in awards to more than one offeror provided (i) the request for proposal so states and (ii) the purchasing agent has established procedures for distributing multiple projects among the selected contractors during the contract term.</p> <p>(4)The fee for any single project shall not exceed \$2.5 million.</p> <p>(5)Any unused amounts from one contract term shall not be carried forward to any additional term.</p> <p>(e)Multiphase professional services contracts satisfactory and advantageous to the completion of large, phased, or long-term projects may be negotiated and awarded based on a fair and reasonable price for the first phase only, when completion of the earlier phases is necessary to provide information critical to the negotiation of a fair and reasonable price for succeeding phases. Prior to the entering into of any such contract, the purchasing agent shall state the anticipated intended total scope of the project and determine in writing that the nature of the work is such that the best interests of the city require awarding the contract.</p>
Hampton	
Sec. 2-325. - Verification of funds; purchase orders.	<a href="https://library.municode.com/va/hampton/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTXIVPROF_DIV1GE_S2-325VEFUPUOR">https://library.municode.com/va/hampton/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTXIVPROF_DIV1GE_S2-325VEFUPUOR</a>
<p>The provisions of this section apply to all public procurements regardless of dollar amount. The fact that procurements below one thousand five hundred dollars (\$1,500.00) are exempt from competitive bids has no relation to this section nor does it create any exception.</p>	
Sec. 2-326. - Competitive bidding requirements.	<a href="https://library.municode.com/va/hampton/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTXIVPROF_DIV1GE_S2-326COBIRE">https://library.municode.com/va/hampton/codes/code_of_ordinances?nodeId=CO_CH2AD_ARTXIVPROF_DIV1GE_S2-326COBIRE</a>

Except in specific situations as defined in this article, all purchase orders or contracts for public procurement shall be issued only after prices have been obtained in accordance with the applicable processes set forth in this section as follows:

(1) Advertisements, competitive sealed bidding or competitive sealed proposals shall not be required for procurements below thirty thousand dollars (\$30,000.00). Instead, the following competitive procurement procedures shall apply:

a. For procurements not exceeding five thousand dollars (\$5,000.00) city departments shall solicit at least two (2) price quotes and at least one (1) quote shall be solicited from a minority-owned or woman-owned business enterprise, whenever feasible. Quotes may be obtained either orally or in writing.

b. For procurements between five thousand one dollars (\$5,001.00) and nine-thousand nine hundred ninety-nine dollars and ninety-nine cents (\$9,999.99) city departments shall solicit at least three (3) price quotes to include any price available pursuant to state or local government cooperative procurement, and where feasible, a quote from a local vendor and from a certified minority-owned or woman-owned business enterprise. Quotes may be obtained either orally or in writing.

c. For procurements between ten thousand dollars (\$10,000.00) and twenty-nine thousand nine hundred ninety-nine dollars and ninety-nine cents (\$29,999.99) the procurement office shall solicit at least four (4) written price quotes and at least two (2) of those quotes shall be solicited from certified minority-owned or woman-owned business enterprises.

(2) Formal, sealed bids or proposals shall be required for all procurements of thirty thousand dollars (\$30,000.00) and over and shall be administered by the procurement office of the department of finance. Advertisements for such bids or proposals shall be placed at least ten (10) days prior to the bid or proposal opening date in a newspaper having a general circulation in the city and shall state the place where vendors may examine any plans or specifications and receive bid or proposal forms, and the time and place where bids or proposals will be received and opened. The chief procurement officer or his designated representative is directed, in addition to the above-mentioned advertisement, to solicit bids or proposals from prospective vendors, including at least four (4) certified minority-owned or women-owned enterprises, by forwarding written notice to such prospective vendors.

All bids or proposals provided for in this subsection (2) shall be submitted sealed to the chief procurement officer or his designated representative at the place designated in the advertisement prior to the stated time for the opening. All such bids or proposals received shall be opened in public at the time and place stated in the advertisement.

(3) In solicitations for procurements of one hundred thousand dollars (\$100,000.00) and above, the chief procurement officer shall set individualized goals for participation of certified minority-owned business enterprises and women-owned business enterprises in accordance with the city's minority business program plan as approved and amended by city council from time to time upon the recommendation of the city manager.

(4) Where multiple quotes are obtained pursuant to any process set forth in this subsection, city departments and/or the procurement office, as applicable, shall award to the lowest "responsible" vendor as that term is defined by the Virginia Public Procurement Act, Virginia Code § 2.2-4300 et seq., as amended. The failure of any person or firm to receive notice of solicitation by letter or telephone shall not affect the validity of any procurement under this subsection. A written record of all the solicitations and the quotes or proposals received shall be made a part of the purchasing records, including documentation of all efforts required by this subsection to solicit quotes from minority- and women-owned businesses. The chief procurement officer shall issue policies setting forth the content and form of documentation necessary to satisfy the requirements of this subsection.

Portsmouth	
Sec. 12-220. - Same—Small purchases.	<a href="https://library.municode.com/va/portsmouth/codes/code_of_ordinances?nodeId=PTIICO_CH12FI_ARTVPUPR_DIV1GE_S12-185UNPU">https://library.municode.com/va/portsmouth/codes/code_of_ordinances?nodeId=PTIICO_CH12FI_ARTVPUPR_DIV1GE_S12-185UNPU</a>

(a) A contract may be made in accordance with small purchase procedures developed by the purchasing administrator if the aggregate or sum of all phases or terms is not expected to exceed \$100,000.00 in the case of goods and services (other than professional services) or non-transportation construction; \$25,000.00 in the case of

transportation-related construction; or **\$60,000.00** in the case of a single or term contract for professional services; provided, however, that contract requirements shall not be artificially divided so as to constitute a small purchase under this section. Purchases under this section that are expected to exceed **\$30,000.00** shall require the written informal solicitation of a minimum of four bidders or offerors. Awards shall be made to the business offering the lowest acceptable quotation. The name of the business submitting the quotation and the date and the amount of such quotation shall be recorded and maintained as a part of the contract file.(b)A single quotation or term contract may be accepted from any one source in contracts which do not exceed **\$5,000.00**.

**Lynchburg city**

Subject to such small purchase procedures as are established in the procurement manual adopted by the city manager pursuant to section 18.1-12, the city manager, or those to whom he delegates authority, may enter into single or term contracts for goods and services other than professional services if the aggregate or sum of all phases is not expected to exceed **\$50,000.00**. Such small purchase procedures shall provide for reasonable competition when practicable, including, without limitation, when such small purchases are for over **\$10,000.00**, use of three quotes when reasonably practicable.

**Harrisonburg**

(c) Employment Discrimination by Contractor Prohibited	<a href="https://www.harrisonburgva.gov/sites/default/files/Purchasing/files/Procurement%20Manual%20City%20of%20Harrisonburg%202-9-12.pdf">https://www.harrisonburgva.gov/sites/default/files/Purchasing/files/Procurement%20Manual%20City%20of%20Harrisonburg%202-9-12.pdf</a>
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Every contract of over **\$10,000** shall include the provisions in one (1) and two (2) below:

(1) During the performance of this contract, the contractor agrees as follows:

(a) The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

(b) The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

(c) Notices, advertisement and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

(2) The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over **\$10,000**, so that the provisions will be binding upon each subcontractor or vendor.

4-3-44 Small Purchases	<a href="https://www.harrisonburgva.gov/sites/default/files/Purchasing/files/Procurement%20Manual%20City%20of%20Harrisonburg%202-9-12.pdf">https://www.harrisonburgva.gov/sites/default/files/Purchasing/files/Procurement%20Manual%20City%20of%20Harrisonburg%202-9-12.pdf</a>
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4-3-44 Small Purchases The purchasing agent may, in his discretion, make any contracts for purchases of less than Thirty Thousand Dollars (**\$30,000**) without obtaining bids or quotations; provided, that such purchases are made on the basis of one of the following requirements: (a) That the cost of the items purchased be the lowest of the supplier's current price lists in the office of the purchasing agent. The purchasing agent shall attempt to obtain at least two current price lists from suppliers prior to making purchases under this provision. A price list obtained within twelve months of the purchase shall be considered current. (b) That it is known by the purchasing agent that all competitors have substantially the same price for the items to be purchased. 21 (c) That the purchase of less than **\$30,000** is a reorder of commodities purchased on a previous bid or part thereof obtained within twelve months prior to the proposed purchase. (d) That the contract or purchase is of nominal value as that term is defined herein. (e) That if a contract is to be awarded for professional services to a contractor who has performed professional services for the City prior to July 1, 1994 and in the discretion of the purchasing agent the best interest of the City will be served by the prior professional experience and expertise of such a contractor, a contract may be awarded for professional services to such a contractor without competitive negotiation or obtaining bids or quotations. (f) That in the opinion of the purchasing agent it is not practicable to obtain bids regarding the contracts or purchases. (g) Minority vendors/contractors as so registered with the State of Virginia. All other purchases shall be made in accordance with the provisions of this policy



<b>Charlottesville</b>			
Sec. 22-4. - Methods of procurement authorized.	<a href="https://library.municode.com/va/charlottesville/codes/code_of_ordinances?nodeId=CO_CH22CIPRGOSENVESO_ARTIINGE_S22-4MEPRAU">https://library.municode.com/va/charlottesville/codes/code_of_ordinances?nodeId=CO_CH22CIPRGOSENVESO_ARTIINGE_S22-4MEPRAU</a>		
<p>(f) The purchasing manager may establish written procedures, approved by the city manager, for single- or term-contracts for goods, services and professional services, if the aggregate or the sum of all amounts to be paid to the contractor during performance is not expected to exceed fifty thousand dollars (\$50,000.00) ("small purchase procedures"). Such small purchase procedures shall provide for competition wherever practicable.</p> <p>(g) Upon a determination made in advance by the purchasing manager and set forth in writing that the purchase of goods, products or commodities from a public auction sale is in the best interests of the public, such items may be purchased at the auction, including online public auctions. The writing shall document the basis for this determination. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates, shall not be made by online public auctions.</p>			
<b>Danville</b>			
Sec. 30-35. - Same—Small purchases.	<a href="https://library.municode.com/va/danville/codes/code_of_ordinances?nodeId=PTIICO_CH30PRCO_ARTIICOPR_DIV1GE_S30-35SAMAPU">https://library.municode.com/va/danville/codes/code_of_ordinances?nodeId=PTIICO_CH30PRCO_ARTIICOPR_DIV1GE_S30-35SAMAPU</a>		
<p>(a) The purchase of goods, contractual services (excluding professional services), insurance and capital improvements estimated to be less than fifty thousand dollars (\$50,000.00) in value shall not be subject to the competitive bidding requirements of this article. Purchases under this subsection that are expected to exceed thirty thousand dollars (\$30,000.00) shall require the written informal solicitation of a minimum of four (4) bidders or offerors.</p> <p>(b) For purchases of less than thirty thousand dollars (\$30,000.00), the City will endeavor to purchase such items on as competitive a basis as practical and the City Manager is authorized to establish the administrative controls considered necessary to govern such purchases. Written quotations from vendors shall be obtained where practical, although verbal quotations will be permitted, provided a written record of all such verbal quotations is made and filed with the records of the transaction.</p> <p>(c) Professional services not expected to exceed thirty thousand dollars (\$30,000.00) in value shall not be subject to the competitive negotiation requirements of this article.</p>			
<b>Blacksburg</b>			
Section 16-200. - Methods of procurement.	<a href="https://library.municode.com/va/blacksburg/codes/code_of_ordinances?nodeId=CO_CH16PU_ARTIICOFO_S16-200MEPR">https://library.municode.com/va/blacksburg/codes/code_of_ordinances?nodeId=CO_CH16PU_ARTIICOFO_S16-200MEPR</a>		
<p>Any contracts with non-governmental contractors for the purchase or lease of goods, or for the purchase of services, insurance or construction shall be awarded after competitive sealed bidding or competitive negotiation, unless otherwise authorized by law.</p> <p>(b)The purchasing agent may establish written small purchase procedures not requiring competitive sealed bids or competitive negotiation for single or term contracts for goods or services other than professional services if the aggregate of all phases is not expected to exceed \$50,000.00; however, the small purchase procedures shall provide for competition wherever practicable. Purchases that are expected to exceed \$30,000.00 shall require the written informal solicitation of a minimum of four bidders.</p>			
<b>Winchester</b>			
Sec. 21-25. - Methods of procurement.	<a href="https://library.municode.com/va/winchester/codes/code_of_ordinances?nodeId=CD_CH21PU_ARTIVMEPRON_DIV1MEPR_S21-25MEPR">https://library.municode.com/va/winchester/codes/code_of_ordinances?nodeId=CD_CH21PU_ARTIVMEPRON_DIV1MEPR_S21-25MEPR</a>		
Field Purchase Order	\$1—\$4,999	No quotes needed	Department
Field Purchase Order	\$5,000—\$15,000	3 verbal quotes	Department

Purchase Order Professional Services	\$15,000.01—\$60,000	3 written quotes	Department
Purchase Order Goods & Non-Profess. Svcs.	\$15,000.01—\$100,000	3 written quotes	Department
Sealed Bid Process Goods & Non-Profess. Svcs.	\$100,000.01	Competitive Sealed Bid or Competitive Negotiation	Submit Specs to Purchasing

**Salem**

Sec. 8.1. - Public works or improvements; contracts for more than five thousand dollars. [https://library.municode.com/va/salem/codes/code\\_of\\_ordinances?nodeId=PTICH\\_CH8FIPR\\_S8.1PUWOIMCOMOFITHDO](https://library.municode.com/va/salem/codes/code_of_ordinances?nodeId=PTICH_CH8FIPR_S8.1PUWOIMCOMOFITHDO)

Any public work or improvement costing more than five thousand dollars shall be executed by contract, except where a specific work of [or] improvement is authorized by the city council and directed to be done by force account. Such work shall be based on detailed estimates submitted by the department authorized to execute such work or improvement, and approved by the city manager. All contracts for more than five thousand dollars shall be awarded to the lowest responsible bidder in such manner and under such bond as may be prescribed by ordinance and after the city manager shall have made due advertisement for such time as the city council may prescribe, by newspapers or posted notices. But the city manager shall have the power to reject any or all of the bids and advertise again, and all advertisements shall contain a reservation of this right.

Sec. 2-1. - Purchases in emergency cases; purchases exceeding \$500.00. [https://library.municode.com/va/salem/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2AD\\_ARTIINGE\\_S2-1PUEMCAPUEX500.00](https://library.municode.com/va/salem/codes/code_of_ordinances?nodeId=PTIICO_CH2AD_ARTIINGE_S2-1PUEMCAPUEX500.00)

In an emergency requiring immediate action, the city manager may proceed to do the work by procuring the required labor and materials without the necessity of advertising. The purchasing agent may, in emergency cases, make purchases in any department of the city government not to exceed **\$500.00** without specific permission from the council. For any purchases in excess of this amount, an order of the council shall be required.

**Fredericksburg**

2-387 Small Purchases. <https://ecode360.com/28963518?highlight=purchase,small%20purchases&searchId=8515525835695858>

The City Manager may enter into contracts for the purchase of goods and nonprofessional services, insurance, and construction without following the requirements of this article for competitive sealed bids or competitive negotiation on single or term contracts where the aggregate or the sum of all phases is not expected to exceed \$100,000. The City Manager may enter into contracts for the purchase of professional services without following the requirements of this article for competitive sealed bids or competitive negotiation on single or term contracts where the aggregate or the sum of all phases is not expected to exceed **\$60,000**.

B. The City Manager shall, wherever practicable, seek competitive prices on small purchases pursuant to this section. For the purchase of goods in excess of **\$5,000**, the City Manager shall secure at least three estimates or proposals from different vendors. Written quotations from vendors shall be obtained, where practicable, although verbal quotations will be permitted, provided the City Manager cause a written record of all such verbal quotations to be made and filed with the records of the transaction.

**Fairfax**

Sec. 2-335. - Small purchases. [https://library.municode.com/va/fairfax/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2AD\\_ARTVIFI\\_DIV3PRPR\\_S2-335SMPU](https://library.municode.com/va/fairfax/codes/code_of_ordinances?nodeId=PTIICO_CH2AD_ARTVIFI_DIV3PRPR_S2-335SMPU)

Any single or term contract not expected to exceed **\$60,000.00** in the aggregate may be made for goods and services other than professional services without competitive sealed bidding or competitive negotiation, in accordance with small purchase procedures administered by the director of finance. Notwithstanding the foregoing, contract

requirements shall not be artificially divided so as to constitute a small purchase under this section. Insofar as is practical, competition is to be encouraged even for small purchases made under this section, and where possible, no fewer than three businesses or individuals shall be solicited to submit quotations. These solicitation requirements do not apply for purchases under **\$5,000.00**.

**Waynesboro city**

Sec. 56-4. - Small purchases. [https://library.municode.com/va/waynesboro/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH56PR\\_S56-4SMPU](https://library.municode.com/va/waynesboro/codes/code_of_ordinances?nodeId=PTIICO_CH56PR_S56-4SMPU)

(a)The city may award single or term contracts for:(1)Professional services less than or equal to **\$60,000.00**;(2)Non-professional services less than or equal to \$100,000.00; and(3)Goods and non-transportation-related construction less than or equal to \$100,000.00 without competitive procurement by utilizing the following procedure: a identify at least three potential suppliers for the items being purchased.  
 (b)Obtain pricing. Verbal proposals are acceptable, as are advertisements and world-wide-web pages, so long as they are current. Award the contract to the supplier offering the lowest price, in the absence of an articulated reason to award it to someone else.

**Bristol**

Sec. 2-3. - Purchases generally. [https://library.municode.com/va/bristol/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2AD\\_ARTIINGE\\_S2-3PUGE](https://library.municode.com/va/bristol/codes/code_of_ordinances?nodeId=PTIICO_CH2AD_ARTIINGE_S2-3PUGE)

Sec. 2-3. - Purchases generally.  
 SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTION  
 The following regulations, pursuant to the Virginia Public Procurement Act (VPPA), are adopted and shall hereinafter be referred to as the small purchases procedure:  
 (1) Purchases made by the City of Bristol, Virginia, shall be in accordance with the Virginia Public Procurement Act.  
 (2) Purchases that do not exceed **\$5,000.00** are exempt from the competitive practices and procedures specified in this section. However, it is requested that city departments obtain the best pricing possible.  
 (3) The procurement of goods or services that are expected to cost between **\$5,000.01** and **\$25,000.00** shall require a minimum of three written quotations.  
 (4) The procurement of goods or services that are expected to cost between **\$25,000.01** and **\$100,000.00** shall require a minimum of four written quotations.  
 (5) The procurement of goods or services that cost over \$100,000.00 shall require the solicitation of competitive sealed bids or proposals.  
 (6) Professional services that are expected to exceed **\$60,000.00** shall require the solicitation of competitive sealed proposals.  
 (7) The city manager, in the case of an emergency that does not allow sufficient time to engage in normal procurement procedures, may authorize a contract or the purchase of goods or services on an emergency basis if it is determined to be in the city's best interest to do so.  
 (8) In all cases, the names of each person or business submitting quotations, the date and amount of each quotation shall be recorded and maintained as a public record. In instances where the minimum number of quotations required are not obtained or are not available, the reasons why shall be recorded and maintained as a public record. Specifications or request for proposals that are prepared for any solicitation for goods or services shall also be maintained as a public record.  
 (9) The use of separate purchase orders to avoid the above mentioned thresholds are prohibited. The above mentioned thresholds will relate to the aggregate purchase price for a specific purchase.

**Colonial Heights**

63-30 Small Purchases. <https://ecode360.com/9338754?highlight=purchase,purchased,purchasing,small%20purchase,small%20purchases&searchId=8516506461726001#9338754>

Single or term contracts not expected to exceed **\$50,000** may be awarded without competitive sealed bids or competitive negotiation but shall be awarded on the basis of such competition as the Purchasing Agent, in his discretion, finds practicable. Such awards shall be based, except when the Purchasing Agent shall determine in writing that it is impracticable to do so, on three or more competitive bids, which may be informal but of which there shall be a written record.  
 B. In making determinations as to practicability, the Purchasing Agent shall consider whether or not:  
 (1) The cost of the items purchased is the lowest from the supplier current price lists in the Purchasing Office.  
 (2) All competitors have the same price for the items to be purchased.

(3) The purchase is a reorder of commodities purchased on a previous bid or part thereof obtained within six months prior to the proposed purchase.

(4) Only two competitive bids are reasonably available. In making said determinations, the Purchasing Agent shall also consider the cost of the purchasing process relative to the cost of items being purchased and shall not be limited necessarily to consideration of factors specifically stated herein.

C. No contract amount shall be artificially divided so as to constitute a small purchase under this section.

## **PROCUREMENT POLICY AND PROCEDURES**

### **PURPOSE**

In recognition of the City of Hopewell's need to make purchases and enter into small contracts in order to ensure operational efficiency and to deliver timely and critical services, the Hopewell City Council hereby adopts the following small purchase policy and procedures for the City, pursuant to the authority vested in it by Va. Code Ann. §2.2-4303(G). It is the dual purpose of this policy to promote, support, and encourage investment in the local economy when purchasing or contracting for goods and non-professional services pursuant to this policy whenever such can be achieved and there is an objectively rational basis to do so.

This policy shall operate to delegate the City's power to contract without formal competition and without first seeking approval by City Council under specific terms and conditions. Any contract not expressly approved by City Council or otherwise falling within these expressed conditions shall be deemed void and unenforceable.

This small purchase policy should be read in conjunction with the Virginia Public Procurement Act Va. Code Ann. §2.2-4300, *et seq.*, as amended, ("the Act") and shall apply to all public purchasing regardless of source.

Pursuant to Va. Code Ann. §15.2-1100, *et seq.*, and Art. IV, §2 of the Hopewell City Charter, the City Council reserves to itself all authority to bind the City by contract, except as expressly provided herein. The provisions of the Act shall govern all other procurement by the City.

## **DEFINITIONS**

*Contract* means all types of agreements (e.g., purchase, purchase order, contract, change order), regardless of what they may be called for the procurement of goods, services, insurance, or construction.

*Emergency* shall exist when a breakdown in essential service occurs or under any circumstances when supplies are needed for immediate use in work which may affect the safety, health or welfare of the public. Within 30 days of emergency, the City Manager or designee shall submit to City Council a written report detailing the nature of the emergency as well as full fiscal and budgetary impact of the emergency including, if necessary, the potential for a supplemental budget appropriation necessitated by the emergency.

## **VALIDITY OF CONTRACTS**

No public contract exceeding the value of \$\_\_\_\_\_ shall be valid and enforceable against the City unless it is signed and approved as to form by the city attorney or designee, as well as signed and approved as to substance (terms of the deal) by the city manager or designee. In consultation with the city manager or designee, the city attorney may develop standard terms and conditions, forms, or other checklists for use with or in administration of public contracts.

## **UNAUTHORIZED CONTRACTS**

Contracts may not be artificially divided so as to constitute a small purchase.

**GENERAL PROVISIONS**

Employees are responsible for soliciting quotes for purchases as outlined below. Purchase orders submitted without the required quotes or a satisfactory explanation as to why quotes were not obtained (i.e., sole source, emergency, approved vendor) shall not be approved.

- Up to \$ \_\_\_\_\_ One verbal quote is required.
- \$ \_\_\_\_\_ Three verbal quotes must be obtained. The quote summary must be attached to the invoice. Physical records regarding the dates, contacts, and quotes received shall be retained in the department's file for auditing purposes.
- \$ \_\_\_\_\_ Three written quotes are required. The actual written quotes shall be retained in the department's file for auditing purposes. Physical records regarding the dates, contacts, and quotes received shall be retained in the department's file for auditing purposes.
- \$ \_\_\_\_\_ Three written quotes are required. Hard copies shall be attached to the purchase order.
- \$ \_\_\_\_\_ Must be competitively bid in accordance with the Act. City Council approval is required for all purchases in this category, except as provided for an emergency.

Items purchased more than once during a fiscal year (e.g. office supplies) do not need quotes every time a purchase is made. However, unless such purchases are made from an approved vendor list, competitive quotes for repeated purchases shall be sought at least once each year to ensure the vendors are competitive. Inasmuch as possible or feasible, employees should obtain goods and

**FOR DISCUSSION PURPOSES ONLY**

**DRAFT**

services through cooperative procurement with other local governments or units or by utilizing the Commonwealth of Virginia e-Marketplace.

**SOLE SOURCE PROCUREMENT**

Contracts for parts, supplies, or equipment that are available only from a single source shall be referred to as sole source purchases. Sole source purchase shall not be used for any type of service contracts. Sole source procurement may arise from the following instances:

1. Equipment for which there is no comparable competitive product or is available only from one supplier;
2. A part for which there is not commercially available substitute, and which can be obtained only from the manufacturer;
3. An item where 'compatibility' is the overriding consideration, e.g., computer software or hardware.

Purchases satisfying one or more of these requirements shall not be subject to competitive bidding; however, purchases exceeding \$\_\_\_\_\_ shall still be presented to City Council for approval. For all purchases submitted to City Council as a sole source procurement shall be accompanied by a written request to waive bids which shall also set forth the reason(s) for the request.

**EMERGENCY PURCHASES**

Emergency shall be defined as set forth herein. Whenever, in the judgment of the City Manager, an emergency situation requires the make of any purchase in excess of \_\_\_\_\_ but less than \$\_\_\_\_\_ prior to the next regular meeting of the City Council, the City Manager may make such purchase without waiting for the formal approval of the specific purchase by City



**FOR DISCUSSION PURPOSES ONLY**

**DRAFT**

Council but shall make a report thereof to the City Council at the next regular meeting of the City Council. If the emergency purchase is over \$\_\_\_\_\_, approval of the City Council is required and request therefor shall be accompanied by a written request to approve the emergency purchase which shall also set forth the reason(s) for the request.

**CHANGE ORDERS**

Subsequent to entering into a contract, change orders may become necessary. The City Manager shall have the authority to approve all change orders up to \$\_\_\_\_\_. Any change order, singularly *or in the aggregate*, that exceeds \$\_\_\_\_\_ must be approved by the City Council.

**RECONCILIATION REQUIRED**

Each department that utilizes this small purchase policy during any given month shall be required to reconcile all purchases executed during that month. To comply with this requirement, each department must designate the person/position who will be tasked with responsibility of reconciling the transactions of the department, and be responsible for investigating, resolving, and reporting out to the Finance Department (copy to City Manager) discrepancies, should such occur. The person/position designated for reconciling the transaction shall *not* under any circumstances be the person/position who initiated or authorized the underlying purchase. This requirement shall not be waived.

For purchases over \$\_\_\_\_\_, reconciliation shall require that the expense of the purchase match up and is verified by all documentation required by this policy. Reconciliation should be completed monthly. Reconciliation reports required for any month shall be due to the Finance Department (copy to City Manager) by no later than the 15<sup>th</sup> day of the following month. Department reconciliation reports shall be retained by Finance Department in accordance with

**FOR DISCUSSION PURPOSES ONLY**

**DRAFT**

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.

DRAFT

**IR-11**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

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

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

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

**TIMING:** Immediate

**BACKGROUND:** None

**ENCLOSED DOCUMENTS:**

- None

**STAFF:**

None

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

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

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

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**Roll Call**

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**SUMMARY:**

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

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

**IR-12**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:****Request City Council create an Innovation Competition for City Departments**

**ISSUE:** The current Efficiency Study and Technology Review was originally designed to include an element of staff engagement. The desire was to include members of staff by creating an innovation competition for them to suggest problem-solving ideas to help the City operate better and improve customer service.

**RECOMMENDATION:** City Council approve to create an Innovation Competition internally with City Staff. Request that City Council create a program department level ideas or city wide ideas. Additionally, suggest that City Council commit to a cap level of funding to inform staff that their ideas must range within. For example: \$0- \$5,000 for departments and no cost cap for city wide ideas. Moreover, City Council should set criteria that the ideas must be able to implemented in a reasonable about of time ranging between 2-6 months.

**TIMING:** Immediately**BACKGROUND:** n/a**ENCLOSED DOCUMENTS:** n/a**REQUESTER:**

Mayor Gore

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

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

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

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**Roll Call**

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**SUMMARY:**

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

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



# City of Hopewell Constituent & Customer Satisfaction Survey



The City of Hopewell is committed to providing high quality and responsive customer service. As part of that commitment, the City is conducting a survey as a tool to better serve the public. In order to measure how we are doing, your participation is requested and valued greatly. Feedback received will be used to determine areas in which the City is performing well and those areas in which there is room for improvement.

1. Which of the following best describes you?
  - Resident
  - Non-Resident
  - Business Owner
  - Business Property Owner/Manager
  - Consultant
  - Contractor/Developer
  - Other
  
2. Which department did you contact and by what method?
  - Department of Public Works (to include City Engineer)
  - Department of Recreation and Parks
  - Department of Development (to include Code Enforcement)
  - Office of Economic Development
  - Hopewell Fire and EMS
  - Hopewell Police Department
  - Hopewell Renewal (Wastewater)
  - Department of Social Services
  - Department of Human Resources
  - Office of City Clerk
  - Office of City Manager
  - City Council
  - Office of the City Attorney
  
  - On phone
  - Walk-in
  - Internet (e.g. city website)
  - Via email or letter
  - Official City social media platforms
  - City staff visiting my home or business
  - Other (please specify)

3. How frequently do you interact with City Staff?
  - Once a week
  - Once a month
  - Every few months
  - Once or twice a year
  - Rarely; once a year
  
4. What is the most frequent reasons why you contact the City of Hopewell? (Check all that apply)
  - Requesting general information on City operations or services
  - Requesting information on an account with the City (e.g. sewer, trash, taxes, etc.)
  - Submitting a complaint and/or service request for a City Department/City Council
  - Following up on the status of a previous request
  - Making a payment
  - Disputing a bill
  - Disputing tax bills and/or records
  - Filling a permit, application or plan with the City
  - Following up on the status of a permit, application or plan that has previously been filed with the city
  - Inquire about land or future development deal
  - Filing a police report
  - Fire, rescue and EMS services or fire inspections and code
  - Inquire about how to start a business or potential economic development deals
  - Inquire about City Council records (e.g. meeting minutes, meeting agenda, votes, etc.)
  - Submit a Freedom of Information Act (FOIA) request
  - Inquire about city events
  - Inquire about how to participate in city events or programs
  - Inquire about how to be a City volunteer and/or appointee of City Council
  - Inquire about youth programs
  
5. When filling a complaint, what is the most frequent reason?
  - City water and Sewer Services
  - City trash, debris and/or litter
  - Streets, sidewalks, potholes, traffic signage, etc.
  - City recreational facilities or events
  - City code enforcement (e.g. vacant properties, rental houses, inoperable vehicles, etc.)

- Shooting
  - Other crime
  - Drugs/Overdoses
  - Other; Please specify
6. How would you describe the time it took for your issue to be resolved or for you to receive a final decision?
- Quickly
  - About how long you would reasonably expect
  - Longer than expected
  - Much longer than expected
7. How well do the departments or offices you frequently contact meet your overall needs?
- Excellent (went beyond expectations)
  - Good (met expectations)
  - Average (met minimum expectations but could use improvement)
  - Poor (did not meet minimum expectations)
  - Very poor (far below expectations)
8. Rate the departments or offices knowledge and ability to process your requests timely.
- Excellent (went beyond expectations)
  - Good (met expectations)
  - Average (met minimum expectations but could use improvement)
  - Poor (did not meet minimum expectations)
  - Very poor (far below expectations)
9. How are departments or offices being attentive to your needs?
- Excellent (went beyond expectations)
  - Good (met expectations)
  - Average (met minimum expectations but could use improvement)
  - Poor (did not meet minimum expectations)
  - Very poor (far below expectations)
10. Rate how your requests are completed. On most occasions, are issues resolved correctly correctly/efficiently after initial contact?
- Excellent (went beyond expectations)
  - Good (met expectations)
  - Average (met minimum expectations but could use improvement)
  - Poor (did not meet minimum expectations)
  - Very poor (far below expectations)

11. How courteous and professional was the department or offices when addressing your needs?
- Excellent (went beyond expectations)
  - Good (met expectations)
  - Average (met minimum expectations but could use improvement)
  - Poor (did not meet minimum expectations)
  - Very poor (far below expectations)
12. How well does the department or offices relay information and communicate to you?
- Excellent (went beyond expectations)
  - Good (met expectations)
  - Average (met minimum expectations but could use improvement)
  - Poor (did not meet minimum expectations)
  - Very poor (far below expectations)
13. If your question or concern was not adequately addressed, do you have the necessary information required to pursue next steps or find the information you require? Please provide a brief description.
14. Please provide a description of the response you received from the City.
15. Did you receive any delay or hindrance to resolve your issue? (e.g. transfer to other city department, had to wait for staff to contact you back, wait for information, etc.)
16. Please consider effort and effectiveness in assisting you with your question/concern, and anything the employee to go above or below your expectations.
17. Do you think this survey would be helpful if completed for each individual City Department, City manager and/or City Council?
18. How well do you feel the City communicates to residents about city updates, issues, plans or initiatives?
- Excellent (went beyond expectations)
  - Good (met expectations)
  - Average (met minimum expectations but could use improvement)
  - Poor (did not meet minimum expectations)
  - Very poor (far below expectations)
19. How well do you feel the City includes residents in city planning and decision-making
- Excellent (went beyond expectations)

- Good (met expectations)
- Average (met minimum expectations but could use improvement)
- Poor (did not meet minimum expectations)
- Very poor (far below expectations)

20. How well do you feel the City shares opportunities to be involved within the City as a volunteer and/or City Council appointee?

- Excellent (went beyond expectations)
- Good (met expectations)
- Average (met minimum expectations but could use improvement)
- Poor (did not meet minimum expectations)
- Very poor (far below expectations)

21. How often do you use the City's online platforms to learn more and be engaged?

- City Website
- City Social Media
- Council Live
- City App
- City Mobile Text Alerts
- Freedom of Information Act (FOIA) List
- Online Complaint Form
- Online Payment Services

22. Is there any service the City does not provide that would assist with our customer service?

23. Overall, how would you describe the City's overall customer Service?

- Excellent (went beyond expectations)
- Good (met expectations)
- Average (met minimum expectations but could use improvement)
- Poor (did not meet minimum expectations)
- Very poor (far below expectations)

**IR-13**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

CENSUS Adjustment

**ISSUE:** The 2020 Census is underway and households across America are responding every day. In light of the COVID-19 outbreak, the U.S. Census Bureau has adjusted 2020 Census operations. The following is provide City Council with the latest U.S. Census Bureau update.

**RECOMMENDATION:** N/A

**TIMING:** Immediate

**BACKGROUND:** 2020 Census Date was April 1<sup>st</sup>.

**ENCLOSED DOCUMENTS:**

- 2020 Census Operational Adjustments Due to COVID-19

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

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

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

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

# 2020 Census Operational Adjustments Due to COVID-19

The 2020 Census is underway and households across America are responding every day. In light of the COVID-19 outbreak, the U.S. Census Bureau has adjusted 2020 Census operations in order to:

- Protect the health and safety of Census Bureau employees and the American public.
- Implement guidance from federal, state, and local health authorities.
- Ensure a complete and accurate count of all communities.

The table below summarizes the adjustments to operations. Should any additional adjustment become necessary, the Census Bureau will promptly publish the change in an updated document.

## STATUS OF CURRENT OPERATIONS

Activity/Operation	Planned Schedule	Adjustment	Revised Schedule
Self-Response Phase (online, phone, mail)	March 12–July 31	Extended	March 12–August 14
Update Leave	March 15–April 17	Delayed	March 29–May 1
Update Enumerate	March 16–April 30	Suspended and extended	March 16–May 14
Mobile Questionnaire Assistance	March 30–July 31	Delayed	April 13–August 14
Early Nonresponse Followup (NRFU)	April 9–July 31	Delayed	May 7–August 14
Nonresponse Followup (NRFU) and NRFU Reinterview	May 13–July 31	Delayed	May 28–August 14
Group Quarters Enumeration	April 2–June 5	Delayed	April 16–June 19
Service-Based Enumeration	March 30–April 1	Delayed	April 29–May 1
Census counts people experiencing homelessness outdoors	April 1	Delayed	May 1
Enumeration of Transitory Locations	April 9–May 4	Delayed	April 23–May 18
Deliver apportionment counts to the President	By December 31	On schedule	By December 31
Deliver redistricting counts to states	By April 1, 2021	On schedule	By April 1, 2021

Connect with us  
@uscensusbureau

For more information:  
**2020CENSUS.GOV**

D-FS-GP-EN-017 March 21, 2020

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your future  
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United States®  
**Census**  
**2020**



**IR-14**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:**

UNEMPLOYMENT INSURANCE (UI) PROCEDURES TO FILE OR RE-OPEN A CLAIM

**ISSUE:** Due to the COVID-19 outbreak, many American's will have to fire for unemployment. The following form is the latest information about how to initiate that process for the Crater Workforce Region.

**RECOMMENDATION:** N/A

**TIMING:** Immediate

**BACKGROUND:** 2020 Census Date was April 1<sup>st</sup>.

**ENCLOSED DOCUMENTS:**

- UNEMPLOYMENT INSURANCE (UI) PROCEDURES TO FILE OR RE-OPEN A CLAIM

**STAFF:**

Mayor Gore

**FOR IN MEETING USE ONLY**

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

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

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

**ADJOURN**